

# Richmond Regional Transit Governance Study

Central Virginia Transportation Authority

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## Table of Contents

Executive Summary .....	6
1 Introduction .....	12
2 GRTC Overview .....	13
2.1 Brief History .....	13
2.2 GRTC Governance .....	13
2.3 GRTC Service and Organizational Structure .....	15
2.3.1 GRTC Service .....	18
2.3.1.1 Fixed Route Service .....	18
2.3.1.2 Specialized Service And Vanpools .....	19
2.3.2 GRTC Fare Structure .....	20
2.4 Sources of Funds .....	21
3 Stakeholder Outreach and Key Issues .....	24
3.1 Stakeholder Outreach Participants .....	24
3.2 Key Governance Issues Identified .....	26
3.2.1 Decision Making and Accountability .....	26
3.2.2 Board Representation .....	27
3.2.3 Implications of Governance Changes for GRTC Ownership .....	27
4 Peer Review .....	28
4.1 Overview of Peers .....	28
4.2 Review of Governance Structures .....	30
4.2.1 Hampton Roads Transit .....	30
4.2.2 Via Metropolitan Transit (Via Metro) .....	33
4.2.3 Nashville Metropolitan Transit Authority .....	36
4.2.3.1 Regional Transportation Authority Of Middle Tennessee .....	37
4.2.4 Rock Region Metropolitan Transit Authority .....	41
4.3 Comparison of GRTC Governance Structure Relative to Peers .....	44
4.4 Summary of Peer Review .....	45
5 Strategic Assessment and Benchmarking of CVTA .....	47
5.1 Northern Virginia Transportation Authority .....	47
5.1.1 Role and Funded Projects .....	47
5.1.2 Membership .....	47
5.1.3 Governance .....	48
5.1.4 Funding .....	49
5.1.5 Powers and Authority .....	49
5.2 Hampton Roads Transportation Accountability Commission .....	50
5.2.1 Role and Funded Projects .....	50
5.2.2 Membership .....	50
5.2.3 Governance .....	50
5.2.4 Funding .....	50
5.2.5 Powers and Authority .....	51
5.3 Central Virginia Transportation Authority .....	51
5.3.1 Role and Funded Projects .....	52
5.3.2 Membership .....	52
5.3.3 Governance .....	52
5.3.4 Funding .....	53
5.3.5 Powers and Authority .....	53

5.4 CVTA Benchmarking ..... 54

5.4.1 Summary ..... 56

6 Transportation Districts ..... 57

6.1 Purpose and Creation ..... 57

6.2 Governance ..... 57

6.3 Powers and Authority ..... 58

6.4 Opportunities and Challenges ..... 59

7 Findings and Recommendations ..... 60

7.1 Decision Making and Accountability ..... 60

7.2 Board Representation ..... 62

7.3 Implications of Governance Changes for GRTC Ownership ..... 66

7.4 Evaluation of Establishing A Transportation District ..... 67

7.5 Considerations for Further Study ..... 67

Appendix A Funding Descriptions ..... 69

Appendix B Supplementary Information on Transportation Districts ..... 70

## Figures

Figure 1-1 Study Approach ..... 12

Figure 2-1 GRTC Board Structure ..... 15

Figure 2-2 GRTC Executive Level Organizational Chart ..... 16

Figure 2-3 GRTC Detailed Organizational Structure ..... 17

Figure 2-4 Fixed Route Ridership (2019) ..... 18

Figure 2-5 Specialized Service Ridership Breakdown (2019) ..... 20

Figure 2-6 GRTC Operating Funds (2015 to 2021) ..... 22

Figure 2-7 GRTC Local Operating Contributions (2015-2021) ..... 22

Figure 3-1 Summary of Key Issues ..... 26

Figure 4-1 TDCHR Organizational Chart ..... 30

Figure 4-2 HRT Senior Executive Team Organizational Chart ..... 30

Figure 4-3 TDCHR Board Members ..... 31

Figure 4-4 HRT Sources of Operating Funds (NTD 2019) ..... 33

Figure 4-5 VIA Metro Organizational Chart ..... 34

Figure 4-6 VIA Metro Board Membership ..... 34

Figure 4-7 VIA Metro Sources of Operating Funds (NTD 2019) ..... 35

Figure 4-8 Nashville MTA Organizational Chart ..... 36

Figure 4-9 WeGo Public Transit Board Structure ..... 36

Figure 4-10 MTA Sources of Operating Funds (NTD 2019) ..... 37

Figure 4-11 RTA Organizational Structure ..... 38

Figure 4-12 RTA Board Structure ..... 39

Figure 4-13 RTA Sources of Operating Funds (NTD 2019) ..... 40

Figure 4-14 Rock Region Metro Organizational Chart ..... 41

Figure 4-15 Rock Region Metro Board Structure ..... 42

Figure 4-16 Rock Region Sources of Operating Funds (NTD 2019) ..... 43

Figure 5-1 NVTA Organizational Chart ..... 48

Figure 5-2 Regional Fund Revenue Sources ..... 49

Figure 5-3 HRTAC FY2021 Projected Revenue Sources ..... 51

Figure 5-4 Map of Jurisdictions in Planning District 15 ..... 52

Figure 7-1 Potential GRTC Board Membership ..... 63

Figure 7-2 Potential Path for Future Board Membership ..... 64

## Tables

Table 2-1 GRTC Governance Characteristics .....	14
Table 2-2 Fixed Service Definitions .....	18
Table 2-3 GRTC Ridership by Jurisdiction (2015 to 2020) .....	19
Table 2-4 Total Actual Revenue Miles and Hours (2019).....	19
Table 2-5 Stops and Route Miles by Jurisdiction.....	19
Table 2-6 Specialized Service and Vanpool Definitions.....	19
Table 2-7 GRTC Fare Structure (Pre-COVID-19).....	20
Table 2-8 GRTC Capital Contributions by Source .....	23
Table 2-9 Details of Local Capital Contributions by Jurisdiction .....	23
Table 3-1 Stakeholder Outreach Participants .....	24
Table 3-2 Summary of FY2022 CVTA Funding Estimates .....	26
Table 4-1 Overview of Peer Study Agencies (2019 NTD).....	28
Table 4-2 Rock Region Metro Funding Allocation Formula .....	43
Table 4-3 Comparison of GRTC Governance to Peers .....	44
Table 5-1 Sample NVRTA Voting Worksheet .....	48
Table 7-1 Summary of Advantages and Disadvantages of Elected Officials on Transit Governance Boards .....	62

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# EXECUTIVE SUMMARY

The 2020 session of the Virginia General Assembly established the Central Virginia Transportation Authority (CVTA) to provide transportation funding for cities and counties in Planning District 15 located in central Virginia. The localities included in the authority are the Town of Ashland, City of Richmond, and multiple counties: Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, and Powhatan. The CVTA will manage and administer a new regional transportation sales and use tax of 0.7% as well as a wholesale gas tax (7.6 cents per gallon of gasoline and 7.7 cents per gallon of diesel). Of the total revenue generated through the new transportation funding, 50% would be provided to CVTA member jurisdictions proportionally, 35% provided for regional projects, and 15% provided to support transit service provided by GRTC.

In accordance with the new funding structure, the General Assembly directed the CVTA “to review the governance structure of existing transit service in the Richmond region, and evaluate the possibility of creating a transportation district, and report its findings.”<sup>1</sup> Thus, this study team, consisting of CVTA staff and its consultants, was charged with examining the effectiveness of existing mechanisms to ensure accountability for the proper spending of CVTA regional funds and to identify options to guarantee accountability if needed. The objectives of this study were to:

- Evaluate the governance structure of GRTC,
- Evaluate the establishment of a transportation district in the Richmond Region, and
- Provide options related to GRTC and/or the establishment of a transportation district.

To accomplish this, the study team (or the “team”) reviewed the GRTC governance structure and conducted extensive stakeholder outreach. The team conducted a peer analysis of transit agencies to review options of governance structures and reviewed the establishment of a transportation district. The team also reviewed CVTA’s structure and benchmarked it against similar entities in the region.

The sections below provide a summary of the main findings.

## EXISTING GRTC GOVERNANCE STRUCTURE

The primary transit agency in the region is the Greater Richmond Transit Company (GRTC), which serves the City of Richmond and parts of Chesterfield and Henrico counties. GRTC also extends commute-hour services to the city of Petersburg and town of Ashland, along with seasonal trips through Hanover County to King’s Dominion amusement park. The agency provides fixed route, bus rapid transit (BRT), express bus, paratransit, expanded paratransit, and on-demand paratransit services. GRTC services are funded through a combination of federal, state, local and directly generated funds. Local funds consist of operating contributions from the localities that receive service as well as the newly instituted CVTA funding beginning in fiscal year 2021. One other transit authority in the region, Bay Transit, provides on demand and paratransit service on a rural edge of the CVTA jurisdictions

GRTC was formed in 1973 as a not-for-profit stock corporation with the purpose of “providing mass transportation service as a public service corporation.”<sup>2</sup> All shares of GRTC were wholly owned by the City of Richmond and nine City residents sat on its initial Board of Directors. During this period, GRTC provided service to the City of Richmond and subsequently began providing service to Henrico County in 1975.<sup>3</sup>

In 1989, GRTC’s Articles of Incorporation were amended and restated to allow Chesterfield County to purchase stock in the organization. The County purchased five of the ten total shares for \$10,000 each thereby becoming half owners of GRTC.<sup>4</sup> The Board of Directors was also reorganized at this time from nine Directors to six.

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<sup>1</sup> HB 1541 Central Virginia Transportation Authority

<sup>2</sup> Greater Richmond Transit Company. Articles of Incorporation of Greater Richmond Transit Co. Richmond, VA.: 1973.

<sup>3</sup> About Us: Our History (n.d.) Retrieved from <http://ridegrtc.com/about-us/our-history/>

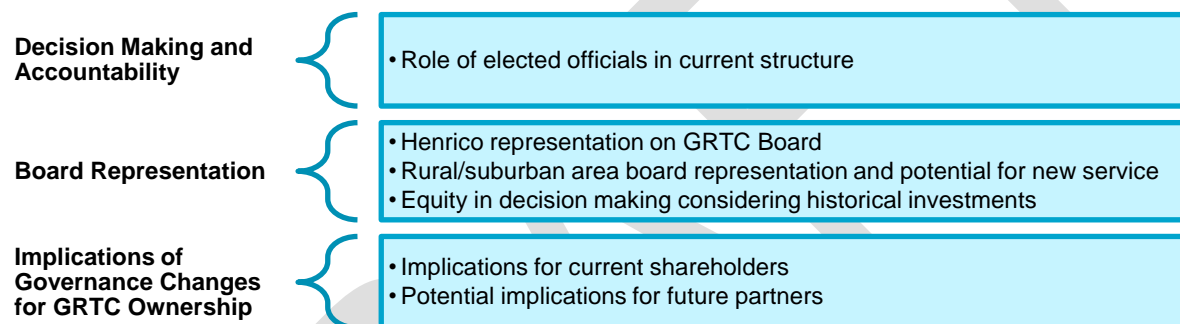
<sup>4</sup> Greater Richmond Transit Company. Sale and Purchase Agreement. Richmond, VA.: 1989.

At present, GRTC is still governed by a six-member Board of Directors appointed by the City Council of Richmond and the Chesterfield County Board of Supervisors. Each jurisdiction appoints three citizen members to the Board for a term of one year with the eligibility of serving multiple years. There are no residency requirements to serve on the Board. The Board provides financial oversight, performance monitoring, stakeholder engagement, and leadership selection for the agency. GRTC also has a Transit Advisory Group (TAG), a Paratransit Advisory Group, and internal committees for union coordination.

## STAKEHOLDER OUTREACH AND KEY GOVERNANCE ISSUES

Extensive stakeholder outreach was conducted to obtain buy-in and identify key issues with transit governance in the region. Interviews were conducted with GRTC, CVTA member localities (except the Town of Ashland) as well as regional and state-level stakeholders. In total, over 40 individuals were interviewed through 15 separate interviews. A list of interview participants may be found in Section 3.

During the interviews, stakeholders were asked their perspectives on the topics of (1) current transit service, transit needs, and perspectives on regional transit, (2) transit governance structure and decision making, and (3) regional transit funding. Figure E-1 summarizes the key governance issues identified.



**Figure E-1 Summary of Transit Governance Issues Identified in the Richmond Region**

Two key concerns were raised by CVTA jurisdictions during the study’s interview sessions. The first concerned having elected officials on the GRTC Board to provide input on decisions and to ensure accountability of tax dollars. The concern raised was that elected officials needed input on the 15% transit component allocated to GRTC and that existing mechanisms might not be sufficient.

The second key concern pertained to representation of CVTA member localities on the GRTC Board. This concern assumes that a Board structure consisting only of representatives of the City of Richmond and Chesterfield County does not provide enough opportunity for the other CVTA member localities to have input in GRTC’s use of CVTA funds. Of the CVTA jurisdictions not represented on the GRTC Board, Henrico County receives the overwhelming share of GRTC service. Henrico County actually receives the second largest share of GRTC’s transit service after the City of Richmond. During the interviews, Henrico County expressed a strong desire to participate directly on the GRTC Board. On April 15<sup>th</sup>, 2021, Henrico County officially petitioned the City of Richmond and Chesterfield County to be included on the GRTC Board as an equal member.

With regard to suburban/rural localities, there was a general level of dissatisfaction with the concept of contributing to GRTC without directly receiving any service. There was also a concern of potentially subsidizing transit in areas outside their local jurisdictions due to the CVTA legislation’s provision for current GRTC funders to maintain at least 50% of funding levels provided prior to the creation of CVTA. As a result of these issues, some interviewees expressed a desire for GRTC Board membership. Acknowledging Henrico County’s share of transit service, stakeholder discussion on the issue of Board representation was divided into two categories: Board representation for Henrico County and Board representation for other suburban/rural localities.

The issue of GRTC Board representation subsequently led to discussions of board composition and questions on equity. Although the CVTA funds would provide new revenue at varying contribution rates from localities, some

stakeholders expressed the concern that historical financial investments into transit might be overlooked. Since its inception, GRTC has primarily served residents of the City of Richmond. As such, over the years, the City has borne a significant share of funding for its riders, but only has had 50% voting representation on the GRTC Board. In the City's perspective, investigating the level of its investment to date was essential for determining board composition if new members are to be added to GRTC's board structure.

Finally, there was interest in understanding any potential implications of board governance changes to GRTC's status as a not-for-profit stock corporation. The company's stock is currently owned equally by the City of Richmond and Chesterfield County. Thus, the interrelationship between stock ownership and board membership was also explored. Based on the issues identified, further study was conducted to explore the range of governance structures for agencies similar to GRTC and to identify useful strategies for the central Virginia context. Furthermore, the CVTA and other regional transit entities in the Commonwealth were reviewed to identify commonality and model policies and mechanisms for accountability of the 15% transit component of CVTA funds.

## STUDY FINDINGS AND RECOMMENDATIONS

Transit governance structures should be designed to meet the unique experiences and challenges faced in each context. In the case of the central Virginia region, transparent strategies are needed to ensure that key stakeholders are engaged in a collaborative way. During the course of the study, key governance issues were identified through extensive stakeholder outreach to CVTA member jurisdictions, GRTC, Virginia Department of Rail and Public Transportation (DRPT) and members of the state legislature. The main findings and recommendations for the study goals and key governance issues are presented below.

### **Decision Making and Accountability**

A main goal of this study was to determine if sufficient accountability was present with the current GRTC structure. The following mechanisms were identified as ways of ensuring accountability for CVTA transit funding and were identified as sufficient:

- Accountability provided by presence of elected officials on CVTA Board,
- Funding oversight and accountability provided through CVTA,
- Accountability provided through development of the Regional Public Transportation Plan by GRTC in collaboration with the Richmond Regional Transportation Planning Organization participation (RRTPPO),
- Funding oversight and accountability through CVTA Finance Committee, and
- Funding oversight and accountability through CVTA Technical Advisory Committee.

Through the existing policies and procedures established by GRTC, RRTPPO, CVTA, DRPT, and Federal Transit Administration (FTA), there is full oversight and accountability of CVTA transit funding as it currently exists.

***Recommendation: Existing mechanisms are sufficient to ensure accountability of the 15% transit component of the CVTA tax and to involve elected officials in decision making regarding those funds.***

### **GRTC Board Representation for Henrico County**

The issues of GRTC Board representation for Henrico County and the other CVTA members were discussed separately. Henrico County officially petitioned the City of Richmond and Chesterfield County to be included on the GRTC Board. Discussions during the stakeholder outreach process showed an openness from the City of Richmond, Chesterfield County, and GRTC to add Board members from Henrico County. However, continued dialogue between the four entities is needed to determine the specifics regarding board composition and voting. One important issue that remained unresolved was the City of Richmond's financial stake in GRTC. It was the City's perspective that concrete decisions about board composition and voting could not be progressed until a thorough evaluation of financial investments in GRTC was determined. It is recommended that the City of Richmond in collaboration with Chesterfield County and GRTC resolve this issue through dialogue and if necessary, further analysis and study. Following this, shareholders may determine board composition and voting on factors including:



- Revenue miles and revenue hours of service within each jurisdiction by mode,
- Local funding support for fixed route services, and
- Funding contributions to fixed-route complimentary paratransit services and extended paratransit services.

***Recommendation: City of Richmond, Chesterfield County, and GRTC should consider including Henrico County in the current GRTC Board structure***

### **GRTC Board Rural/Suburban Area Representation**

The three concerns raised by other rural/suburban CVTA members are summarized as follows:

- **Dissatisfaction in contributing to GRTC without directly receiving any or enough service:** Many CVTA members felt dissatisfied with the concept of contributing to GRTC through CVTA taxes without directly benefiting from the agency's services. However, the study findings show that, per the CVTA legislation, all CVTA contributions received by GRTC would be placed in a separate fund to be used for regional transit purposes. The regional public transportation plan which will be prepared by GRTC annually, would be a collaborative approach involving all CVTA member jurisdictions. Through the planning process, GRTC would work with regional partners to enhance transit connectivity based on need, market suitability, and complete cost of any new service. The region as a whole would therefore benefit from the CVTA funds.
- **Concern of potentially subsidizing transit in areas outside their local jurisdictions:** As stated previously, the desire for regional GRTC service would potentially be addressed by GRTC in its regional plan. The plan would review viable markets for different types of enhanced regional service. The appropriate need and cost for services desired by localities such as enhanced mobility services for seniors, persons with disabilities, low-income individuals and even youth for employment programs would therefore be addressed.
- **Dissatisfaction of not having direct input on the GRTC Board:** In some cases, localities from the rural/suburban areas conflated the desire for increased or new GRTC service with Board representation. Insights from the peer review showed that rural/suburban representation was primarily based on amount of service received and the funds paid to support that service. As the regional public transportation plan is finalized, and regional projects implemented throughout the various jurisdictions, GRTC's service footprint would continue to grow. The potential future growth and expansion of GRTC services could in turn lead to further expansion of the Board as well as the exploration of developing an opt-in clause based on criteria including:
  - 1) Minimum size, density and/or service need of locality, and
  - 2) Minimum commitment to financial responsibility and stability of the regional system by locality.

***Recommendation: GRTC Board representation for rural/suburban CVTA member jurisdictions cannot be based solely on CVTA contributions but should also consider service need, service viability and financial commitment once future service is established. The region should continue to assess possible opportunities as the regional network continues to be developed.***

## **Implications of Governance Changes for GRTC Ownership**

GRTC was set up as a non-for-profit stock corporation after the City of Richmond purchased transit assets from the Virginia Transit Company in 1973 using local, state, and federal funds. In 1989, the agency's articles of incorporation were amended to include Chesterfield county as a 50% shareholder in GRTC. Chesterfield County purchased five shares for \$50,000 but Henrico County opted out. Since then, GRTC's Board has been comprised of six members with three each appointed by the two shareholders.

Changes to GRTC Board structure would inevitably have implications on the ownership structure. At present, nominations for the GRTC Board are presented at the annual meeting of shareholders. Without a locality being a shareholder, any amendments to governance documents would have to reflect the new governance structure and appointment process. The disadvantage of a locality being on the Board without owning shares is that, some major decisions, as described above, require ratification by shareholders. The shareholder approval requirement, especially if the board composition differs from ownership shares, increases the possibility that actions will be frustrated because of potentially minor disagreements between board and owner processes.

Should a locality choose to become a shareholder of the company, collaborative discussions between the City of Richmond, Chesterfield County, and GRTC would be needed to determine the ownership amount. Two options could be considered in this case: (1) doing away with the shareholder structure completely or (2) equating Board member seats with quantity of shares.

***Recommendation: Current shareholders, City of Richmond and Chesterfield County should consider either (1) changing GRTC's shareholder structure or (2) equate board membership with quantity of shares***

## **Evaluation of Establishing A Transportation District**

A Transportation District is a mechanism provided to support improved or expanded transportation systems that enhance the quality of life of citizens in regions, metropolitan areas, or contiguous political subdivisions. They are implemented where joint action by the political subdivisions is needed for planning and provision of major capital improvements, which may include transit infrastructure. Existing Transportation Districts in the Commonwealth include: Northern Virginia Transportation District and Commission (NVTD/NVTC),<sup>5</sup> Potomac and Rappahannock Transportation Commission (PRTC), and Transportation District Commission of Hampton Roads (TDCHR).

In the Commonwealth of Virginia, Transportation Districts are authorized under the Transportation District Act of 1964 (Title 33.2, Chapter 19). According to the Act, transportation districts may be created by two or more counties or cities through ordinances adopted by each of the local governing bodies after all provisions of the legislation are met or by an act of the General Assembly<sup>6</sup>. Cities or counties seeking to form a transportation district must first file a petition with the Secretary of the Commonwealth who then certifies the petition to the Tax Commissioner and the governing body of each participating city or county. The certification ensures that the ordinances satisfy all legislative requirements.

This study sought to evaluate the establishment of a transportation district in the Richmond region, and specifically to determine if a transportation district would further enhance the accountability of CVTA transit funding dedicated to GRTC. The key focus was therefore to determine if the marginal benefit of establishing a transportation district outweighed the potential challenges.

Based on the findings of existing mechanisms for ensuring accountability of the CVTA 15% transit funding as well as the potential alternatives identified to resolve existing transit governance issues, it was determined that the challenges of implementation would outweigh the marginal benefit of establishing a transportation district at this time.

<sup>5</sup> The NVTC was established pursuant to 33.2-1904 as the governing body of the transportation district.

<sup>6</sup> Code of Virginia §33.2-1903, 33.2-1905

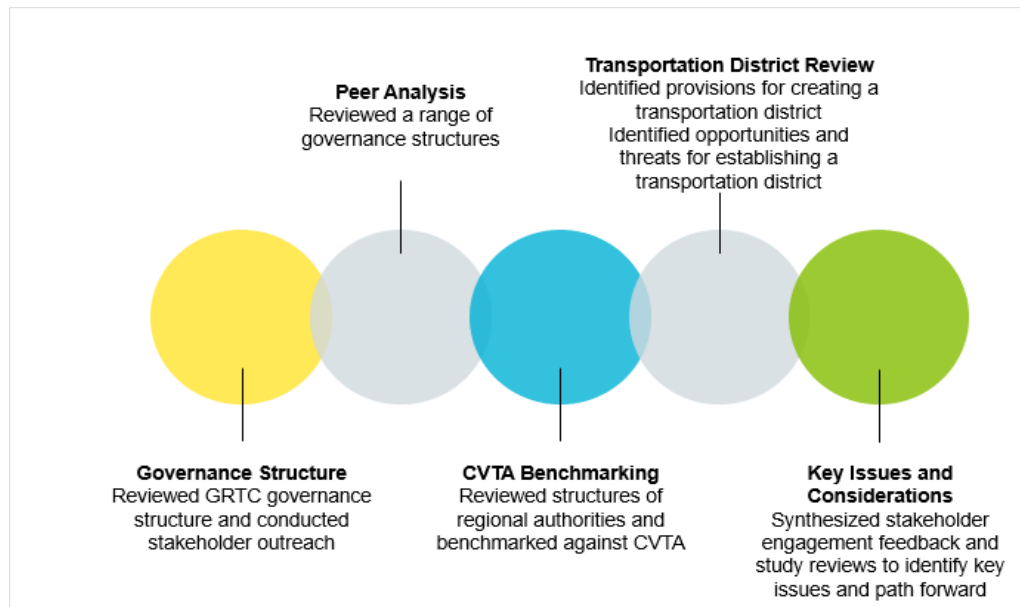
It is suggested that the alternative strategies identified for the key issues raised be explored and that the CVTA be given sufficient time to solidify its footprint in the region before another major change is implemented.

*Recommendation: There was no clear evidence that benefits of creating a transportation district to address the identified transit governance issues would outweigh the alternative strategies proposed.*

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# 1 INTRODUCTION

The Central Virginia Transportation Authority (CVTA), as described in the Executive Summary, is a newly created authority with the purpose of providing transportation funding for cities and counties in Planning District 15 located in central Virginia. The study team worked collaboratively with the CVTA and regional stakeholders throughout the study using the approach summarized Figure 1-1.



**Figure 1-1 Study Approach**

This study report describes the study process and outlines key issues and recommendations. Section 2 provides an overview of GRTC briefly describing its organizational structure and service. The agency's governance structure is also reviewed followed by stakeholder outreach described in Section 3. The section also describes key transit governance issues identified through project outreach. Section 4 provides an analysis of GRTC peer agencies to identify governance strategies that may be applicable to the region. This leads into Section 5, which provides an overview of the CVTA and benchmarks it against peer regional transportation agencies in Virginia. Section 6 then reviews transportation districts in Virginia, describing their legislative provisions as well as the associated opportunities and challenges with establishing such a district in the Richmond Region. Finally, Section 7 presents key transit governance issues identified and explains the study's findings and recommendations.

## 2 GRTC OVERVIEW

### 2.1 BRIEF HISTORY

The primary transit agency in the region is the Greater Richmond Transit Company (GRTC), which serves Richmond and parts of Chesterfield and Henrico counties. The agency also provides express or seasonal service to Petersburg and Hanover County. The GRTC provides fixed route local bus, bus rapid transit, express bus, paratransit van, and other specialized shared-ride services.

Prior to the 1970s, Richmond residents received transit service from the private Virginia Transit Company. Private, for-profit transit service was common in American cities during the first half of the twentieth century. A public Richmond transit operator was created in 1973 when a combination of local, state, and federal funds allowed the City of Richmond to purchase the Virginia Transit Company's assets and form the Greater Richmond Transit Company (GRTC).<sup>7</sup>

The City formed GRTC as a not-for-profit stock corporation with the purpose of "providing mass transportation service as a public service corporation."<sup>8</sup> All shares of GRTC were wholly owned by the City of Richmond and nine City residents sat on its initial Board of Directors. During this period, GRTC provided service to the City of Richmond and subsequently began providing service to Henrico County in 1975.<sup>9</sup>

In 1989, GRTC's Articles of Incorporation were amended and restated to allow Chesterfield County to purchase stock in the organization. Chesterfield purchased five of the ten total shares for \$10,000 each thereby becoming a half owner of GRTC.<sup>10</sup> The Board of Directors was also reorganized at this time, with membership reduced from nine directors to six.<sup>11</sup> Under this current iteration, GRTC has expanded its service area to include additional jurisdictions, established its robust CARE paratransit operation, adopted updated transit technologies, redesigned service routes in conjunction with partners, and introduced the GRTC Pulse Bus Rapid Transit (BRT) service. GRTC's existing service structure is described in Section 2.3.1.

### 2.2 GRTC GOVERNANCE

Four documents created out of the 1989 agreement between the City of Richmond and Chesterfield County serve as the authoritative guides for governance related issues; these documents are:

- 1) **Greater Richmond Transit Co. Articles of Restatement:** amends the previous Articles of Incorporation by restructuring the Board to allow Chesterfield County Directors to join and participate.
- 2) **Sale and Purchase Agreement:** outlines the sale of shares from the City of Richmond to Chesterfield County.
- 3) **Umbrella Agreement:** dictates the agreement reached between the City of Richmond, Chesterfield County, and GRTC regarding management of GRTC.
- 4) **By Laws of the Greater Richmond Transit Co.:** provides the governing rules whereby the Board of Directors operates and manages its affairs.

The governance structure created in 1989 remains the current structure for GRTC today. The agency is still governed by a six-member Board of Directors with three members each appointed by the City of Richmond City Council and Chesterfield County Board of Supervisors. GRTC also has a Transit Advisory Group (TAG) consisting of community volunteers with an interest in improving the region's public transit service delivery. The focus of the TAG is to identify

<sup>7</sup> About Us: Our History (n.d.) Retrieved from <http://ridegrtc.com/about-us/our-history/>

<sup>8</sup> Greater Richmond Transit Company. Articles of Incorporation of Greater Richmond Transit Co. Richmond, VA.: 1973.

<sup>9</sup> About Us: Our History (n.d.) Retrieved from <http://ridegrtc.com/about-us/our-history/>

<sup>10</sup> Greater Richmond Transit Company. Sale and Purchase Agreement. Richmond, VA.: 1989.

<sup>11</sup> About Us: Our History (n.d.) Retrieved from <http://ridegrtc.com/about-us/our-history/>

<sup>11</sup> Greater Richmond Transit Company. Articles of Incorporation of Greater Richmond Transit Co. Richmond, VA.: 1973.

problems and potential solutions for transit through a collaborative process with GRTC's leadership. The agency's CARE Advisory Committee also provides a direct link between GRTC and its paratransit service customers.

In addition to its Board, GRTC has oversight from the Richmond Regional Transportation Planning Organization (RRTPO), Virginia Department of Rail and Public Transportation (VDRPT), and the Federal Transit Administration (FTA).

The following table summarizes GRTC's Board of Directors (the Board) governance characteristics.

**Table 2-1 –GRTC Governance Characteristics**

<b>Characteristic</b>	<b>GRTC Board of Directors Format</b>
<b>Size</b>	The Board is comprised of six directors: three from the City of Richmond and three from Chesterfield County. <sup>12</sup>
<b>Appointing Authority</b>	The Richmond City Council and Chesterfield County Board of Supervisors serve as the appointing authorities for the Board. <sup>13</sup>
<b>Board Director Qualifications</b>	Appointed directors must be residents of the City of Richmond or Chesterfield County. <sup>14</sup>
<b>Leadership Selection within the Board</b>	Directors vote by majority to select a President, Vice President, Secretary, and other officers deemed necessary by the Board. The president serves as the Board of Director's presiding officer. The Secretary maintains minutes for shareholder and Board meetings, and he/she may hold more than one office. Remaining members without a leadership position are called directors. <sup>15</sup>
<b>Term Regulations</b>	Director terms are for one year until their successor is elected. There is no stated limited to the number of terms a director may serve. <sup>16</sup>
<b>Governing Committees</b>	The Board of Directors may appoint directors to serve on ad hoc committees with the full authority delegated to them by the Board of Directors. <sup>17</sup>
<b>Voting Structure</b>	The Board of Directors may act with a majority vote in the affirmative for a motion. A quorum of a majority of directors present is required for votes to take place. <sup>18</sup>
<b>Process for changes and amendments</b>	Any amendment to the <i>Amended and Restated Articles of Incorporation</i> requires ratification from the governing body of each shareholder of the corporation – the Richmond City Council and Chesterfield Board of Supervisors. <sup>19</sup> Any amendment to the Bylaws requires a two-thirds vote by the Board and further ratification by the governing body of each shareholder of the corporation – the Richmond City Council and Chesterfield Board of Supervisors. <sup>20</sup> Any portion of the Bylaws rendered invalid by the Virginia General Assembly automatically goes into effect with the Commonwealth's decision. <sup>21</sup>
<b>Legal Standing</b>	Section 15.2 – 947 of the Code of Virginia - Systems of Public Transportation for Certain Counties or Cities

### **Board Powers and Functions**

As a not-for-profit corporation managed by its Board of Directors, GRTC's Board ensures accountability within all aspects of the organization. Its powers and responsibilities can be best categorized under the following:

<sup>12</sup> Ibid

<sup>13</sup> Ibid

<sup>14</sup> Greater Richmond Transit Company. Umbrella Agreement. Richmond, VA.: 1989. However, this requirement is waived.

<sup>15</sup> Greater Richmond Transit Company. By Laws of Greater Richmond Transit Co. Richmond, VA.: 1993.

<sup>16</sup> Ibid

<sup>17</sup> Ibid

<sup>18</sup> Ibid

<sup>19</sup> Greater Richmond Transit Company. Amended and Restated Articles of Incorporation of Greater Richmond Transit Co. Richmond, VA.: 1989.

<sup>20</sup> Greater Richmond Transit Company. By Laws of Greater Richmond Transit Co. Richmond, VA.: 1993.

<sup>21</sup> Ibid.

- 1) **Financial Oversight:** The Board provides full oversight to all aspects of GRTC finances. All financial reporting from GRTC must go through its Board of Directors and the Board has the responsibility to hire auditors when necessary.<sup>22</sup>
- 2) **Performance Monitoring:** GRTC performance is reported to the Board of Directors regularly based on the key metrics used to assess transit service. The Board serves to monitor this performance in the interest of the shareholders.
- 3) **Stakeholder Engagement:** Monthly Board meetings serve as a forum for all stakeholders and the public to address concerns related to GRTC service, operations, and management. Stakeholders include representatives from the shareholders – the City of Richmond and Chesterfield County as well as members of the public who have the right and opportunity to speak about GRTC-related concerns.
- 4) **Leadership Selection:** The Board of Directors has full discretion to select the GRTC CEO, who selects the internal leadership he or she sees fit for daily operations.

Figure 2-1 illustrates the relationship between GRTC, its shareholder organizations (Richmond City Council and the Chesterfield Board of Supervisors), and the GRTC CEO.

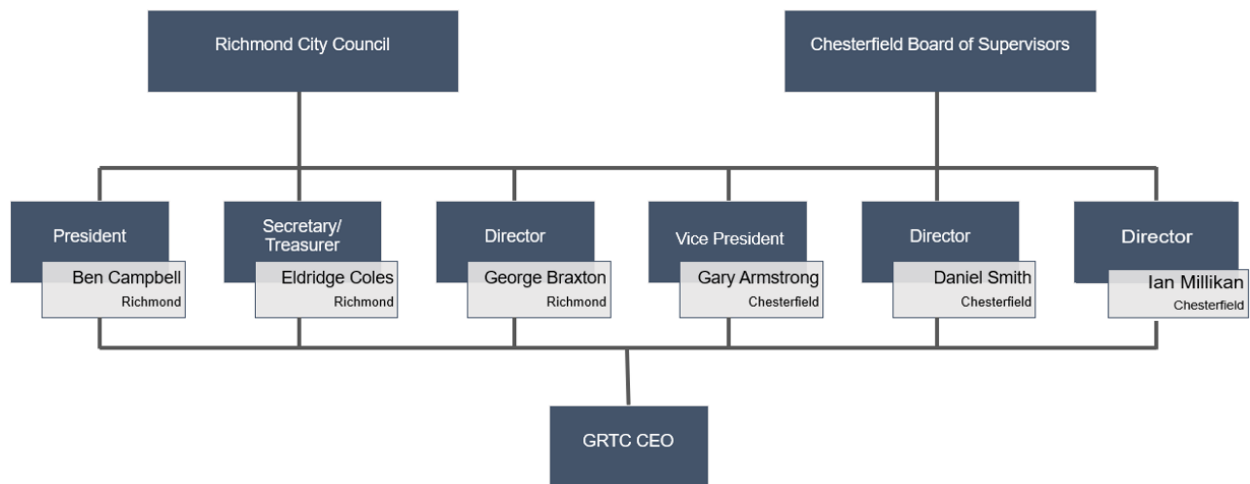


Figure 2-1 GRTC Board Structure

## 2.3 GRTC SERVICE AND ORGANIZATIONAL STRUCTURE

The Greater Richmond Transit Company (GRTC) is structured as a public corporation and was initially incorporated in 1973. Its current corporate structure splits ownership equally between the City of Richmond and Chesterfield County. GRTC's Vision is to become a best-in-class provider of transportation services and mobility solutions. GRTC's stated Mission is to provide clean, safe, and reliable transportation and to improve mobility and access throughout Central Virginia. GRTC's Core Values are:

- 1) Absolute integrity, competence, and diligence in the performance of our duties.
- 2) Commitment to providing exceptional customer service.
- 3) Responsiveness to the needs of the communities we serve.
- 4) Promotion of the personal and professional growth of our employees.<sup>23</sup>

The agency provides of transit service for the City of Richmond and the neighboring jurisdictions of Henrico County and Chesterfield County, commuter service to the City of Petersburg, and a seasonal linkage to King's Dominion

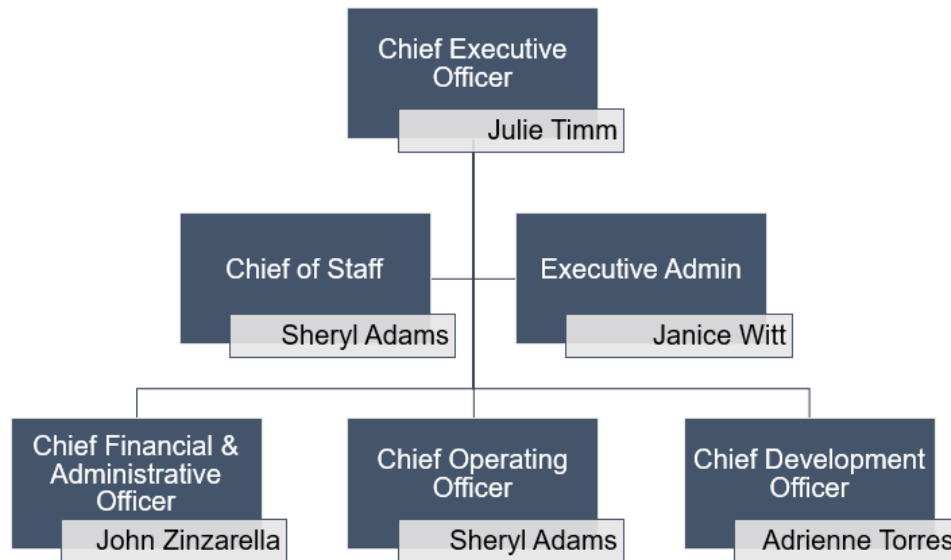
<sup>22</sup> Greater Richmond Transit Company. By Laws of Greater Richmond Transit Co. Richmond, VA.: 1993.

<sup>23</sup> About Us: Overview (n.d.) Retrieved from <http://ridegrtc.com/about-us/overview/>

amusement park. Service is provided through fixed route local bus service, bus-rapid transit, express bus commuter service, origin-to-destination paratransit service through CARE, CARE Plus, and Care-on-Demand, and vanpool coordination assistance through its subsidiary, RideFinders. GRTC has a proactive and positive working relationship with each of its regional stakeholders. It relies heavily on a cooperative and coordinated approach to developing and implementing future plans.

The Board of Directors hired CEO Julie Timm in 2019. She currently manages GRTC daily operations with the organizational framework shown below<sup>24</sup>.

Figure 2-2 shows the executive level organizational structure and Figure 2-3 provides a detailed structure of GRTC's various departments.

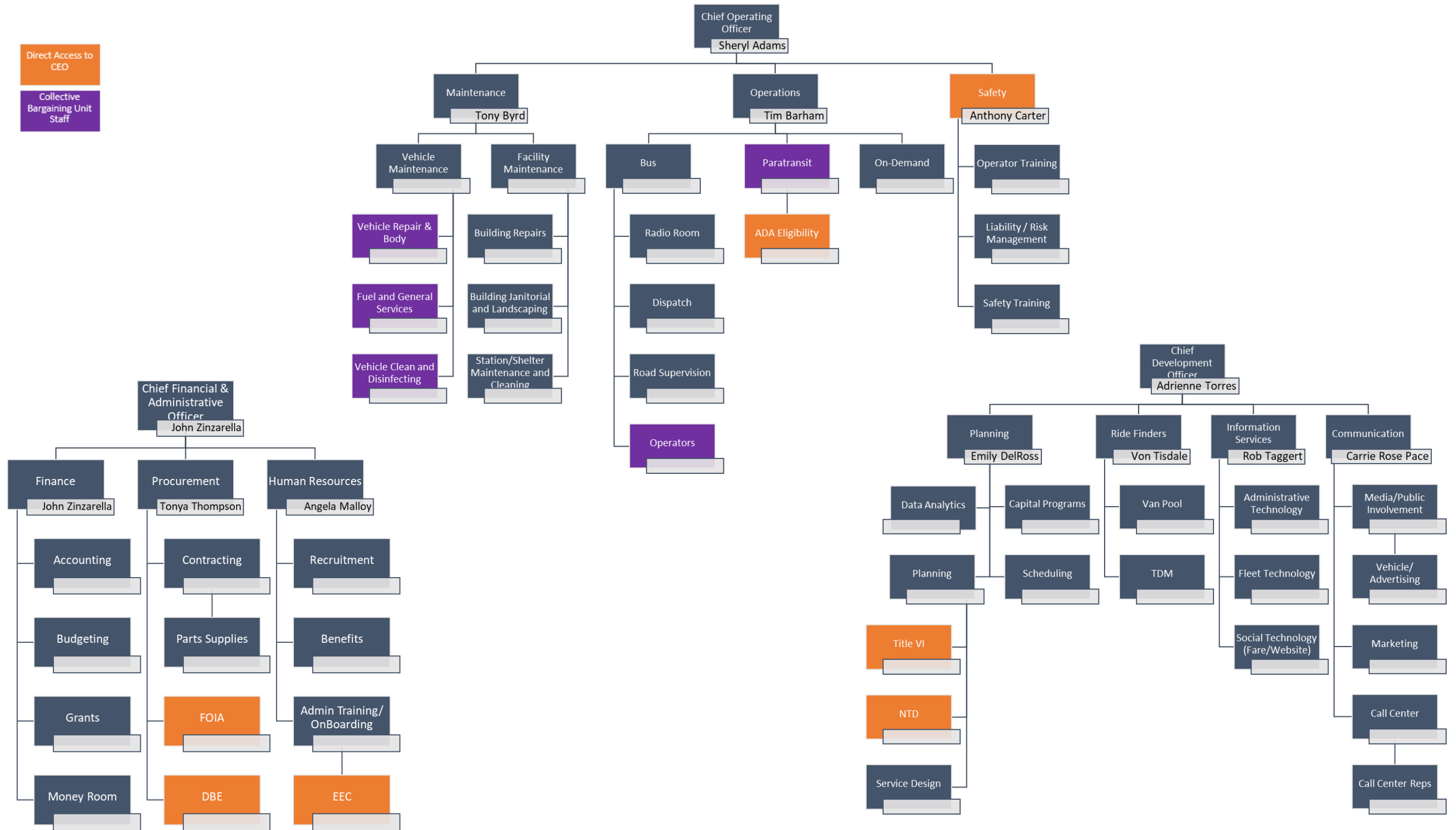


**Figure 2-2 GRTC Executive Level Organizational Chart**

<sup>24</sup> Timm, Julie. GRTC CEO Stakeholder Interview. March 5, 2021



Figure 2-3 GRTC Detailed Organizational Structure



### 2.3.1 GRTC Service

GRTC operates all day fixed-route service and Bus Rapid Transit (BRT) in the City of Richmond and Henrico County, commuter services to the mentioned jurisdictions as well as Chesterfield County, the city of Petersburg, town of Ashland and seasonally to King’s Dominion amusement park. The agency also provides federally required complimentary paratransit service in addition to enhanced paratransit service. In March 2020, GRTC launched a new local bus service, Route 111 in Chesterfield County. One express route had previously served Chesterfield County.

Table 2-2 summarizes descriptions for the local routes, Pulse, and Express services.

Service	Description	2019 Ridership
<b>Local Routes</b>	Fixed-route bus service that operates from 5:00 AM to 1:00 AM in the City of Richmond and portions of Henrico and Chesterfield Counties.	6,279,126
<b>Local Routes</b>	Fixed-route bus service that operates from 5:00 AM to 1:00 AM in the City of Richmond and portions of Henrico and Chesterfield Counties.	6,279,126
<b>Pulse (BRT)</b>	Fixed-route bus service that operates from 5:00 AM to 1:00 AM only weekdays in Henrico County.	1,951,376
<b>Express</b>	Fixed-route bus service that operates weekdays during peak hours from park and ride lots surrounding the City of Richmond to Downtown Richmond.	360,355
<b>Express</b>	Fixed-route bus service that operates weekdays during peak hours from park and ride lots surrounding the City of Richmond to Downtown Richmond.	360,355
<b>Total</b>		<b>8,590,857</b>

#### Service Definitions

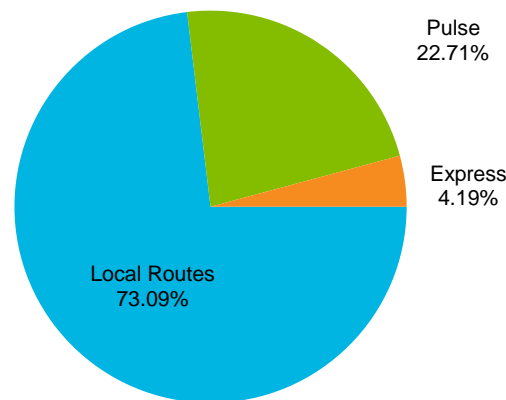


Figure 2-4 Fixed Route Ridership (2019)

#### 2.3.1.1 Fixed Route Service

GRTC provides local bus, BRT, and commuter fixed-route services. The Pulse BRT line operates from Rockett’s Landing in eastern Richmond through Downtown and western Richmond to the Willow Lawn retail area in Henrico County. In 2019, the

system saw approximately 8.23 million local and BRT rides and 360,000 express rides from commuter lots outside of the urban core<sup>25</sup>.

Of the roughly 8.6 million annual passenger trips in 2019, the majority (approximately 64%) occurred in the City of Richmond. In 2020, fixed-route ridership by jurisdiction breaks down at approximately 7.1 million rides in the City of Richmond, 1.3 million in Henrico County, 40,000 in Chesterfield County, and 16,000 in the City of Petersburg. It should be noted, however, that many of the lines cross jurisdictions and therefore have riders from all the jurisdictions.

Table 2-3 and Table 2-4 provide details on ridership and other operational statistics for the GRTC service. Table 2-5 shows stops by jurisdiction; however, it is worth noting that if broken down by jurisdictional line, some stops may be on routes associated other jurisdictions.

**Table 2-3 GRTC Ridership by Jurisdiction (2015 to 2020)**

Jurisdiction	2015	2016	2017	2018	2019	2020
Richmond	7,457,162	7,766,875	7,141,342	6,636,712	7,226,250	7,071,689
Henrico	803,530	819,190	720,981	706,712	1,298,600	1,282,939
Petersburg	28,762	27,468	22,666	21,627	24,541	16,185
Chesterfield	50,336	40,408	28,651	29,282	36,997	39,845
<b>Total</b>	<b>8,339,790</b>	<b>8,653,940</b>	<b>7,913,640</b>	<b>7,394,334</b>	<b>8,586,388</b>	<b>8,410,657</b>

**Table 2-4 Total Actual Revenue Miles and Hours (2019)**

Jurisdiction	Revenue Miles	Revenue Hours
Petersburg	50,323.1	1,627.717
Chesterfield	29,553.18	1,045.017
Henrico	976,009.9	75,212.75
Richmond	3,838,437	359,032.5
<b>Total</b>	<b>4894323</b>	<b>436918</b>

**Table 2-5 Stops and Route Miles by Jurisdiction**

Jurisdiction	Route Miles	Number of Stops
Chesterfield	15	40
Henrico	176	368
Richmond	366	1,237
<b>Total</b>	<b>557</b>	<b>1645</b>

### 2.3.1.2 Specialized Service and Vanpools

GRTC provides a wide variety of specialized transit services in accordance with the Americans with Disabilities Act (ADA), which requires complementary paratransit service within 3/4 of a mile on each side of a fixed route. In addition to its Community Assisted Ride Enterprise (CARE) complimentary paratransit service, GRTC offers CARE Plus and CARE On-Demand services that extend beyond the 3/4 mile buffer from fixed route transit. All CARE services offer curb-to-curb transit access for persons with disabilities that may prevent them from being able to use GRTC’s fixed route service.

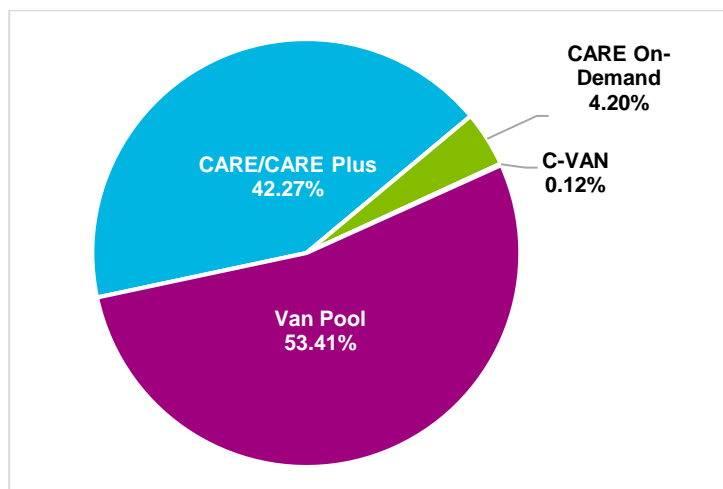
CARE service is provided to meet the ADA requirements, with, CARE Plus and CARE On-Demand provided as additional services. CARE Plus offers access to eligible riders for trips to destinations outside the 3/4-mile boundary or to destinations in Henrico County when the regular fixed route buses are not running. CARE On-Demand offers an optional service for riders that qualify for CARE services. It provides same-day direct and non-stop trips when scheduled as soon as one hour in advance. CARE and CARE Plus services are available in the City of Richmond, Henrico County, and parts of Chesterfield County. In 2019, GRTC saw approximately 300,000 rides using its variety of CARE services.

<sup>25</sup> Greater Richmond Transportation Corporation. (2019). *Mobility Connections – Annual Report*.

Vanpool coordination is provided by the GRTC subsidiary RideFinders and helps match riders for the purpose of sharing the ride and cost of commuting to and from work. In 2019, GRTC provided approximately 360,000 rides on vanpool.<sup>26</sup>

**Table 2-6 Specialized Service and Vanpool Definitions**

Service	Definition
CARE	Origin-to-destination service under the guidelines of the Americans with Disabilities Act (ADA) for the citizens of the Richmond region within a 3/4-mile distance of any GRTC routes.
CARE Plus	A trip will be designated as a CARE Plus trip if the origin or destination location is more than 3/4 of a mile from GRTC's fixed route bus line, or if travel is desired to a destination in Henrico County on a day or time when GRTC's fixed-route buses are not running in Henrico County.
Care-On-Demand	Open to CARE customers to provide same-day, direct, non-stop rides for individuals eligible for CARE services.
Vanpool	Vans taken by commuters with similar commute patterns traveling at last 25 miles into the City of Richmond from outer areas.



Service Type	2019 Ridership
CARE/CARE Plus	282,578
CARE On-Demand	28,058
C-VAN*	806
Van Pool	357,033
<b>Total</b>	<b>668,475</b>

\*C-VAN services are no longer offered

**Figure 2-5 Specialized Service Ridership Breakdown (2019)<sup>27</sup>**

### 2.3.2 GRTC Fare Structure

GRTC charges different fares depending on the service provided. Below is a tabulation of all fare prices for transit service in the system.<sup>28</sup> Due to the COVID-19 pandemic, GRTC began fare-free operations in March 2020 and will continue through June of 2022 as approved by the GRTC Board. Customers riding the local bus, Pulse, Express Bus and CARE/paratransit services will ride free. Services will be funded with State and Federal COVID relief funds.

**Table 2-7 GRTC Fare Structure (Pre-COVID-19)**

Fare Type	One Ride	One Ride Plus	One Day Pass	7 Day Pass	30 Day Pass	6-Ticket Booklet	10-Ticket Booklet
Local Route & Pulse	\$1.50	\$1.75	\$3.50	\$17.50	\$60.00	-	-
Local Reduced Senior Disabled Medicare Minor	\$0.75	-	\$1.75	\$8.25	\$35.00	-	-
Express Henrico Routes*	\$2.00	-	\$4.50	\$22.50	\$80.00	-	-
Petersburg Extended Express	\$3.50	-	\$7.00	\$35.00	-	-	-
Extended Express Chesterfield 82	\$6.00	-	-	\$65.00	-	-	-
CARE (Richmond and Henrico Residents)	\$3.00	-	-	-	-	\$18.00	\$30.00

<sup>26</sup> Ibid

<sup>27</sup> C-VAN services are no longer offered by GRTC

<sup>28</sup> Ibid

<b>Fare Type</b>	<b>One Ride</b>	<b>One Ride Plus</b>	<b>One Day Pass</b>	<b>7 Day Pass</b>	<b>30 Day Pass</b>	<b>6-Ticket Booklet</b>	<b>10-Ticket Booklet</b>
CARE Plus (Richmond resident)	\$6.00	-	-	-	-	-	-
CARE Plus (Henrico resident)	\$3.00	-	-	-	-	\$18.00	\$30.00
CARE On-Demand*	\$6.00						
GRTC pays for up to an addition \$15.00 of the trip cost after initial \$6.00							

## 2.4 SOURCES OF FUNDS

GRTC is funded through a combination of federal, state, local and internally generated funds. During the ten-year period of 2010 to 2019, GRTC received approximately \$178.8 million from federal sources, \$146.8 million from state sources, \$203.5 million from local sources, and \$127.7 million from direct generation.<sup>29</sup> This section provides an overview of the existing sources of funding for the agency. Detailed descriptions of funding sources may be found in the appendix.

### **Federal Funding**

GRTC is funded through a combination of federal, state, local and directly generated funds. Federal funds are received from the following sources: Section 5307 Urbanized Area Formula Grant, Section 5339 Grants for Buses and Bus Facilities, and Congestion Mitigation and Air Quality (CMAQ) Improvements. Section 5307 operating and preventative maintenance funds are funded at an 80/20 federal and local share split while capital funds from Section 5307 and 5339 are funded at a 28/68/04 split between federal, state, and local sources. In FY2018, GRTC received approximately \$1.6 million, \$6.4 million, and \$2.6 million for 5307 Operating, 5307 Preventative, and 5307 Capital sources respectively. The agency also received about \$1.1 million in 5339 Capital funds in FY2017. It should be noted that GRTC is required to split federal funding with Petersburg Area Transit (PAT). Currently, the two agencies use a 90/10 split between GRTC/PAT for all federal dollars.

In 2020, the Federal CARES Act was authorized to allocate approximately \$25 billion to existing recipients of urbanized (\$22.7 billion) and rural (\$2.2 billion) area formula funds. These funds were available for capital and operating expenses at a 100% federal share with no need for matching funds. In 2020, GRTC received approximately \$3.1 million in CARES Act funding. The 2021 approved GRTC budget provided for \$29.1 million in CARES Act funding. The federal relief package has since supported the GRTC Board's zero-fare policy since March 2020 and will continue through FY2022.

### **State Funds**

GRTC receives operating assistance according to a performance-based formula that includes operating cost, ridership, revenue vehicle hours, and revenue vehicle miles. The agency is also eligible to receive state capital assistance up to a maximum of 68% for state of good repair (SGR) projects and minor enhancements, and up to a maximum of 50% for major enhancements<sup>30</sup>.

The agency is also eligible to apply for the Transit Ridership Incentive Program (TRIP) when applications open in July 2021. The new funding program was authorized by the 2020 General Assembly session to provide funding to support low-income and zero fare transit programs in urban areas.

GRTC is also eligible to apply for funding from the state Demonstration Project Assistance Program. This program provides competitive grants for new service or technology/innovation projects that support local transit improvement efforts.

### **Local and Directly Generated Funds**

In addition to state and federal funding, GRTC receives a sizable portion of financial support through local sources and its own generation. The City of Richmond provides funding through its General Fund and Henrico County purchases service on a per mileage basis. Other funding is realized through farebox recovery, advertising, business contracts, ancillary chartering services, and financial arrangements with partners such as Virginia Commonwealth University, King's Dominion Amusement Park, Richmond Public Schools and the City of Petersburg.<sup>31</sup> Starting in FY2021, GRTC would also receive CVTA funding from the 15% transit component.

The subsequent charts summarize federal, state, and local, directly generated funding sources.<sup>32</sup>

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<sup>29</sup> National Transit Database, 2019

<sup>30</sup> Ibid

<sup>31</sup> GRTC Finance Team Stakeholder Interview. March 3, 2021

<sup>32</sup> All data funding data presented was received from GRTC Finance

Figure 2-6 shows the trend of past and projected budgeted (FY2021) operating funds. Federal CARES Act funding received in FY2020 and FY2021 was shown to offset the reduction in local and directly generated funds in FY2021. Also, CVTA funding in FY2021 and all subsequent years are by law, required to be placed in a separate fund for regional purposes.

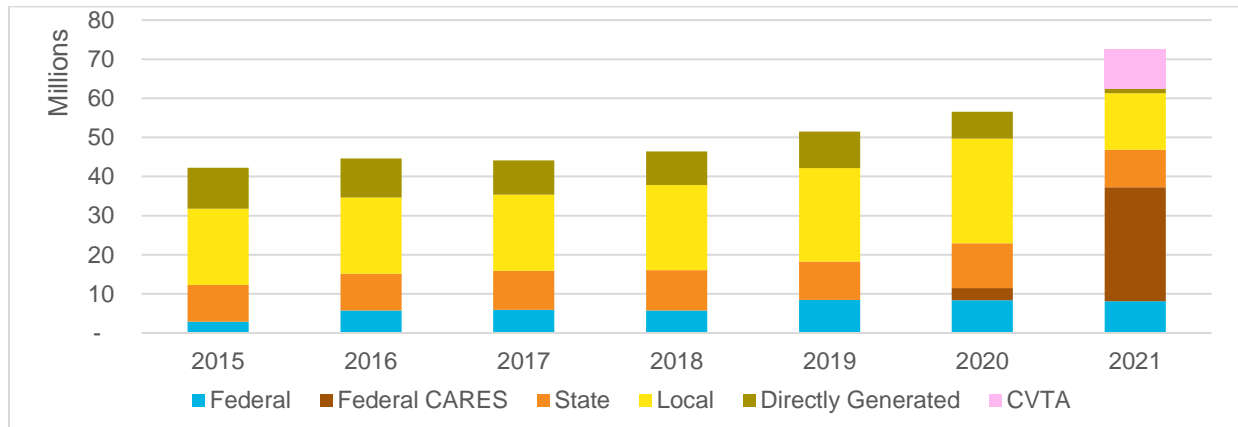


Figure 2-6 GRTC Operating Funds (2015 to 2021)<sup>33</sup>

Figure 2-7 shows the local operating contributions from 2015 to 2021. These are funds paid for GRTC services received, thus, areas with more transit service contribute more funds.

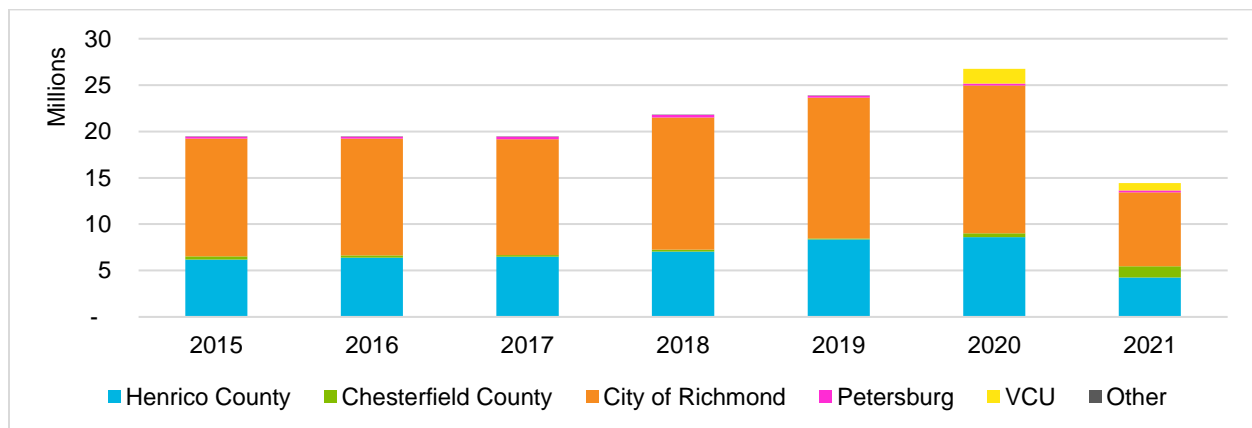


Figure 2-7 GRTC Local Operating Contributions (2015-2021)

<sup>33</sup> 2021 Estimates are budgeted amounts; 2021 and 2020 Federal funds include CARES Act funding; 2021 Local Funds include anticipated CVTA funding. CVTA funds required a 50% maintenance of effort by the localities at pre-CVTA funding levels.

Table 2-8 shows GRTC capital funding from 2015 to 2021. Funding peaks beginning in 2017 can be attributed to construction of the BRT Pulse line.

**Table 2-8 GRTC Capital Contributions by Source<sup>34</sup>**

Source	2015	2016	2017	2018	2019	2020
<b>Federal</b>	\$4,710,390	\$4,044,715	\$22,195,232	\$20,117,258	\$2,114,168	\$809,272
<b>State</b>	\$833,482	\$719,723	\$12,020,165	\$22,250,142	\$8,903,934	\$1,262,712
<b>Local</b>	\$344,051	\$298,385	\$3,310,071	\$4,960,297	\$195,654	\$193,950
<b>Total</b>	\$5,887,923	\$5,062,823	\$37,525,468	\$47,327,697	\$11,213,756	\$2,265,934

Table 2-9 provides details of local capital contributions by jurisdiction. Peaks in 2017 and 2018 can be attributed to BRT (Pulse) construction.

**Table 2-9 Details of Local Capital Contributions by Jurisdiction**

Jurisdiction	2015	2016	2017	2018	2019	2020
Richmond	\$274,655	\$240,862	\$2,644,447	\$4,006,576	\$149,456	\$147,531
Chesterfield	\$6,244	\$4,762	\$42,928	\$61,919	\$1,954	\$3,045
Henrico	\$58,614	\$48,916	\$577,257	\$827,006	\$42,171	\$41,346
Petersburg	\$4,538	\$3,845	\$45,438	\$64,796	\$2,073	\$2,028
<b>Total</b>	<b>\$344,051</b>	<b>\$298,385</b>	<b>\$3,310,071</b>	<b>\$4,960,297</b>	<b>\$195,654</b>	<b>\$193,950</b>

<sup>34</sup> Peaks shown in charts for capital contributions were due to BRT construction.



# 3 STAKEHOLDER OUTREACH AND KEY ISSUES

## 3.1 STAKEHOLDER OUTREACH PARTICIPANTS

A key component of successful transit governance is collaboration and buy-in from stakeholders. As such, this study sought to identify the key governance issues in the region by conducting a series of stakeholder interviews. These interviews included localities within the CVTA as well as regional and state-level stakeholders. In total, over 40 individuals were interviewed through 15 separate interviews. Table 3-1 provides a summary of the stakeholder participants interviewed for the study.

During the interviews, stakeholders were asked their perspectives on the topics of (1) current transit service, transit needs, and perspectives on regional transit, (2) transit governance structure and decision making, and (3) transit funding. Discussions with stakeholders provided much value and allowed key transit governance issues to be clearly identified.

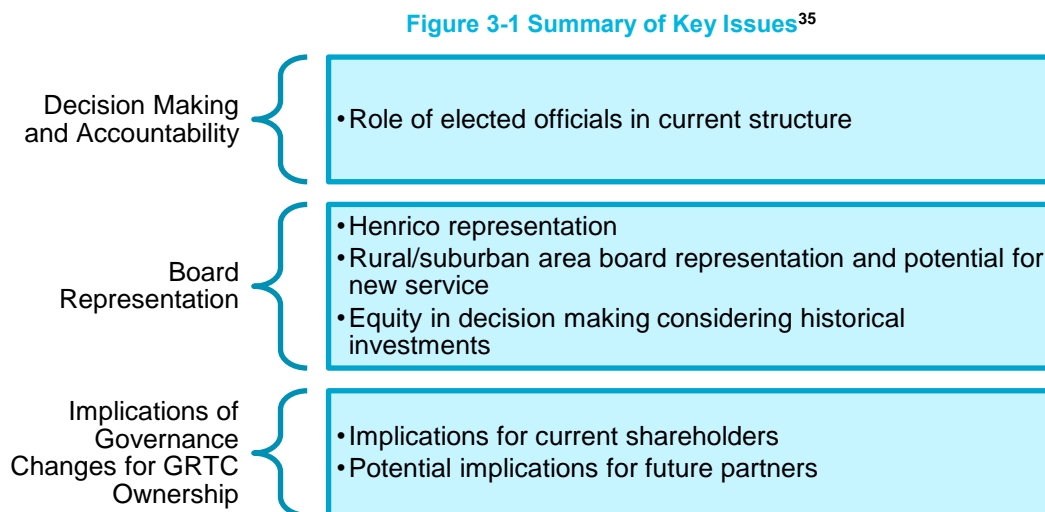
**Table 3-1 Stakeholder Outreach Participants**

<b>Representative</b>	<b>Stakeholder</b>	<b>Position/Title</b>
Julie Timm	GRTC	CEO
Bonnie Ashley	GRTC	General Counsel
Adrienne Torres	GRTC	Director of planning & Operations
John Zinzarella	GRTC	CFO
Kesha Reed	GRTC	Grant Administration
Dawn Bailey	GRTC	Comptroller
Soumya Vijayan	GRTC	Financial Analyst
Rev. Ben Campbell	GRTC Board	Board President
Gary Armstrong	GRTC Board	Board Vice President
Dr. Cynthia Newbille	City of Richmond	President of Richmond City Council
Ellen Robertson	City of Richmond	Vice President of Richmond City Council
Lincoln Saunders	City of Richmond	Acting Chief Administrative Officer – City of Richmond
Dironna Moore Clarke	City of Richmond	Office of Equitable Transit and Mobility
Dan Schmitt	Henrico County	Brookland District Representative; Henrico Board of Supervisors
Frank Thornton	Henrico County	Fairfield District Representative; Henrico Board of Supervisors
Todd Eure	Henrico County	Assistant Director of Transportation & Development
John Vithoukas	Henrico County	Henrico County Manager
Rev. Delores McQuinn	Virginia House of Delegates	Committees: Transportation (Chair), Education, Rules, Appropriations Charles City County, Chesterfield County (part), Henrico County (part), City of Richmond (part)
Carlos Brown	Commonwealth Transportation Board	Richmond District Vice President & General Counsel, Dominion
Kevin Carroll	Chesterfield County	Matoaca District Supervisor

<b>Representative</b>	<b>Stakeholder</b>	<b>Position/Title</b>
James Holland	Chesterfield County	Dale District Supervisor
Dr. Joseph Casey	Chesterfield County	Chesterfield County Administrator
Jesse Smith	Chesterfield County	Deputy County Administrator Community Development
Jeffrey Mincks	Chesterfield County	County Attorney
Barb Smith	Chesterfield County	County Transportation
Neil Spoonhower	Goochland County	Board of Supervisors (District 2)
Michael Campbell	Goochland County	Transportation Manager
Canova Peterson	Hanover County	Hanover County (Chairman), CVTA Board member
John Budesky	Hanover County	County Administrator
Mike Flag	Hanover County	Director of Public Works, county administration
Joe Vidunas	Hanover County	Transportation Engineer
Patricia Page	New Kent County	Board of supervisors (District 3)
Justin Stauder	New Kent County	Assistant County Administrator
Rhonda Russell	Charles City County	Assistant County Administrator/Director of Community Development
Bill Coad	Charles City County	District 2 Supervisor
Bret Schardein	Powhatan County	Assistant county administrator
David Williams	Powhatan County	Board of Supervisors
Jennifer Mitchell	Virginia Department of Rail and Public Transportation	Director
Tiffany Dubinsky	Virginia Department of Rail and Public Transportation	Statewide Transit Planner
Jennifer DeBruhl	Virginia Department of Rail and Public Transportation	Chief of Public Transportation

### 3.2 KEY GOVERNANCE ISSUES IDENTIFIED

Following the review of GRTC’s governance structure and extensive stakeholder outreach, the following three key issues were identified and summarized in Figure 3-1.



#### 3.2.1 Decision Making and Accountability

The 2020 CVTA legislation introduced a new regional sales and use tax of 0.7% and a wholesale gas tax of 7.6 cents per gallon of gasoline and 7.7 cents per gallon of diesel fuel. These new taxes were imposed within the CVTA member jurisdictions. Of the total revenues generated through the new transportation funding, 15% are provided to support transit service provided by GRTC, 50% are provided to CVTA member jurisdictions proportionally, and 35% are allocated for regional projects.

Table 3-2 provides a summary of FY2022 CVTA member contribution estimates in Fiscal Year 2022 showing the 15% transit component.

**Table 3-2 Summary of FY2022 CVTA Funding Estimates**

Locality	Local Sales Tax	Wholesale Fuels Tax	Total Sales and Fuel Tax	15% Transit Component
Charles City	\$834,000	\$128,400	\$962,400	\$144,360
Chesterfield County	\$42,245,300	\$14,786,400	\$57,031,700	\$8,554,755
Goochland County	\$2,940,000	\$1,944,000	\$4,884,000	\$732,600
Hanover County	\$18,270,000	\$7,251,600	\$25,521,600	\$3,828,240
Henrico County	\$49,000,000	\$11,064,000	\$60,064,000	\$9,009,600
New Kent County	\$1,622,600	\$3,056,400	\$4,679,000	\$701,850
Powhatan County	\$2,878,700	\$1,374,000	\$4,252,700	\$637,905
Richmond City	\$25,816,400	\$4,648,800	\$30,465,200	\$4,569,780
<b>Total</b>	<b>\$143,607,000</b>	<b>\$44,253,600</b>	<b>\$187,860,600</b>	<b>\$28,179,090</b>

As a result of the 15% transit component of CVTA funds directed to GRTC, which has a board of non-elected members appointed by two of the nine CVTA jurisdictions within the region, concerns about sufficient accountability by elected officials for the use of those funds arose and therefore needed to be determined.

<sup>35</sup> Of the four key issues identified, the “evaluation of potential new service” was considered out of the scope of this governance study but within the scope of an ongoing concurrent study for the region

## 3.2.2 Board Representation

The GRTC Board is made up of six members with three members each appointed by the City of Richmond and Chesterfield County. With changes to the agency's funding structure as a result of new CVTA funding, CVTA member localities expressed interest in GRTC Board representation for their tax contributions. This was echoed in both jurisdictions that had existing GRTC service such as Henrico and Hanover counties, and those that did not have service.

Because of the differences in current services consumed (fixed route and paratransit service) and the associated local funding for those services, this issue was divided in two parts: (1) representation for Henrico County and (2) representation for the suburban/rural jurisdictions.

### **Henrico County Board Representation**

As previously shown in Section 2, Henrico County receives the second largest share of GRTC service and provides local revenue to support that service. In the current arrangement, Henrico County purchases contracted service from GRTC and has complete control of all service within its jurisdiction through the approval of routes and allocation of funding by the County Board of Supervisors. Although the county did not have a Board seat, this contracting method provided the county control of tax dollars that come from its jurisdiction.

Although Henrico County received service as early as in 1975, the county declined to purchase a portion of GRTC ownership in the initial sale and purchase agreement 1989. However, the county's desire to participate directly on the GRTC Board changed in recent years with the formation of the CVTA further solidifying their desire. On April 15<sup>th</sup>, 2021, Henrico County officially petitioned the City of Richmond and Chesterfield County to be included on the GRTC Board as an equal member.

### **Rural/Suburban Area Representation**

Three main concerns were raised by other CVTA members: (1) dissatisfaction from the feeling of contributing to GRTC without directly receiving service or enough service, (2) concern of potentially subsidizing transit in areas outside their local jurisdictions due to the CVTA legislation's provision for current GRTC funders to maintain at least 50% of funding levels provided prior to the creation of CVTA, and (3) dissatisfaction of not having direct input on the GRTC Board.

These concerns were echoed at varying levels from the localities; however, all the localities from the suburban/rural jurisdictions involved in the stakeholder outreach expressed a desire for increased or new GRTC service. There was a high interest in enhanced mobility services particularly for the elderly, persons with disabilities and low-income people. In some cases, this was conflated with the desire for Board representation. In a few cases where localities had some existing transit (e.g., demand-responsive service), questions on transferring the 15% GRTC allocation to their existing transit providers arose.

### **Equity in Decision Making Considering Historical Investments**

Potential changes to the GRTC Board structure and discussions of future Board composition raised concerns of equity decision making power. One factor raised was that of historical funding contributions from GRTC shareholders. Historically and at present, GRTC has primarily served residents of the City of Richmond. As such, over the years, the City has borne a significant share of funding for its riders, but only has had 50% voting representation on the GRTC Board. The City therefore reinforced the desire to first understand its historical financial investments fully before proceeding with discussions of changes to Board membership and composition.

## 3.2.3 Implications of Governance Changes for GRTC Ownership

As discussed in the GRTC overview in Section 2, GRTC was set up as a public transit corporation with the governing bodies City of Richmond and Chesterfield County owning 50% each of the company's 10 shares. As shareholders, the two localities have control of GRTC's governance structure by appointing three members each to the Board. The CVTA members sought to understand the implications of potential changes to GRTC Board representation.

# 4 PEER REVIEW

## 4.1 OVERVIEW OF PEERS

A review of governance structures for peer agencies was conducted to provide further context and insight into potential transit governance strategies for the central Virginia region. Agencies were selected based on similarities in experiences and operating characteristics. Reviews were conducted using a two-step approach: document reviews and virtual interviews. The following agencies were selected:

- 1) Hampton Roads Transit (HRT)
- 2) VIA Metropolitan Transit (VIA Metro)
- 3) WeGo Public Transit, (Nashville Metropolitan Transit Authority) and Regional Transportation Authority of Middle Tennessee (RTA)
- 4) Rock Region Metropolitan Transit Authority

These agencies were selected and evaluated on the following criteria:

- 1) **Service area demographics:** service area population, service area square miles, and population density
- 2) **Agency size:** vehicles operated in maximum service, number of modes, number of employees, and total operating budget
- 3) **Operating Characteristics:** total annual vehicle revenue miles, total annual vehicle revenue miles per capita, total annual vehicle revenue hours per capita
- 4) **Governance structure and funding:** governance type, board size and composition, qualifications for members, selection of officers, committees, roles, voting and veto authority, and funding structure

In the case of the Nashville region, WeGO Public Transit was reviewed alongside the RTA as the two agencies were intrinsically interrelated by sharing management staff. Together, the two agencies carry about 95% of transit riders in the region.

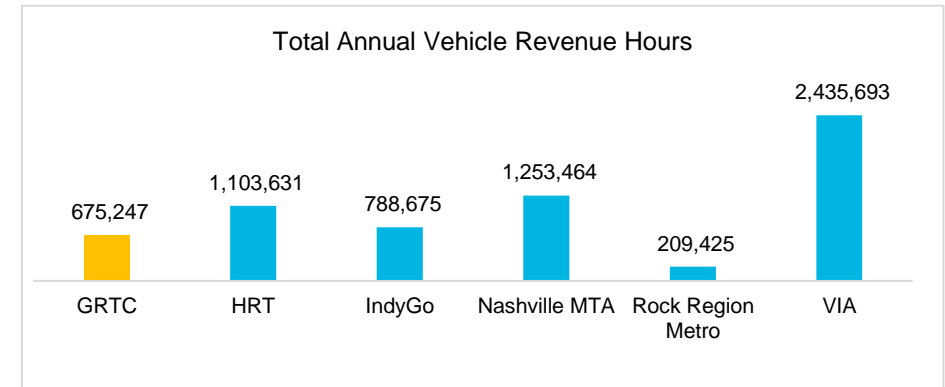
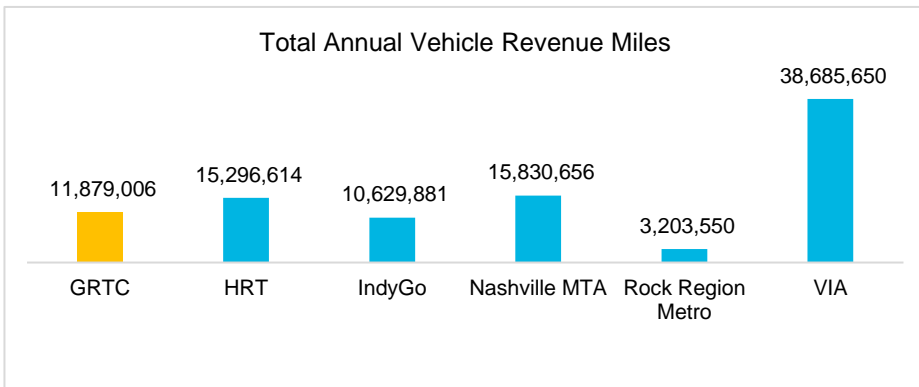
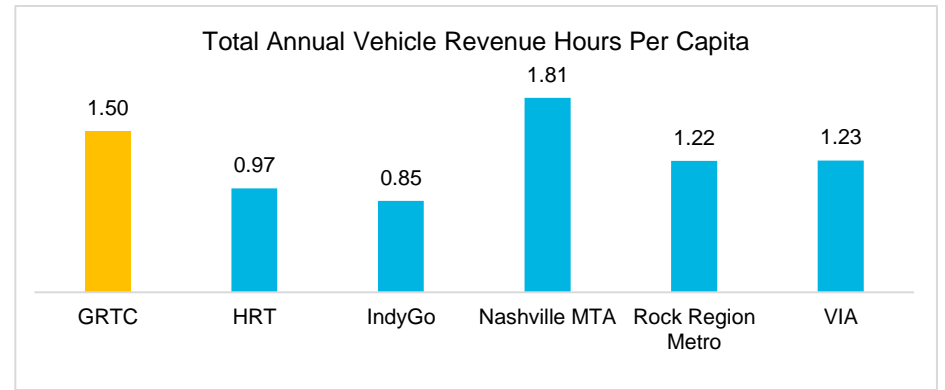
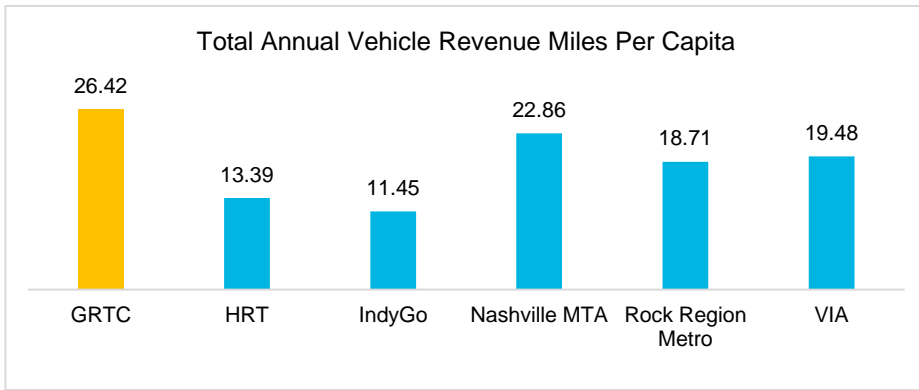
Table 3-1 shows an overview of the relative size and services provided by the case study agencies. Data for GRTC is also provided for context. All data in this table was based on 2019 National Transit Database (NTD) Data.

**Table 4-1 Overview of Peer Study Agencies (2019 NTD)**

Factor	GRTC (Richmond)	HRT (Hampton Roads)	VIA (San Antonio)	WeGo (Nashville)	Rock Region (Little Rock)
<b>Service area population</b>	449,572	1,142,181	1,986,049	692,587	171,264
<b>Service Area Square miles</b>	227	421	1213	484	102
<b>Population Density<sup>36</sup></b>	1,980	2,713	1,637	1,431	1,679
<b>Modes Operated</b>	DR, MB, VP, RB	DR, DT, FB, LR, MB, VP	DR, DT, MB, VP	DR, DT, MB	DR, MB, SR
<b>Vehicles Operated in Max Service</b>	316	407	933	275	76
<b>Total Employees</b>	476	1910	2103	678	202
<b>2019 Total Operating Budget</b>	55,433,474	\$96,759,881	\$242,303,006	\$85,143,232	\$18,811,885
MB – Motor Bus DR – Demand Response CB – Commuter Bus		DT – Demand Response Taxi RB – Bus Rapid Transit VP – Vanpool		SR – Streetcar DO- Directly Operated PT – Purchased Transportation	

The series of charts below also provides the operating statistics of the selected peers. The charts were developed using 2019 data from the National Transit Database (NTD).

<sup>36</sup> Population density is calculated as persons per square mile



## 4.2 REVIEW OF GOVERNANCE STRUCTURES

### 4.2.1 Hampton Roads Transit

Hamptons Roads Transit (HRT) was formed in 1999 as a merger of two transit systems: Peninsula Transportation District Commission (dba Pentran) and Tidewater Transportation District Commission (dba Tidewater Regional Transit). After five years of initial discussion, study, and due diligence, the two entities formed the Transportation District Commission of Hampton Roads (TDCHR) under the Transportation District Act of 1964,<sup>37</sup> operating transit under the brand Hampton Roads Transit. The agency is a regional provider of bus, light rail, ferry, paratransit, and Transportation Demand Management (TDM) serving the six cities of Chesapeake, Hampton, Norfolk, Newport News, Portsmouth, and Virginia Beach, and the Town of Smithfield.<sup>38</sup>

Figures 4-1 and 4-2 provide organizational charts for TDCHR and the HRT senior executive team.

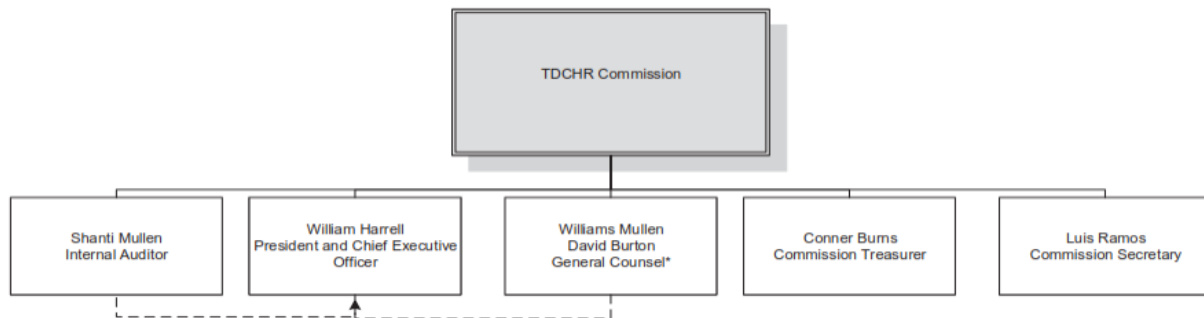


Figure 4-1 TDCHR Organizational Chart

(Source: Hampton Roads Transit, 2021)

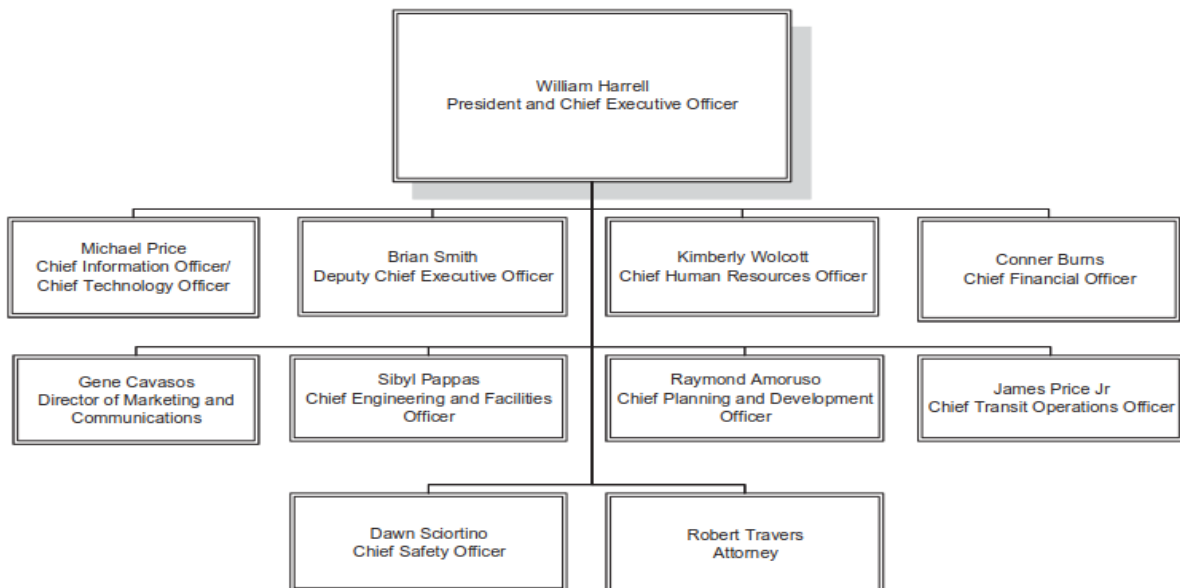


Figure 4-2 HRT Senior Executive Team Organizational Chart

(Source: Hampton Roads Transit, 2021)

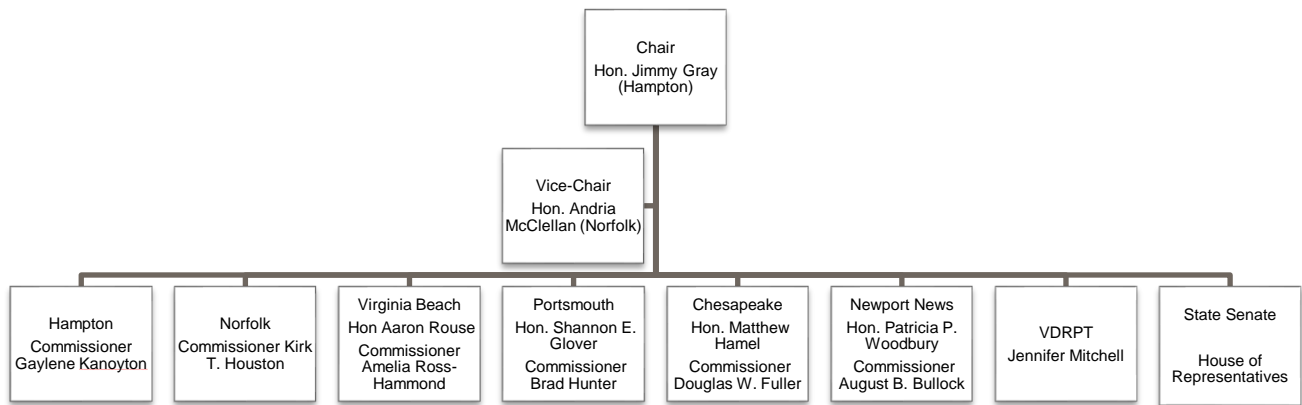
<sup>37</sup> Chapter 45 Title 15.2 of the Code of Virginia

<sup>38</sup> Only one park and ride stop. No formal board representation

**Board Characteristics**

The governing body for HRT is the Transportation District Commission of Hampton Roads (TDCHR) Board made up of 15 members serving one-year terms. The Board formerly was comprised of 13 members, but in 2020, the state legislature approved a new dedicated funding source for the agency and also added one member each from the Senate and House. The following comprise the Board membership:

- 1) One elected official per city
- 2) One governor appointed citizen per city
- 3) Chair of the Commonwealth Transportation Board (CTB), ex-officio (or designee) – This responsibility has been delegated to DRPT
- 4) One representative each from the Senate and House.



**Figure 4-3 TDCHR Board Members**

Member cities and the Chairperson of the CTB appoint alternate commissioners who serve at the pleasure of their appointing bodies. Alternate commissioners from the governing bodies of member cities may also be, but need not be, members of the governing body. Alternate commissioners exercise all the powers and duties of a commission member in their absence.

**Officers**

The Commission officers are the Chairperson, Vice Chairperson, Secretary, and Treasurer. Other officers may also be elected or appointed by the Commission. The Chairperson and Vice Chairperson serve for two consecutive years and must be members of the Commission. Other officers serve for a term of one year. The Secretary and Treasurer may not be members of the Commission.

**Quorum and Voting**

The TDCHR (or Commission) Board requires seven members to form a quorum with at least one member from a majority of the local governments. The Chairperson of the CTB or designee may also be included.

Voting is conducted through a simple majority with one vote per member. However, Commissioners have absolute veto power within their jurisdictions. That is, any changes to service in any locality requires an affirmative vote from the respective locality. Although voting is by simple majority, weighted voting has been debated in the past.

The Commission is governed by bylaws which require a two-thirds majority vote for any changes.



## **Committees**

The Commission makes use of committees that are all advisory in nature and do not act on behalf of the Commission. Unless otherwise indicated by the bylaws, committee members are appointed by the Chairperson with approval of the Commission. Commission members generally serve on two committees each.

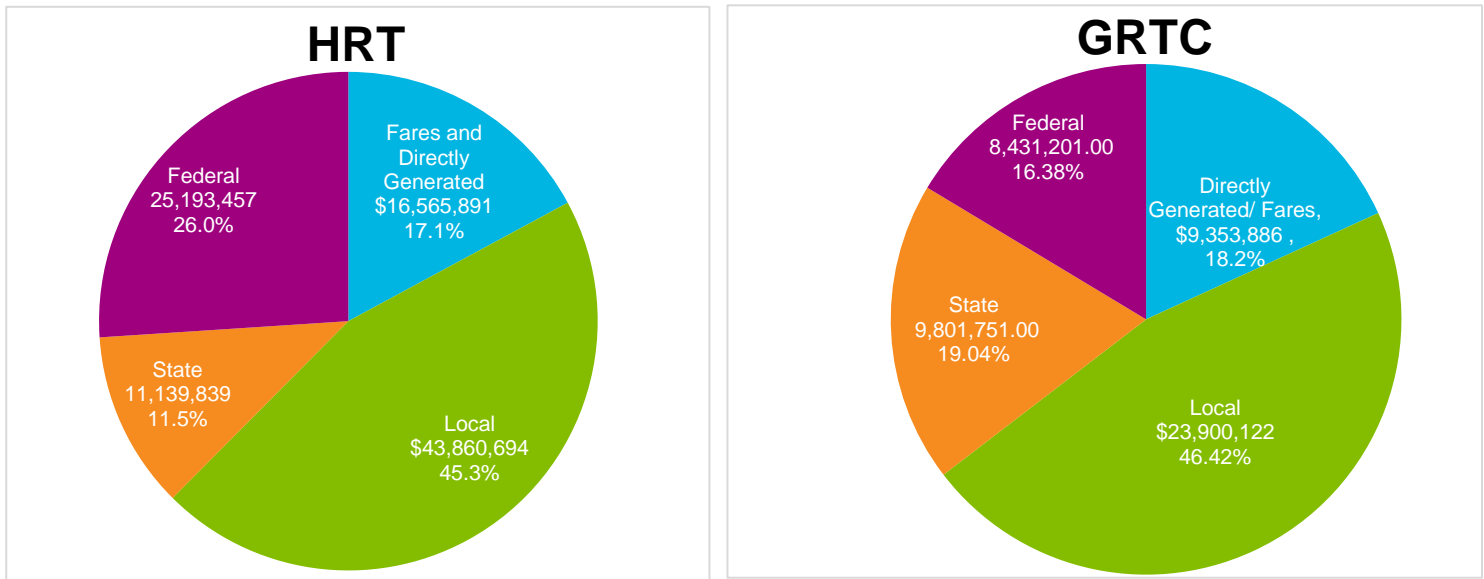
- 1) **Nominating Committee:** Six members with representatives residing in one of each city (three appointed by the component government and three by the Governor).
- 2) **Executive Committee:** Comprised of the Commission Chairperson, Vice Chairperson, past Chairperson, CTB Chairperson (or designee), and Commissioners from each government not already represented on the Committee. The Executive Committee's role is to work with the Chief Executive Officer (CEO) or president of HRT to coordinate its management. Subcommittees include the Transit Riders Advisory (TRA) and Paratransit Advisory subcommittees.
- 3) **Operations and Oversight:** Comprised of six members who work with the CEO to monitor operational performance and approve projects prior to being voted on by the Commission.
- 4) **Planning and New Starts Development Committee:** Six members who work with the CEO on policy and direction for major initiatives such as studies, or major capital projects. The committee also advises the staff in developing a transit vision for the agency.
- 5) **Management/Financial Advisory Committee:** Members include city managers (or designees) and the Chairperson of the CTB (or designee). Designees of the city managers usually include key staff from the budget and planning divisions of the respective cities. The committee serves as a liaison between HRT and the local government city managers and allows collaboration and room to advise staff on shared issues.
- 6) **Audit/Budget Review Committee:** Six members who work with the CEO to monitor the annual budget and ensure compliance with federal audit requirements and other policies.

## **Funding**

HRT is funded through a mix of local, state, and federal grants. Funding from the local governments is determined through a cost allocation formula that is determined annually and is proportional to the service hours received for local routes. Express routes are allocated in proportion to the localities that benefit from open-door portions of the route. In 2020, new legislation was passed to create the Hampton Roads Regional Transit Fund to provide HRT with dedicated transit funding for the first time in the agency's history. Member localities will continue to contribute to HRT, and the new funds will go toward funding regional routes.

Funding for capital projects that benefit only one city are funded exclusively by that city. Sources for federal grants for the agency include Metropolitan and Statewide Planning funds, 5303, State of Good Repair Funds, 5337, and Urbanized Area Formula funds, 5307.

Figure 4-4 HRT Sources of Operating Funds (NTD 2019)



### 4.2.2 VIA Metropolitan Transit (VIA Metro)

VIA Metropolitan Transit (VIA Metro) was established as a transit authority in 1978 according to Section 451, Transportation Code, Article 1118x of the Texas civil statutes. The agency serves 14 jurisdictions consisting of the City of San Antonio, other municipalities, and unincorporated areas within Bexar County.

**Board Characteristics**

VIA Metro is governed by an 11-member citizen Board whose members serve staggered two-year terms with a maximum of eight years. The 11 members are selected as follows:

- 1) Five by the San Antonio City Council
- 2) Three by the Bexar Commissioners Court (county government)
- 3) Two by mayors of the other served jurisdictions (suburban communities)
- 4) One chairperson selected by the 10 Board members.

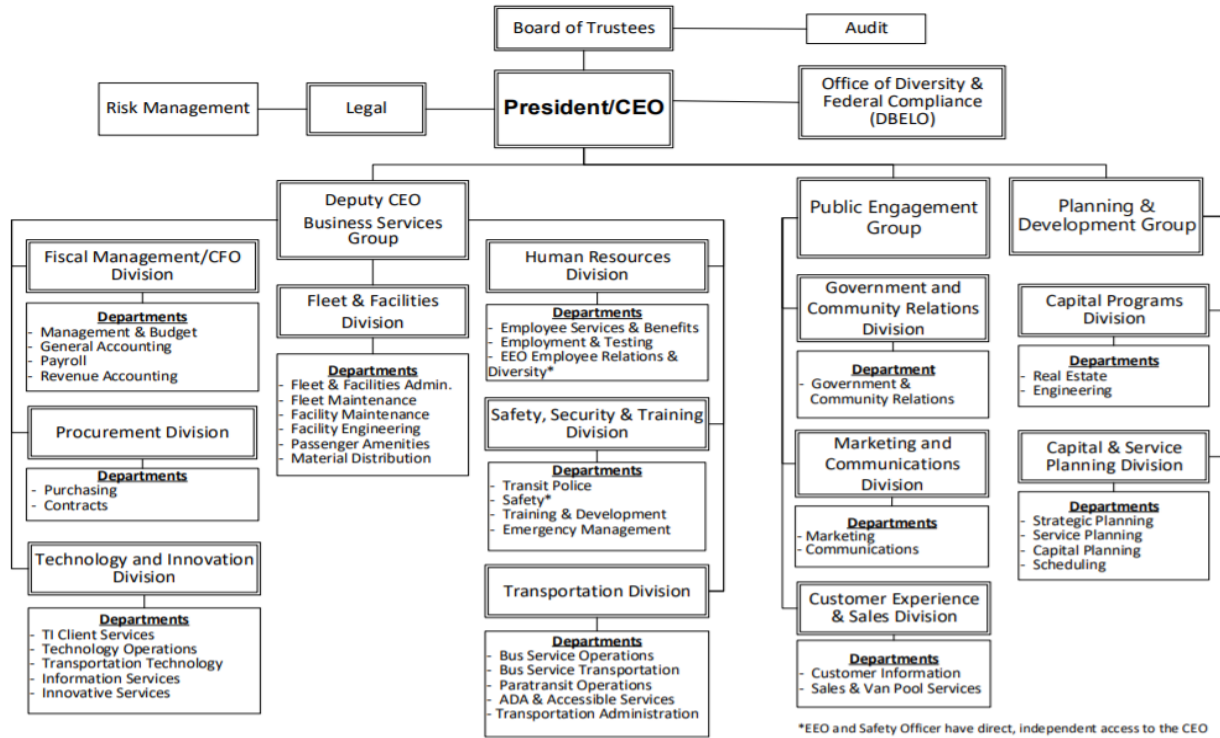
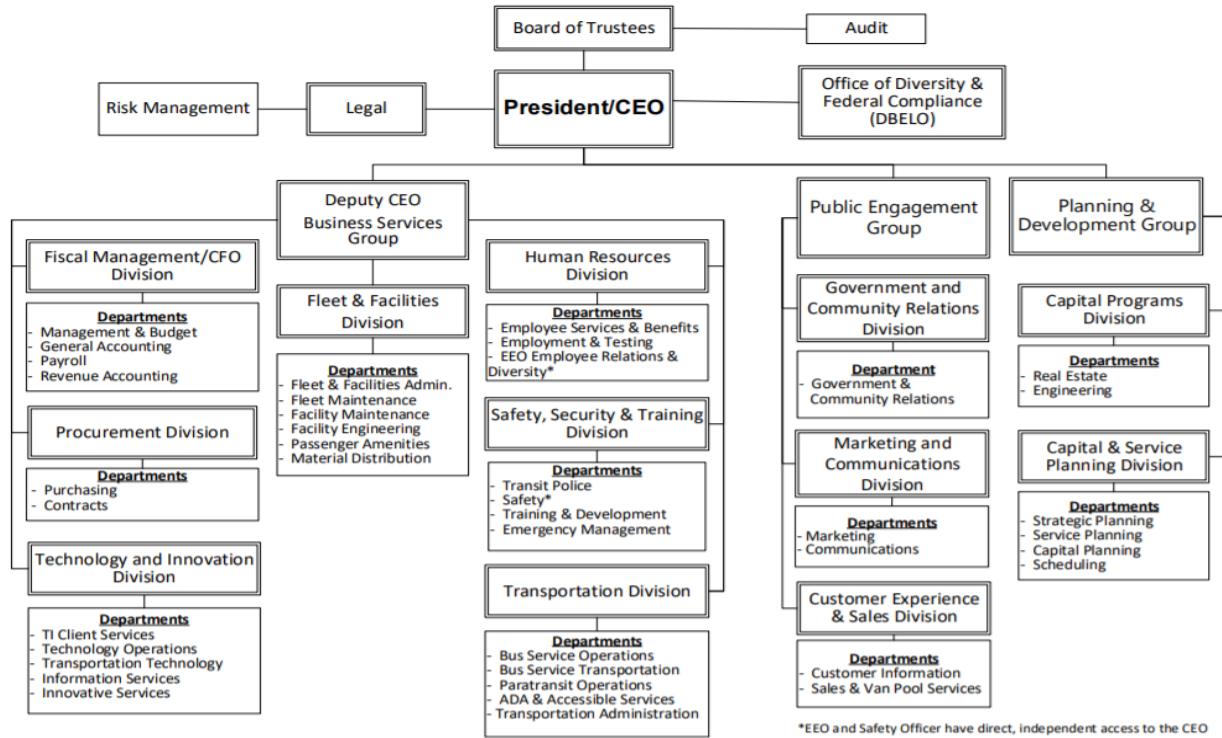


Figure 4-5 shows the agency's organizational chart and Figure 4-6 shows the board structure.



\*EEO and Safety Officer have direct, independent access to the CEO

Figure 4-5 VIA Metro Organizational Chart

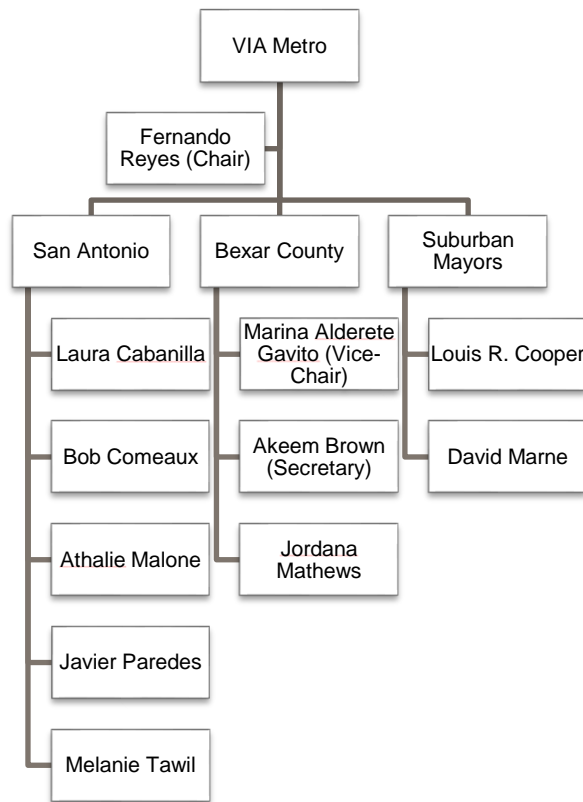


Figure 4-6 VIA Metro Board Membership

Besides being residents and qualified voters of the service area, no other qualifications are required to serve on the Board. Elected officials are unable to serve on the Board and members who wish to run for office step down before running.

**Officers**

The board officers are the Chair, Vice Chair and Secretary. The Chair and Vice Chair both serve two-year terms. The Secretary serves for a year.

**Quorum and Voting**

A quorum is formed by having a majority of the 11 Board members present. Voting is by a simple majority with no proxies or veto. Changes to the agency’s bylaws require a two-thirds majority vote.

**Committees**

Committees that support the agency’s efforts may be formed as needed by the Executive Committee. Members of committees need not be members of the Board. Below are brief descriptions of the existing committees:

- Executive Committee: Comprised of the Chair, Vice Chair, Secretary, and two members. The members must include representatives from all three appointing bodies.
- Nominating Committee: Appointed by the Executive Committee to select candidates for Board officer positions.

**Funding**

The majority of the agency’s operating budget is funded from a dedicated half-cent sales and use tax levied by VIA Metro. A second local revenue source is another one-eighth-cent sales tax from the Advanced Transportation District (ATD). The ATD tax was approved in November 2004 and rededicated in 2020 to fund transportation improvements for VIA Metro, the City of San Antonio, and the Texas Department of Transportation. VIA receives half of the quarter-cent ATD tax.

The agency also receives federal grants such as Section 5310, Job Access Reverse Commute (JARC) Funds, and New Freedom Funds. Finally, directly generated revenue sources include passenger fares, charter operations, parking, advertising, and interest gains.

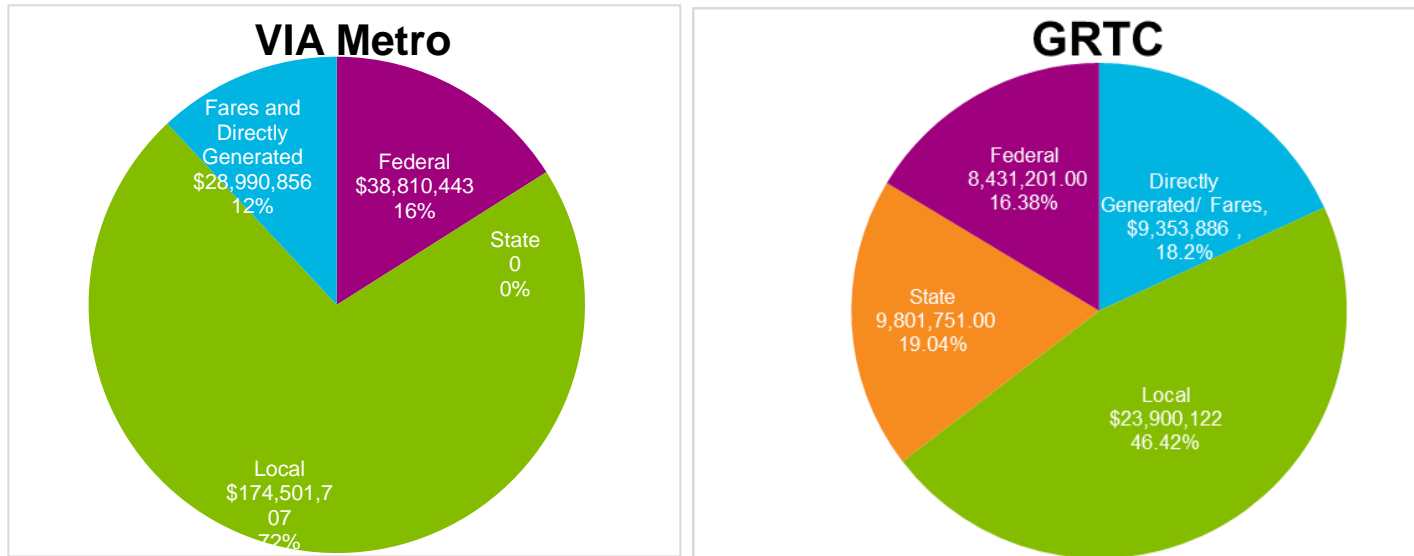


Figure 4-7 VIA Metro Sources of Operating Funds (NTD 2019)

### 4.2.3 Nashville Metropolitan Transit Authority

WeGo Public Transit, formerly known as the Nashville Metropolitan Transit Authority (MTA), was formed in 1973 by the City of Nashville under Article 64 of the City of Nashville Charter. The MTA is accountable to the City of Nashville and serves the City of Nashville. Employee management is through the Davidson Transit Organization. Figure 4-8 shows a high-level organizational chart.

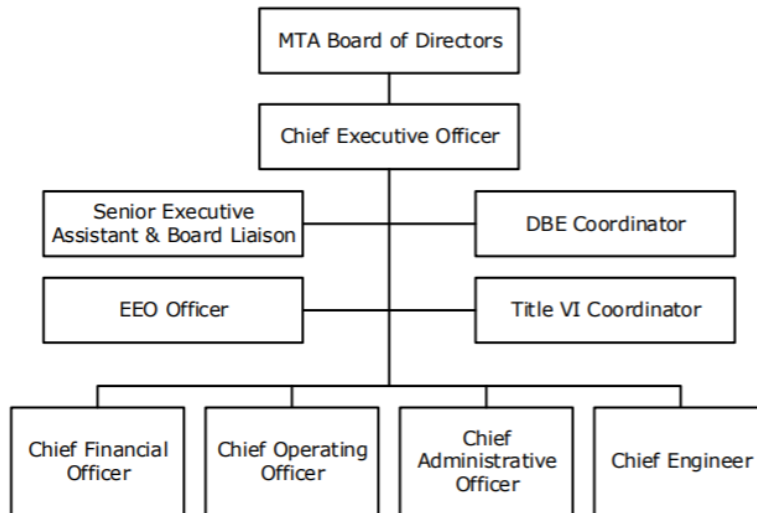


Figure 4-8 Nashville MTA Organizational Chart

Source: Metropolitan Nashville/Davidson County FY2021 Operating Budget

#### Board Characteristics

The MTA is governed by a five-member Board with each member serving five-year staggered terms with no term limits. The board members are appointed by the mayor and approved by city council. Members appointed to the Board must be residents of the metropolitan government area for at least three years. Furthermore, Board members cannot hold public office. Figure 4-9 shows the WeGO governance board structure.

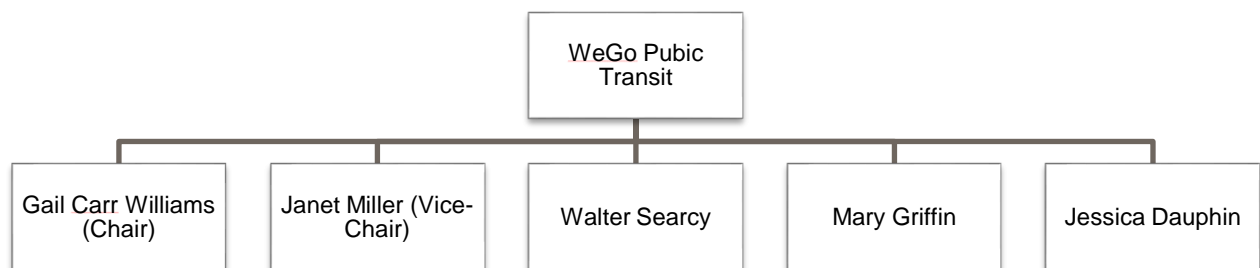


Figure 4-9 WeGo Public Transit Board Structure

#### Officers

Board officers include the Chair, Vice Chair, and Secretary. The Chair and Vice Chair are elected annually from the Board. The Secretary is also appointed but need not be a member of the Board, however, the Secretary must be a licensed practicing attorney.

**Quorum and Voting**

Three members of the Board constitute a quorum and voting is by simple majority. Since the MTA was formed from the city charter, any change to the charter will require approval from the City Council and voters.

**Funding**

The MTA’s operating budget is primarily funded by the City’s general fund (approximately 59% in 2019). Other sources include fares, contract revenues, advertising, and state operating assistance. There is currently no dedicated funding for the agency.

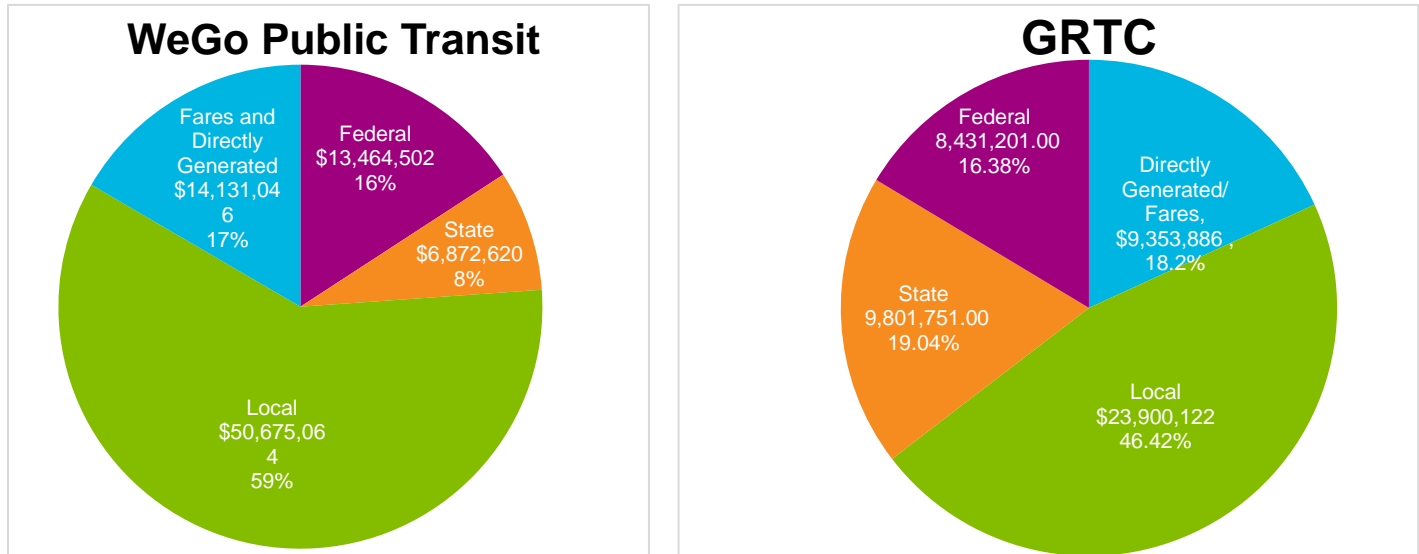


Figure 4-10 MTA Sources of Operating Funds (NTD 2019)

**4.2.3.1 Regional Transportation Authority of Middle Tennessee**

Closely related to WeGo (Nashville MTA) is the Regional Transportation Authority of Middle Tennessee (RTA). The RTA operates commuter services including vanpool, commuter rail, and commuter bus for riders going into and out of downtown Nashville. The authority was created by the state in 1988 under Title 64, Chapter 8 Part 1 of the Tennessee Code to provide regional transit services. The regional authority has 10 member jurisdictions that cover the spread of urban, suburban, and rural localities. Membership to the authority is voluntary and members join by payment of a yearly local assessment based on a per capita and flat rate amount.

The RTA acts as a governing body and owner of transit assets but has no direct employees. Rather, it contracts with the Nashville MTA Board for management and some service. The RTA uses other third-party providers for rail, vanpool, and some bus service. Figure 4-11 shows the shows an organizational chart for its contract management.

**Board Characteristics**

The RTA Board has 39 members (37 filled) with representatives from counties (nine), cities (20) and Governor appointees (10) from the region. The Board composition is as follows:

- 1) County mayors or metropolitan mayors
- 2) Mayors of member cities and towns
- 3) Commissioner of the Tennessee Department of Transportation (TDOT)
- 4) Governor appointees serve a five-year term and are selected from individuals that are representative or and knowledgeable in transit operations or service.

Figure 4-12 shows the Board structure for the RTA.

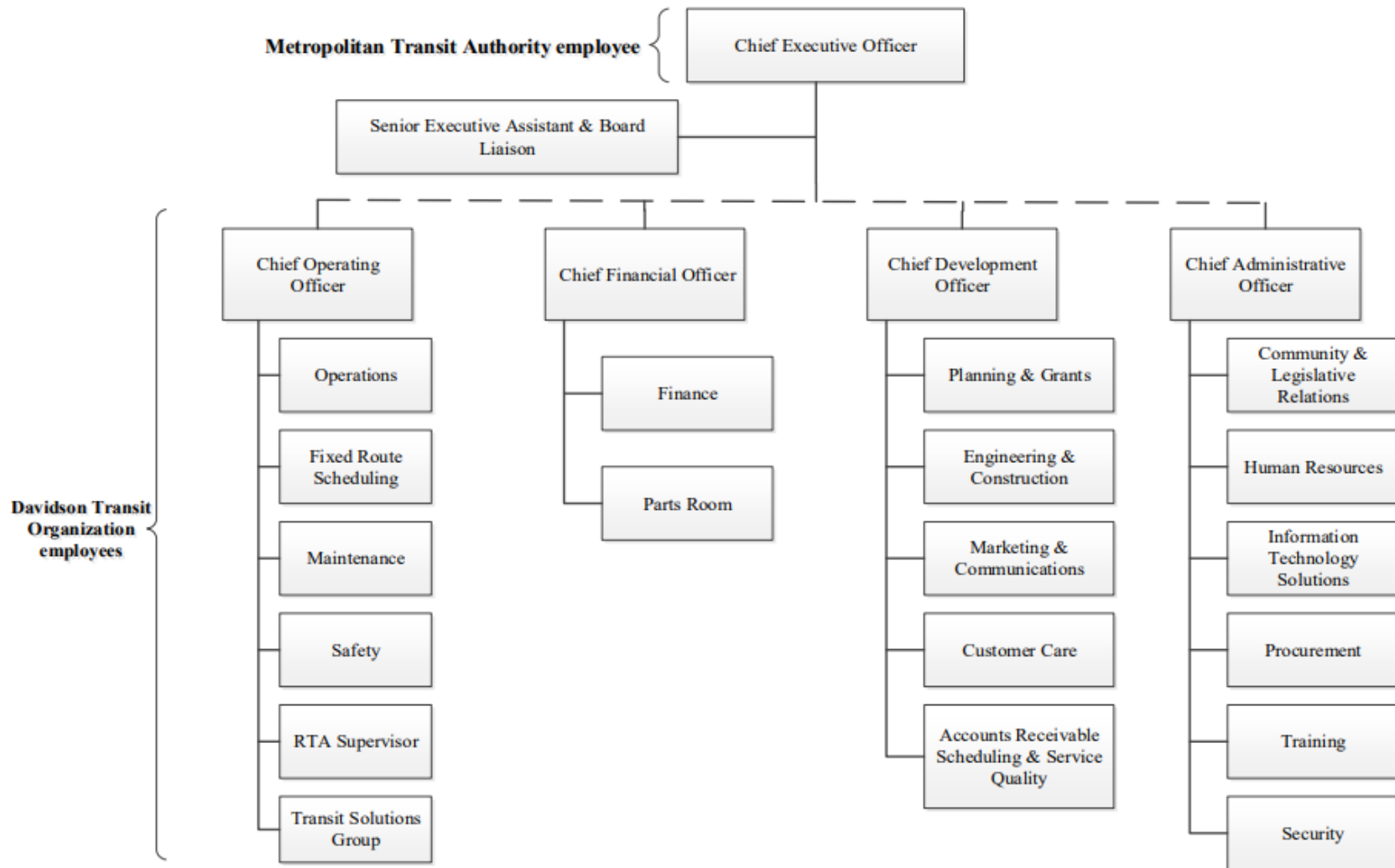


Figure 4-11 RTA Organizational Structure

Source: Tennessee Comptroller of the Treasury Performance Audit Report (2019)



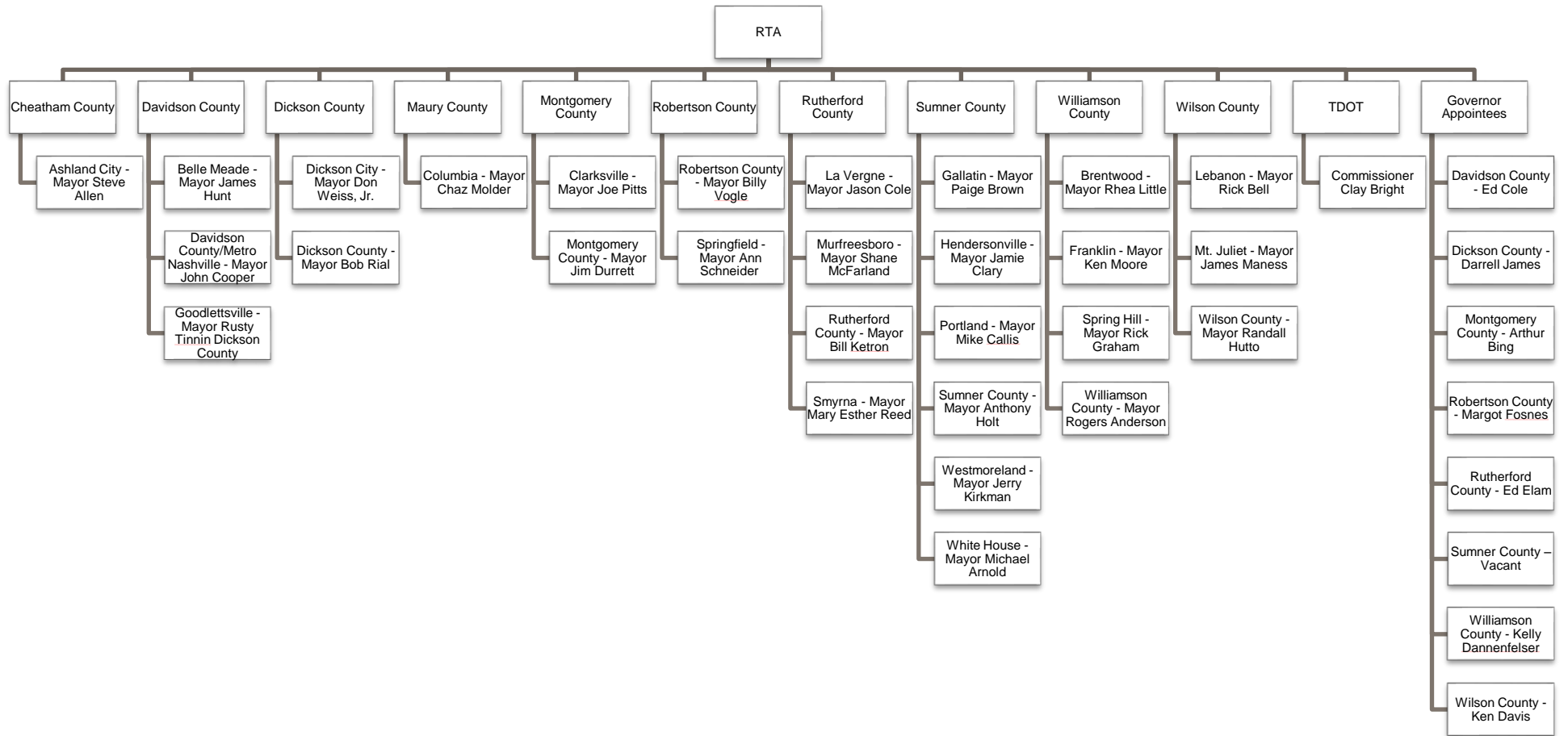


Figure 4-12 RTA Board Structure

**Officers**

The officers of the Board are the Chair, Vice Chair and Secretary who are elected by majority vote of the Board or by the Executive Committee. The elected officers must include at least one appointed member and one elected member.

**Quorum and Voting**

The Board meets quarterly with 50% of the Board forming a quorum. Voting is by simple majority with each member having one vote. However, with the opt in nature of Board members, instances exist where one county could have representatives from multiple cities within its jurisdiction.

**Committees**

The RTA has the following committees:

- 1) **Executive Committee:** Created as a response to low attendance rates to governing Board meetings, the Executive Committee is the administrative body of the RTA Board. The Committee currently consists of 12 members who meet monthly and can act in the absence of the full Board on certain issues. Membership to this committee is open to any member that attended at least 50% of meetings in the previous year. This requirement is reviewed annually.
- 2) **Corridor Committees:** Created to manage and plan for service on each of the RTA’s regional transit corridors. Members of the corridor committees are Board representatives and Governor appointees from the respective municipalities within which the corridor service is provided. The full Board approval is still required for committee recommendations.

**Funding**

The RTA’s primary source of funding is through federal grants, particularly, CMAQ.<sup>39</sup> Other federal sources include Urbanized Area Formula 5307, Bus and Bus Facilities Grant Program 5339, and JARC funds. Local operating contributions from member jurisdictions form about a quarter of operating funding sources followed by directly generated funds (fares, advertising, parking and concessions, station rentals, special events, membership dues, and employer pass programs). The RTA has no dedicated transit tax.

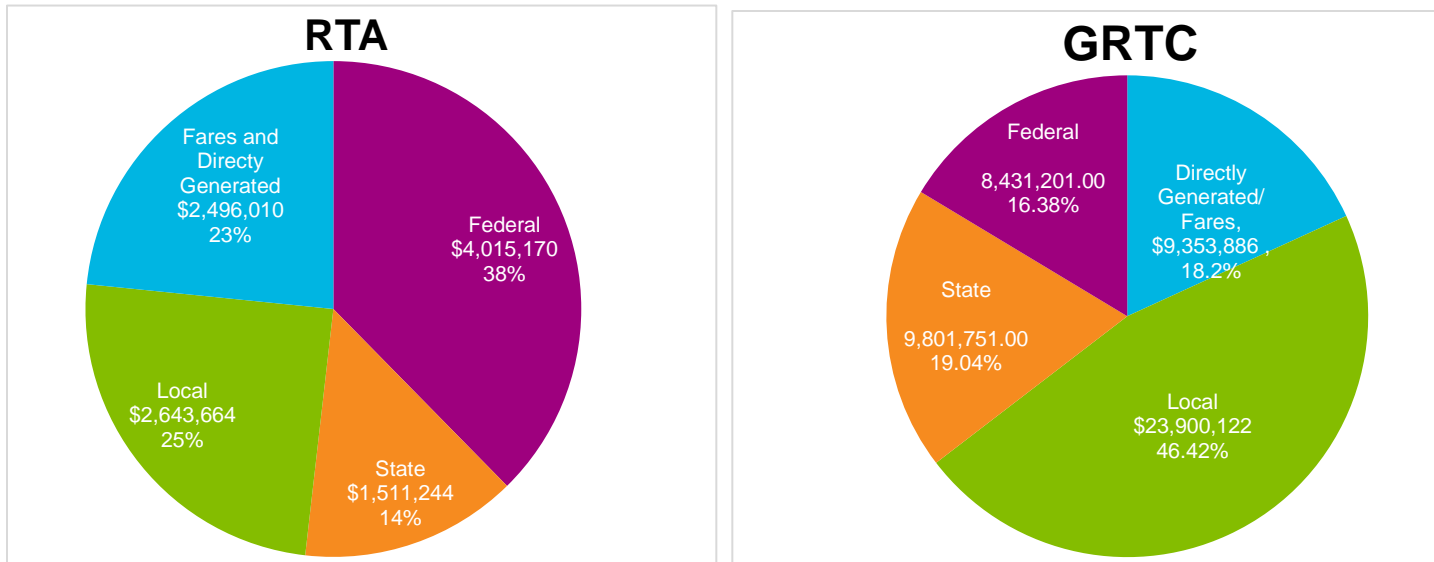


Figure 4-13 RTA Sources of Operating Funds (NTD 2019)

<sup>39</sup> Except for the commuter rail and one bus corridor.

### 4.2.4 Rock Region Metropolitan Transit Authority

Rock Region Metro was established in 1986 in Little Rock, Arkansas and serves the cities of Little Rock and North Little Rock, as well as Pulaski County. Service is also provided to the cities of Maumelle, Sherwood, and Jacksonville. The agency was formed as an authority through an interlocal agreement. Figure 4-14 shows the agency's organizational chart.

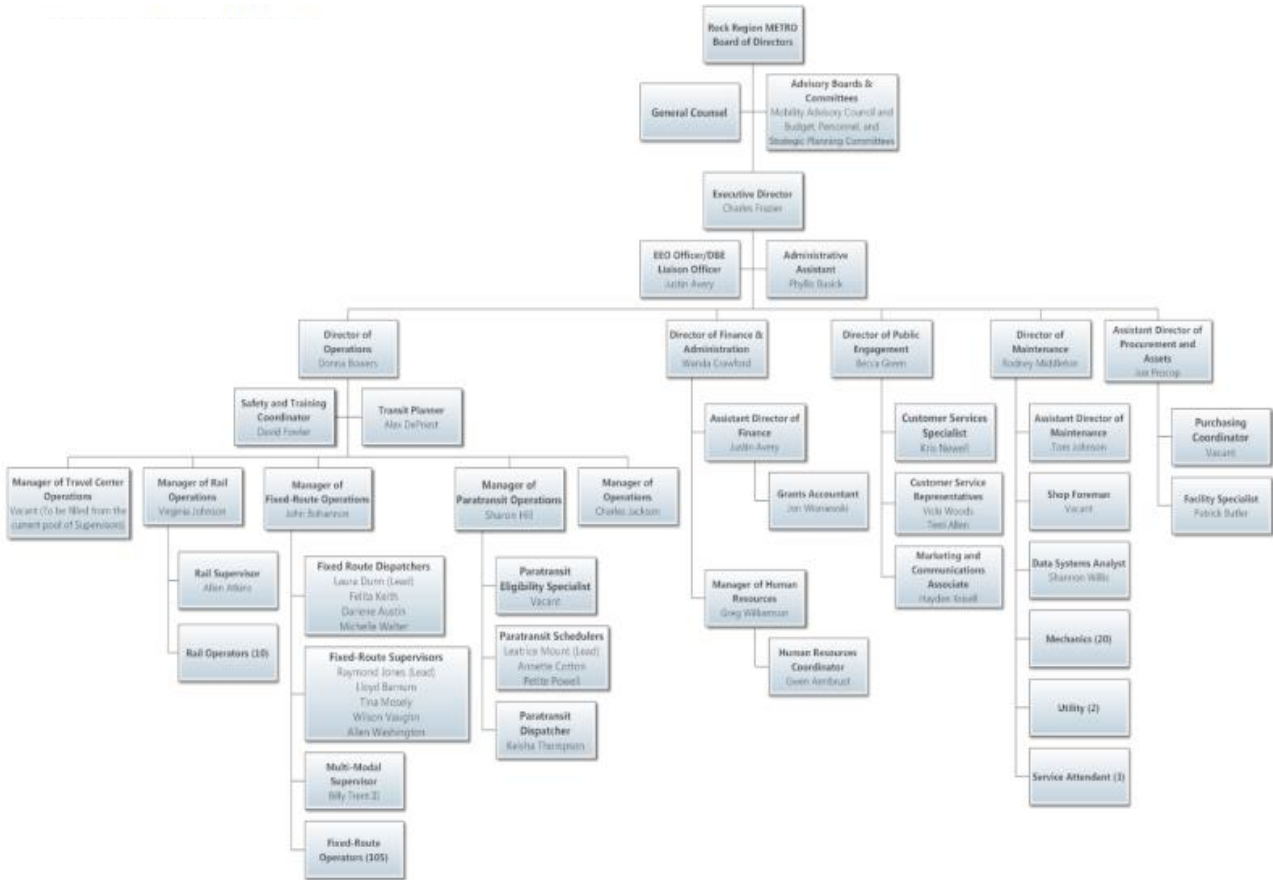


Figure 4-14 Rock Region Metro Organizational Chart

Source: Rock Region Metro 2019 Annual Budget Report

#### Board Characteristics

Rock Region Metro is governed by a 12-member Board of citizen appointees. The Board is appointed as follows:

- Five members by the City of Little Rock Board of Directors (Little Rock City Manager and Finance Director both have permanent seats)
- Three by the North Little Rock mayor
- Two by the Pulaski County judge
- One each by the cities of Maumelle and Sherwood

Figure 4-15 shows Rock Region Metro's Board structure.

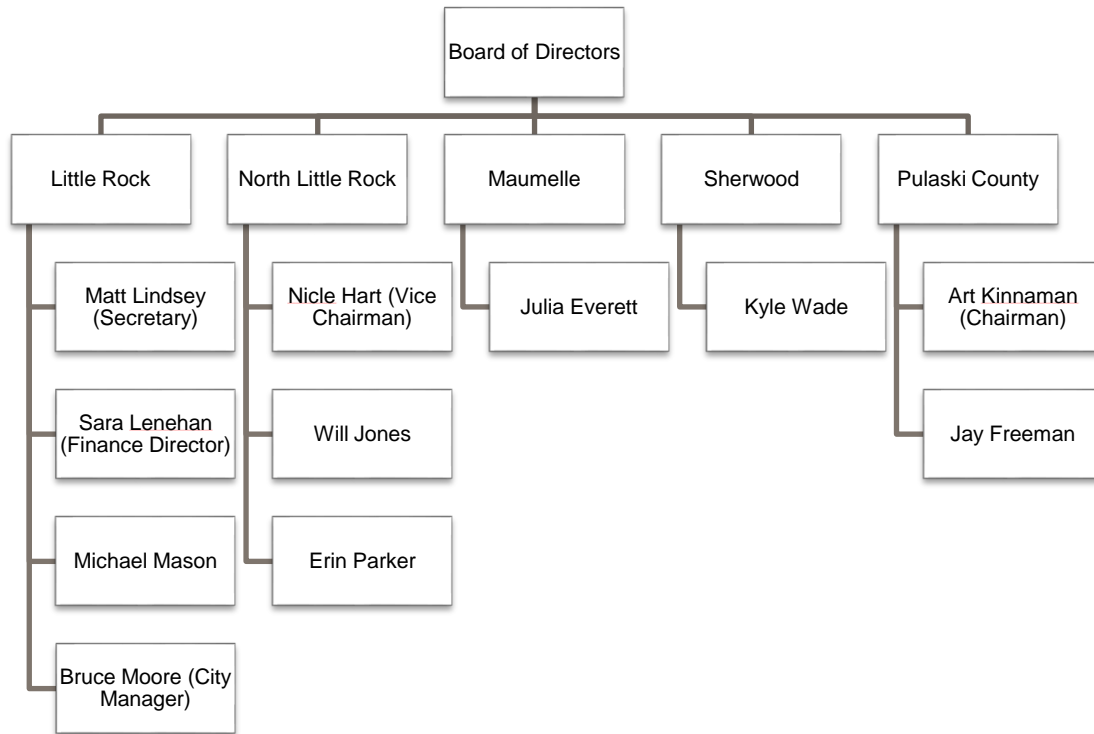


Figure 4-15 Rock Region Metro Board Structure

### **Officers**

The Board officers are the Chair, Vice Chair, and Secretary. They each serve a two-year term.

### **Quorum and Voting**

A quorum is formed when there are more than 50% of members present at a Board meeting. Each member has one vote and decisions are finalized through a simple majority. Any changes to the governance structure would require an amendment to the current interlocal agreement and approval of the localities. Minor changes to the bylaws can be made by the Board.

### **Committees**

Rock Region Metro has the following committees:

- 1) **Budget Committee:** Reviews the annual budget and makes recommendations to the Board
- 2) **Nominating Committee:** In charge of Board officer selection
- 3) **Personnel Committee:** Manages CEO negotiations, performance evaluation, and compensation
- 4) **Strategic Planning Committee:** Responsible for coordinating route changes. This committee is currently inactive as route planning presentations from staff are discussed with the full Board.

### **Funding**

Rock Region Metro is funded primarily through contributions from the localities and there is no dedicated transit funding source. The agency receives federal Section 5307 funds, and matching contributions from the state (Figure 3-11). The agency recently developed a new Local Partner Contribution Formular to increase transparency and make costs less volatile. It uses the aforementioned factors to establish a tiered approach which categorizes members under funding partner type and cost type as explained below:

**Funding Partners:**

- 1) Primary Funders: Comprises the core system with the highest number of trips. These are Little Rock, North Little Rock, and Pulaski County
- 2) Secondary Funders: Jurisdictions outside the system core where there is a demonstrated need for service but produce fewer trips. These are Maumelle, Sherwood, Jacksonville, etc.

**Cost type:**

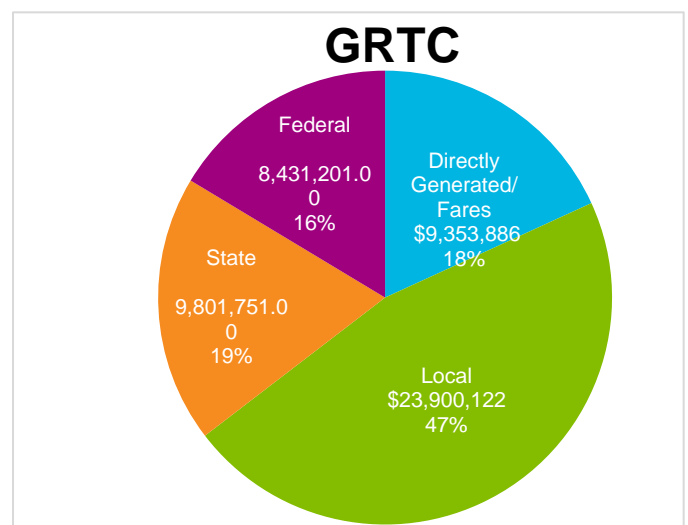
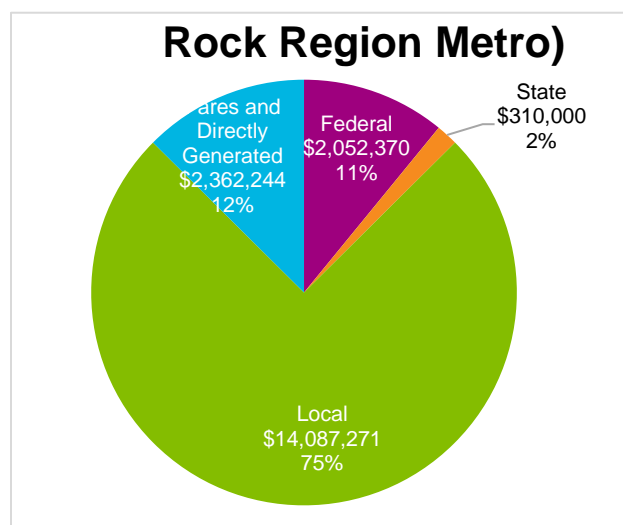
- 1) Fixed: Include administrative costs, facility maintenance, paratransit service, and reserve funds
- 2) Variable: Include operations costs, fleet maintenance, and fuel
  - i. Fixed-route is determined on a service miles basis
  - ii. Micro-transit is determined on service hours basis

The table below illustrates Rock Region Metro’s proposed allocation by cost and funding partner type.

**Table 4-2 Rock Region Metro Funding Allocation Formula**

Funding Source	Fixed Costs		Variable Costs	
	Regular Fixed Cost	Fixed Cost Reserve	Miles-Based	Hours-Based
Revenue	All revenue generated from fares and other funding sources will offset fixed costs.	N/A	N/A	N/A
Primary Funding Partners	Covers balance of regular fixed costs not offset by revenue. Contributions are based on partners’ populations levels.	Generally do not contribute, except when reserve is insufficient. Proposed regular funding by secondary partners to avoid emergency allocations.	All partners contribute based on the total revenue miles, based on service benefit. Fixed-route miles are analyzed and assigned to each partner, based on mobility benefit by jurisdiction (e.g. alignment, bus stops). The total fixed-route variable cost is allocated to each jurisdiction based on its percentage of revenue miles.	All partners contribute based on the total METRO Connect service serving each jurisdiction. Variable METRO Connect costs are calculated for each zone based on daily operating costs, vehicle costs, and dedicated administrative and supervisory costs.
Secondary Funding Partners	Do not contribute.	Secondary partners contribute to the reserve at a rate that is equal to half of the full fixed costs to variable costs ratio.		

Source: Rock Region Metro (2020). Proposed Local Jurisdictions Funding Contributions



**Figure 4-16 Rock Region Sources of Operating Funds (NTD 2019)**

## 4.3 COMPARISON OF GRTC GOVERNANCE STRUCTURE RELATIVE TO PEERS

The table below summarizes the governance structures of agencies reviewed.

**Table 4-3 Comparison of GRTC Governance to Peers**

	GRTC (Richmond)	HRT (Hampton Roads)	VIA (San Antonio)	MTA (Nashville)	RTA (Nashville)	Rock Region (Little Rock)
Founded	1973 (1989)	1999	1978	1973	1988	1986
Agency Type	Public service corporation	Transportation District	Independent Authority	Component of local government	Regional Authority	Authority by Interlocal Agreement
Taxing Authority	No	No	Yes	No	No	No
Jurisdictions served	5	7	14	1	10	6
Appointing Body	<ul style="list-style-type: none"> <li>• City Council</li> <li>• County Board of Supervisors</li> </ul>	<ul style="list-style-type: none"> <li>• Local governments</li> <li>• Governor</li> <li>• CTB Chair</li> <li>• State Senate and House</li> </ul>	<ul style="list-style-type: none"> <li>• City council</li> <li>• Mayors of other jurisdictions</li> <li>• Bexar County Commissioner</li> </ul>	<ul style="list-style-type: none"> <li>• Mayor (approved by City Council)</li> </ul>	<ul style="list-style-type: none"> <li>• Counties</li> <li>• Cities</li> <li>• Governor</li> </ul>	<ul style="list-style-type: none"> <li>• County Judge</li> <li>• City Board of Directors</li> <li>• Mayor</li> </ul>
Board Size & Term	<ul style="list-style-type: none"> <li>• 6 members</li> <li>• 1-year, no term limit</li> </ul>	<ul style="list-style-type: none"> <li>• 15 members</li> <li>• 1-year term</li> </ul>	<ul style="list-style-type: none"> <li>• 11 members</li> <li>• 2-year term, staggered, max 8 years</li> </ul>	<ul style="list-style-type: none"> <li>• 5 members</li> <li>• 5-year staggered terms</li> </ul>	<ul style="list-style-type: none"> <li>• 39 members</li> <li>• Citizens (5-year term)</li> <li>• Ex-officio (office term)</li> </ul>	<ul style="list-style-type: none"> <li>• 12 members</li> <li>• 4-year term</li> <li>• No term limit</li> </ul>
Representation Elected and/or Citizen	<ul style="list-style-type: none"> <li>• Citizens</li> </ul>	<ul style="list-style-type: none"> <li>• Elected officials</li> <li>• Citizens</li> <li>• State - DRPT</li> <li>• State Senate and House</li> </ul>	<ul style="list-style-type: none"> <li>• Citizens</li> </ul>	<ul style="list-style-type: none"> <li>• Citizens</li> </ul>	<ul style="list-style-type: none"> <li>• Elected officials,</li> <li>• Citizens</li> <li>• TDOT Commissioner</li> </ul>	<ul style="list-style-type: none"> <li>• No elected officials</li> <li>• Two city staff from Little Rock</li> </ul>
Qualification	<ul style="list-style-type: none"> <li>• Residency requirement waived</li> </ul>	<ul style="list-style-type: none"> <li>• NA</li> </ul>	<ul style="list-style-type: none"> <li>• Residents and qualified voters of service area</li> </ul>	<ul style="list-style-type: none"> <li>• 3-year minimum residency</li> <li>• Secretary –30 years or older, practicing attorney</li> </ul>	<ul style="list-style-type: none"> <li>• Governor appointees should be knowledgeable in transit service or operations</li> </ul>	<ul style="list-style-type: none"> <li>• Elector within Authority's jurisdiction</li> <li>• No residential requirement</li> </ul>
Voting, Proxy	Simple majority	Simple majority, Yes	Simple majority	Simple majority	Simple majority, Yes	Simple majority
Voting Veto	No	Yes, within jurisdiction	No	No	No	No
Primary operating funding source	CVTA (starting FY2022) and Localities	Member contributions	Sales tax, ATD tax	City general fund	CMAQ, Member contributions	Member contributions

## 4.4 SUMMARY OF PEER REVIEW

Similar to the case of GRTC, each of the peers operates in a multi-jurisdictional environment. Thus, the reviews sought to draw insights related to the core governance issues identified in the Richmond region.

### **Representation of Elected Officials on Transit Governance Boards**

Of the agencies reviewed, only HRT and the Nashville RTA had elected officials represented on their governance boards. The HRT was formed as a merger of two transit systems and created as transportation district in 1999. The agency's governing board comprises 15 members that serve one-year terms. The 15 members consist of one elected official and one Governor-appointed citizen member from each of the six participating localities. The Chair of the Commonwealth Transportation Board (CTB) or a designee, as well as one member each from the Virginia State Senate and House of Representatives are also included on the Board.

In the case of Nashville RTA, the governance Board is made up of 37 members comprising the eight county mayors and eight governor appointees, as well as mayors of the member cities and towns. Because the member cities and towns, which are contained within counties, have the option to opt into the RTA, individual counties may have as many members on the Board as opt in. Finally, the Commissioner of the Tennessee Department of Transportation is also a member.

In both the HRT and RTA, the presence of elected officials on governing boards did not stem from the presence of a local transit levy. In both cases agencies relied on a combination of federal, state, local and directly generated funds. Prior to the new transit tax recently passed by the Virginia State legislature, local contributions for both HRT and RTA came primarily from the general funds of the participating local governments. Furthermore, VIA Metro in San Antonio, formed as an independent transit authority that served 14 localities, was primarily funded by two separate transit levies. However, VIA Metro's board was comprised of only citizen members appointed by the respective City Councils and County Commissioner. The board members were considered to have a fiduciary responsibility and viewed as a single entity which represented VIA Metro's best interest. Besides existing procedures and policies for reporting on transit funds, the agency placed a high emphasis on transparency and communication with the public. The transparency and public trust were evidenced in November 2020 when voters in San Antonio approved a rededication of the existing 1/8 cent ATD tax for public transit. Similarly, Rock Region Metro and WeGo Public Transit also had citizen-only boards. Rock Region was formed as an authority by interlocal agreement and its governance documents explicitly excluded elected officials on the Board.

Therefore, although the presence of elected officials on transit governing boards is generally seen as a way to ensure accountability of public funds, other ways exist to ensure accountability. Furthermore, as shown in the case of VIA Metro, the absence of elected officials on transit boards does not necessarily imply a lack of accountability. In the case of GRTC therefore, adding elected officials to the Board could be one way to hold the agency accountable but other ways exist as well.

### **Rural/Suburban Representation on Governance Boards**

With the exception of WeGO Public Transit, all the peers reviewed provided some level of service to localities outside the urban core, but representation of suburban/rural localities differed on governance boards. For example, VIA Metro's 11-member Board represented 14 municipalities within Bexar County; however, five of the 11 Board members were selected by the San Antonio City Council and two by mayors of the of the other served jurisdictions. Three of the remaining four Board members were selected by the Bexar County Commissioners Court and the final member was selected by the 10 Board members as a chair who did not represent any one locality. VIA's local revenues formed about 72% of its operating revenues in 2019. Besides the half cent sales tax in VIA's service area, the City of San Antonio also contributed an additional 1/8 cent ATD. Thus, with San Antonio receiving the majority of the service and providing additional funding to support the service, the city had a majority presence on the Board.

Similarly, at Rock Region Metro, Board composition was based on service benefit (miles-based and hours-based service) which in turn determined funding levels for the various jurisdictions. The 12-member Board had five members selected by the Little Rock City Board of Directors, three by the North Little Rock Mayor, two by the Pulaski

County Judge, and one each from Maumelle and Sherwood. The City of Jacksonville did not have a Board member due to the low amount of service received.

In the case of the RTA in Nashville, which has its service designed around commuting into and out of downtown Nashville, the Board members made major decisions at the corridor level through corridor committees. Thus, although the agency had an unusually large Board, decision making for funding and service planning were agreed upon at the corridor level. Counties and other localities would only make decisions on service they directly paid for. That being said, the drawback to RTA's large Board was low Board meeting participation, prompting the creation of the smaller Executive Committee to act in the absence of the full Board. Thus, from the peer review, suburban/rural representation was primarily based on amount of service received and the funds paid to support that service.



# 5 STRATEGIC ASSESSMENT AND BENCHMARKING OF CVTA

This chapter provides an overview of the Central Virginia Transportation Authority in comparison to two peer transportation authorities in the Commonwealth: Northern Virginia Transportation Authority (NVTA) and Hampton Roads Transportation Accountability Commission (HRTAC).

## 5.1 NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

The Northern Virginia Transportation Authority (NVTA) was originally established in 2002 through Virginia Senate Bill 576 to set policies and priorities for transportation in the region. After a 2008 court case stipulating that taxes needed to be levied directly by the Virginia General Assembly, House Bill 2313 passed in 2013 creating the Northern Virginia Transportation Authority Fund, levying taxes for NVTA's use. In terms of funding disbursement, 70% is considered regional revenue to be used on regional projects, and 30% is considered local revenue for localities' use, such as for highway improvements, bus operation and capital expenses, Capital Bikeshare, and pedestrian improvements.

The NVTA is composed of the following nine jurisdictions: the counties of Arlington, Fairfax, Loudoun, and Prince William, and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

### 5.1.1 Role and Funded Projects

The NVTA provides long-range planning for regional transportation projects in Northern Virginia, called TransAction. It also develops a Six Year Program which sets transportation policies and priorities. These policies and priorities are guided by performance-based criteria, which include:

- Improve travel times
- Reduce delays
- Connect regional activity centers
- Improve safety
- Improve air quality
- Move the most people in the most cost-effective manner.

Funded projects include design, engineering, construction, and asset acquisition for different multimodal projects including:

- Pentagon City Multimodal Connections and Transitway Extension in Arlington County
- Route 1 and Route 7 Widening in Fairfax County
- Transit Bus Acquisition for Loudoun County.

### 5.1.2 Membership

Membership in NVTA includes 17 members, 14 of whom have voting rights. These voting members must reside within a member city or county, and like other authorities, the voting members include the chief elected officer of the governing body of each of the counties and cities (alternates allowed) and members of the Virginia General Assembly and the CTB. However, this Board also includes two governor-appointed citizens (one is CTB), one of whom is person with significant experience in transportation and not a resident of same county/city as other governor-appointed member.

For NVTA, the non-voting members include the same type of state transportation agency chiefs (DRPT, VDOT) as in other authorities, but there is an additional non-voting member: an annually rotating Chief Elected Officer of a town within NVTA.

### 5.1.3 Governance

In terms of voting, of interest is that the governing priority is for decisions to be made by “consensus, where possible.” This language exists throughout the statute and the delineated section describing voting patterns encourages consensus-building by considering population of jurisdictions, membership on the NVTA, and elected officials.

Approval of an NVTA Action requires three tests:

- Two-thirds of voting members present
- Two-thirds of local government members present
- Local government members voting in favor must represent two-thirds of population of jurisdictions embraced by NVTA.

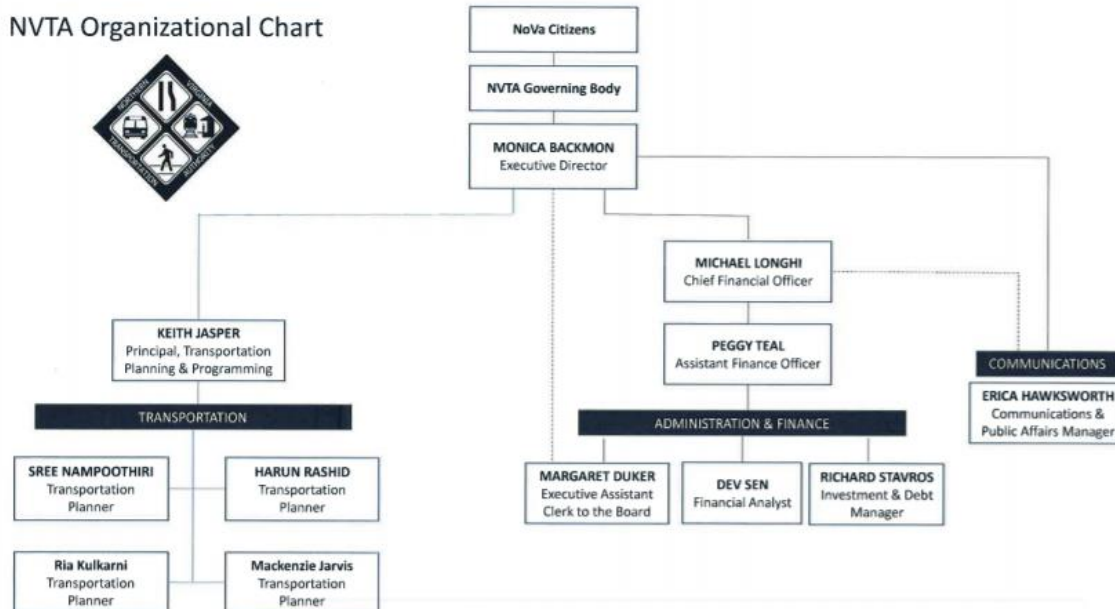
The bylaws include worksheet tables, seen in Table 5-1, to assist in ensuring these parameters are met.

**Table 5-1 Sample NVTA Voting Worksheet**

**If 7 members present (need 5 years):**

Specific Jurisdictions that must vote to approve						2015 Population Estimates	Additional Jurisdictions Needed for Approval (any of the Others)
<b>SCENARIOS</b>	Fairfax	Prince William				1,572,793	3
	Fairfax	Loudoun	Arlington			1,738,459	2
	Fairfax	Loudoun	Alexandria			1,663,352	2

In terms of staffing, NVTA has a robust organizational chart, seen in Figure 5-1 below.



**Figure 5-1 NVTA Organizational Chart**

### 5.1.4 Funding

The greatest sources of funding for NVTA are gas, diesel, and road taxes and registration fees. Other funding sources include investment income and funding from the Northern Virginia Transportation District, which follows the same 70% regional/30% local disbursement split.

Of interest is the existence of the Northern Virginia Transportation District, which primarily raises funds for transit, and is part of the NVTA as well. The jurisdictions in the transportation district are Arlington County, Fairfax County, Loudon County, City of Alexandria, City of Falls Church, and City of Fairfax. The role of this transportation district is to plan, coordinate, and secure funding specific to the transit systems in these areas. The transportation district raises revenue through taxes and contributes some of it to the NVTA. (In FY2022 proposed budget, this amounted to \$20 million, of which 30% or \$6 million is returned back to local jurisdictions and \$14 million remains for regional transit.)

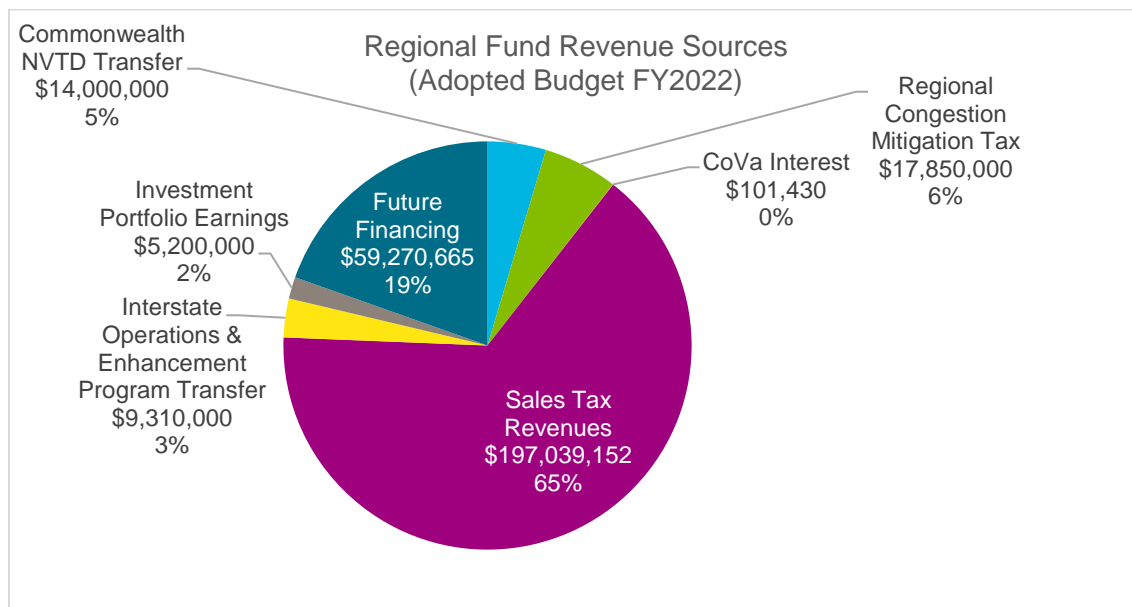


Figure 5-2 Regional Fund Revenue Sources

Source: NVTA Adopted Budget FY2022<sup>40</sup>

### 5.1.5 Powers and Authority

The enacting statute allows NVTA to contract out designing, building, operating, and maintaining rail facilities and to engage in leases and concessions. It can also sell, lease, or convey its airspace. Similar to the other authorities, it can acquire land (though NVTA can explicitly use eminent domain, which is not delineated in the other authorities' statutes), issue bonds, apply for and get funding from federal or commonwealth sources, and set and collect fees.

<sup>40</sup> <https://thenovaaauthority.org/wp-content/uploads/2021/04/Adopted-FY2022-General-Fund-Budget.pdf>

## 5.2 HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION

The Hampton Roads Transportation Accountability Commission (HRTAC) was created in 2014 through House Bill 1253/Senate Bill 513 to manage the Hampton Roads Transportation Fund (HRTF). The Fund was focused on procuring, financing, building, and operating highway, bridge, and tunnel projects in Hampton Roads that reduce congestion. The enacting statute's priority is for projects that "provide the greatest impact on reducing congestion for the greatest number of citizens residing within Planning District 23."<sup>41</sup> In 2020, Senate Bill 1038/House Bill 1726 created the Hamptons Roads Regional Transit Fund (HRRTF) to levy new taxes dedicated to transit funding.

HRTAC includes 14 jurisdictions composed of the counties of Isle of Wight, James City, Southampton, York, and the 10 cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, Williamsburg.

### 5.2.1 Role and Funded Projects

The HRTAC works closely with HRTPO, which sets regional transportation policies and priorities for regional transportation projects and uses the funding from HRTF and HRRTF to fund projects in the area, with a priority towards congestion mitigation.

All of the funding for HRRTF is dedicated to Hampton Roads Transit (HRT) to provide inter-jurisdictional bus service. Because legislation creating HRRTF was only passed in 2020, all of the previously funded projects were roadway projects as HRTAC was legally prohibited from allocating HRTF funds to transit. These include:

- I-64 Widening
- I-64/I-264 Interchange Improvements
- Hampton Roads Crossing Study
- Hampton Roads Bridge Tunnel Expansion.

### 5.2.2 Membership

HRTAC is comprised of 19 voting members and four non-voting members. Like the other authorities, the represented jurisdictions and the Virginia General Assembly are included. The non-voting members include the same state transportation agencies (DRPT, VDOT, CTB) and the addition of the Virginia Port Authority, due to its proximity to the coast.

Reflecting the smaller size of the authority, the staff is listed below, focusing on financial considerations rather than planning:

- Executive Director
- Executive Assistant
- Chief Financial Officer
- Three Accounting Managers.

### 5.2.3 Governance

HRTAC's Board voting structure differs from both CVTA and NVTA, though they all prioritize consensus and approval by representatives of a majority of the population. Approval requires a two-thirds majority vote of elected officials on the Commission representing at least two-thirds of the region's population.

### 5.2.4 Funding

As previously noted, there are two funds that HRTAC manages: HRTF and HRRTF. HRTF can only fund roadway projects, while the newly created HRRTF funds transit, specifically, inter-jurisdiction HRT bus routes.

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<sup>41</sup> Va. Code Title 33.1 chapter 19, §[33.1-466](#) - [33.1-476](#);  
<https://leg1.state.va.us/cgi-bin/legp504.exe?141+ful+CHAP0678>

The 2020 legislation creating HRRTF is expected to raise \$31 million annually through the 1% local hotel tax, 0.6% sales tax, and an additional \$20 million annually from recordation taxes paid during the sale of property. The local sales and hotel taxes are only collected in the six localities with HRT service, which are: Norfolk, Virginia Beach, Newport News, Hampton, Portsmouth, and Chesapeake.

This differs from the CVTA model of collecting taxes in all the encompassing jurisdictions, regardless of whether GRTC currently directly serves that particular jurisdiction. Additionally, beginning in 2023, HRTF will be able to collect tolls. Currently, the greatest sources of funding for HRTAC overall are tax revenues, interest, bonds, and investment income. HRTAC also recently issued a bond to support a specific project’s TIFIA loan application.

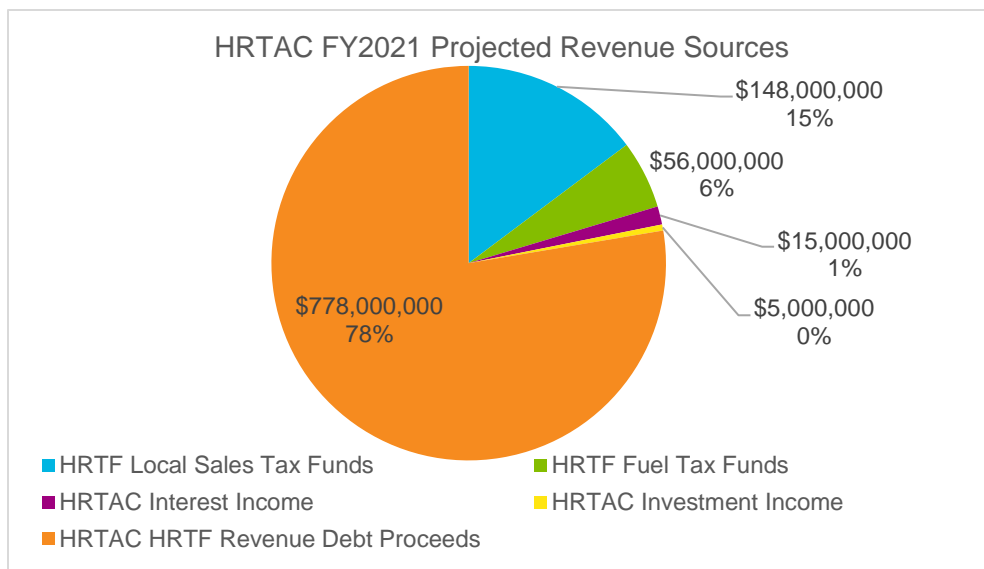


Figure 5-3 HRTAC FY2021 Projected Revenue Sources

Note: Does not include future HRRTF funding.<sup>42</sup>

### 5.2.5 Powers and Authority

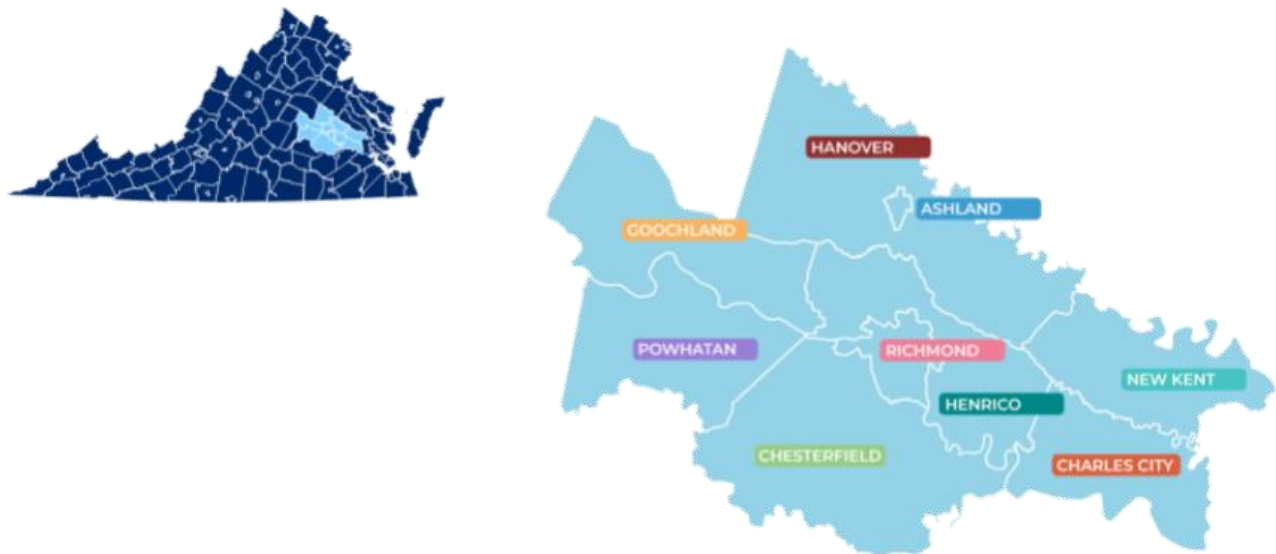
HRTAC’s enacting statute provides it with the specific power to control, operate, and collect tolls on highways, bridges, and tunnels that may differ based on congestion and time of day. HRTAC can enter into agreements with public or private entities for operation and maintenance of bridges, tunnels, highways, and transit and rail facilities. Additionally HRTAC has other powers similar to the authorities mentioned here, such as the power to invest in regional transportation projects (HRTAC prioritizes projects with the highest potential to mitigate congestion), acquire land, apply for and obtain funding from federal, commonwealth, or legitimate private sources, and finally, in HRTAC’s case, it can exercise all the powers given to transportation district commissions.

## 5.3 CENTRAL VIRGINIA TRANSPORTATION AUTHORITY

The Central Virginia Transportation Authority (CVTA) was established in 2020 through the passage of Virginia General Assembly HB1541, introduced by Del. Delores McQuinn and enacted in April 2020. The CVTA was created to administer additional transportation funding levied by this bill. The additional transportation funding from these taxes are distributed to specific jurisdictions and the regional transit agency and managed by the CVTA for regional projects. The CVTA encompasses Planning District 15, which includes the following nine jurisdictions, as seen in Figure 5-4 below.

<sup>42</sup> Source: HRTAC Adopted Seven Year Operating and Capital Program Costs, FY21

Figure 5-4 Map of Jurisdictions in Planning District 15



Source: PlanRVA<sup>43</sup>

### 5.3.1 Role and Funded Projects

The role of the CVTA is to create a new funding source for priority transportation investments in the region. As the CVTA is newly created, there are not yet specific funded projects.

The legislation explicitly states that the funding use will be broken down into three categories:

- 35% of funding used by the CVTA for transportation-related purposes benefitting localities within Planning District 15;
- 15% distributed to GRTC or its successor to provide transit and mobility services in Planning District 15; and
- 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.

NVTA also sets aside some funding for broader regional needs (70%) and some to be returned to the localities for their own transportation needs (30%). What is different is that there is an amount set-aside for the transit agency specifically.

### 5.3.2 Membership

The CVTA membership is comprised of 16 members, 12 of whom have voting rights. The list of voting and non-voting members is similar to other authorities, where the voting members are elected officials from each of the jurisdictions and members of the Virginia General Assembly and the Commonwealth Transportation Board. Non-voting members include representatives from the relevant transportation state governing bodies – DRPT and VDOT – or local transportation governing bodies – GRTC and Richmond Metropolitan Transportation Authority (RMTA) as well as the Virginia Port Authority.

### 5.3.3 Governance

Currently, the CVTA has planning and staffing support from PlanRVA, the Planning District Commission that staffs the Richmond Transportation Planning Organization, the Metropolitan Planning Organization for Planning District 15.

In terms of voting, the voting is weighed based on the population of the locality, creating a representative structure that allows voices to be heard in proportion to the population size. The voting process is statutorily determined and sets different vote amounts for different jurisdiction, based on population. Below are the voting weights:

- Four votes each to: Chesterfield and Henrico Counties; City of Richmond

<sup>43</sup> <https://planrva.org/home/our-localities/>

- Three votes to: Hanover
- Two votes each to: Goochland, New Kent, and Powhatan Counties
- One vote each to: Charles City County and the Town of Ashland

While the other authorities also take population into account, they do so not through a specific weighted vote amount allocated to each jurisdiction based on population, as CVTA does, but through ensuring approvals for actions are supported by a certain percentage of the populations represented. NVTA and HRTAC both require an affirmative vote for an authority action to represent two-thirds of the population in the authority. NVTA has the added requirement that two-thirds of voting members present and two-thirds of local government members present support it as well. NVTA even has a voting worksheet in its bylaws to ease the calculations. Similarly, HRTAC has an additional requirement that two-thirds of the elected officials on the Commission support the action.

### 5.3.4 Funding

The dedicated taxes being levied are an additional regional 0.7 percent sales and use tax and a wholesale gas tax of 7.6 cents per gallon of gasoline and 7.7 cents per gallon of diesel fuel. The gas tax rates are indexed to inflation.

### 5.3.5 Powers and Authority

The CVTA prioritizes and selects regional transportation projects, which must benefit Planning District 15 member jurisdictions. It oversees the funding that is proportionally returned to localities and approves GRTC's plan for uses of CVTA funding as defined within GRTC's Regional Public Transportation Plan. In terms of financing future projects, the CVTA can issue bonds and finance debt via future tax revenues to be received.

## 5.4 CVTA BENCHMARKING

The table that extends over the next two pages provides a benchmarking comparison between CVTA, NVTA and HRTAC.

		CVTA	NVTA	HRTAC
<b>Year Established</b>		2020	2002	2014
<b>Establishing Legislation</b>		<ul style="list-style-type: none"> <li>House Bill 1541 (2020)</li> </ul>	<ul style="list-style-type: none"> <li>Senate Bill 576 (2002)</li> <li>House Bill 2313 (2013)</li> </ul>	<ul style="list-style-type: none"> <li>House Bill 1253/Senate Bill 513 (2014) created HRTAC</li> <li>Senate Bill 1038/House Bill 1726 (2020)</li> </ul>
<b>Jurisdictions</b>	<b>Total</b>	7 counties, 1 city & 1 town	4 counties and 5 cities	4 counties and 10 cities
	<b>Counties</b>	Goochland, Powhatan, Chesterfield/Colonial Heights, Henrico, Hanover, New Kent, Charles City	Arlington, Fairfax, Loudoun, and Prince William	Isle of Wight, James City, Southampton, York
	<b>Cities/Towns</b>	City of Richmond, Town of Ashland	Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park	Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, Williamsburg
<b>Purpose/Role/Responsibility</b>		<ul style="list-style-type: none"> <li>Provides new funding opportunities for priority regional transportation investments</li> </ul>	<ul style="list-style-type: none"> <li>Regional transportation plan and project prioritization</li> <li>Funds of transportation projects</li> </ul>	<ul style="list-style-type: none"> <li>Manages HRRTF and HRTF</li> <li>Works closely with HRTPO, which prioritizes transportation projects</li> </ul>
<b>Establishment Funds</b>		<p><b>Central Virginia Transportation Fund</b></p> <ul style="list-style-type: none"> <li>For Planning District 15 and CVTA                             <ul style="list-style-type: none"> <li>35% directed to transportation uses benefiting all localities,</li> <li>15% for the GRTC to provide transit and mobility services, and</li> <li>50% returned proportionally to each locality to improve mobility.</li> </ul> </li> </ul>	<p><b>Northern Virginia Transportation Authority Fund</b></p> <ul style="list-style-type: none"> <li>Established by the Virginia General Assembly to fund the NVTA</li> </ul> <p><b>Northern Virginia Transportation District</b></p> <ul style="list-style-type: none"> <li>Transit-specific funding for the 6 jurisdictions within NVTC</li> </ul>	<p><b>Hampton Roads Transportation Fund (HRTF)</b></p> <ul style="list-style-type: none"> <li>Procures, finances, builds, and operates highway, bridge, and tunnel projects in Hampton Roads.</li> </ul> <p><b>Hamptons Roads Regional Transit Fund (HRRTF)</b></p> <ul style="list-style-type: none"> <li>Constructs and operates regional bus service, especially inter-jurisdictional and high-frequency bus service.</li> <li>Develops, maintains, and improves core regional network of transit routes and related infrastructure.</li> </ul>



		CVTA	NVTA	HRTAC
<b>Partner Agencies (agency: purpose)</b>		<p><b>PlanRVA (RRTPPO, Richmond Regional Transportation Planning Organization)</b></p> <ul style="list-style-type: none"> <li>MPO and resource in setting up CVTA governance, planning advice and support.</li> </ul> <p><b>Greater Richmond Transit Company (GRTC)</b></p> <ul style="list-style-type: none"> <li>Operates primary urban-suburban bus line in region.</li> <li>Develops and advances regional transit network</li> </ul>	<p><b>Metropolitan Washington Council of Governments (MWCOG)</b></p> <ul style="list-style-type: none"> <li>MPO that leads regional coordination and sets long-range plans, and collects data</li> </ul> <p><b>Northern Virginia Transportation Commission (NVTC)</b></p> <ul style="list-style-type: none"> <li>Advances a robust and reliable public transit network</li> </ul> <p><b>Potomac and Rappahannock Transportation Commission (PRTC)/Omniride</b></p> <ul style="list-style-type: none"> <li>Operates local and inter-jurisdictional (including into DC) bus routes</li> </ul>	<p><b>Hampton Roads Transportation Planning Organization (HRTPO)</b></p> <ul style="list-style-type: none"> <li>Establish long-range plans that set priorities for the region</li> </ul> <p><b>Transportation District Commission of Hampton Roads (TDCHR)/Hampton Roads Transit (HRT)</b></p> <ul style="list-style-type: none"> <li>Operates local and inter-jurisdictional bus routes</li> </ul>
<b>Primary Funding Sources</b>		Tax revenues	Tax revenues, interest, bonds	Tax revenues, tolls (2023), interest, bonds
<b>Membership</b>	<b>Total</b>	16 (12 voting members + 5 non-voting members)	17 (14 voting members + 3 non-voting members)	27 (23 voting + 4 non-voting)
	<b>Voting</b>	<ul style="list-style-type: none"> <li>Elected officials from jurisdictions</li> <li>1 member each from House of Delegates, Senate, CTB</li> </ul>	<ul style="list-style-type: none"> <li>Elected officials from jurisdictions</li> <li>2 House of Delegates</li> <li>1 Senator</li> <li>2 governor-appointed (1 CTB)</li> </ul>	<ul style="list-style-type: none"> <li>Elected officials from jurisdictions</li> <li>3 House of Delegates</li> <li>2 Senators</li> </ul>
	<b>Non-Voting</b>	DRPT, GRTC, RMTA, VDOT, Port	DRPT, VDOT, annual rotating town	DRPT, VDOT, CTB, Port
<b>Voting (statutorily delineated)</b>		<ul style="list-style-type: none"> <li>Weighed votes based on population in jurisdiction:                             <ul style="list-style-type: none"> <li>Most populous each have 4 votes (Chesterfield, Henrico, Richmond)</li> <li>Least populous each have 1 vote (Ashland, Charles City)</li> </ul> </li> <li>Delegate, Senator, and CTB member each have 1 vote</li> </ul>	<ul style="list-style-type: none"> <li>Approval of an NVTA Action requires three tests:                             <ul style="list-style-type: none"> <li>2/3 of voting members present;</li> <li>2/3 of local government members present; and</li> <li>Local government members voting in favor must represent 2/3 of population of jurisdictions in NVTA</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>2/3 majority vote of elected officials on Commission, and</li> <li>Representing at least 2/3 of region's population.</li> </ul>
<b>Powers and Authority</b>		<ul style="list-style-type: none"> <li>Project selection and prioritization</li> <li>Approves GRTC plan for uses of CVTA funding as defined within GRTC's Regional Public Transportation Plan</li> <li>Issue bonds and finance debt via future tax revenues to be received</li> </ul>	<ul style="list-style-type: none"> <li>Sets regional transportation plan</li> <li>Implement plan through contracting or own operations</li> <li>Acquire land for NVTA's or another agency's use for transportation</li> <li>Plan for mass transportation services and contract implementation</li> </ul>	<ul style="list-style-type: none"> <li>Invest in regional transportation projects, with priority for greatest impact on congestion mitigation</li> <li>Control, operate, collect tolls on highways, bridges, tunnels</li> <li>Can acquire land</li> <li>Exercise all the powers given to transportation district commissions</li> </ul>

### 5.4.1 Summary

CVTA shares some similarities with NVTA and HRTAC in its taxation scheme and in the role of funding regional projects. In terms of funding for regional and local projects, CVTA returns 50% to localities, whereas NVTA returns 30% for local use. One of the unique features of CVTA is that of the 50% not set aside for local use, 15% is set aside for GRTC, whereas NVTA simply has a 70% regional set aside. Both NVTA and HRTAC have separate transit-related revenue sources as well: NVTA has some funding from the six of its nine entities in the Northern Virginia Transportation District, whereas HRTAC simply has two entirely separate funding streams for roadway (HRTF) and transit (HRRTF) funding specific to HRT, contributed from the six entities directly benefiting from the HRT. In HRTAC's case, it is interesting to note that the pool of funding for transit and roadway is separate and cannot be used interchangeably, whereas the broad regional funding for NVTA and CVTA could theoretically be used for transit.

In membership and governance, these three authorities all have voting members from their jurisdictions and the Virginia General Assembly and relevant authorities as non-voting members. In their voting bylaws, they also prioritize consensus building and ensuring that a strong proportion of the population, though there are different ways of doing so, with CVTA as the only authority that allocates vote amounts differently per jurisdiction, based on population.

# 6 TRANSPORTATION DISTRICTS

## 6.1 PURPOSE AND CREATION

A Transportation District is a mechanism provided to support improved or expanded transportation systems that enhance the quality of life of citizens in regions, metropolitan areas, or contiguous political subdivisions. They are implemented where joint action by the political subdivisions is needed for planning and provision of major capital improvements, which may include transit infrastructure. Associated transportation system improvements may include dedicated funding for transit systems, highways, or other transportation modes. A Transportation District Commission serves as the governing body for the District. Existing Transportation Districts in the Commonwealth include:

- 1) Northern Virginia Transportation District and Commission (NVTD/NVTC)<sup>44</sup>
- 2) Potomac and Rappahannock Transportation Commission (PRTC)
- 3) Transportation District Commission of Hampton Roads (TDCHR).

In the Commonwealth of Virginia, Transportation Districts are authorized under the Transportation District Act of 1964 (Title 33.2, Chapter 19). According to the Act, transportation districts may be created by two or more counties or cities through ordinance adopted by each of the local governing bodies after all provisions of the legislation are met or by an act of the General Assembly<sup>45</sup>. Cities or counties seeking to form a transportation district must first file a petition with the Secretary of the Commonwealth who then certifies the petition to the Tax Commissioner and the governing body of each participating city or county. The certification ensures that the ordinances satisfy all legislative requirements.

A single locality may also form a transportation district in the absence of interest from contiguous cities or counties after fulfilling all the provisions of the Transportation District Act. Additional members may be added after creation following an agreement with the Commission and subsequent filings and certifications with the Secretary of the Commonwealth, Tax Commissioner, the Commission, and the governing body of the locality for which the ordinance was filed.

A petition to form a transportation district must include the following:

- Name of the proposed district which will include “transit district” or “transportation district”
- Boundaries of the district
- Names of counties and cities that will embrace the district in whole or in part
- Findings to support the need for an improved transportation system and how a transportation district formed by said localities would facilitate such a transportation system.

All three transportation district commissions in the Commonwealth, PRTC, NVTC, and TDCHR, were established by acts of the General Assembly with specific requirements for the respective commissions (outside the general provisions) and listed under the 1964 legislation.

## 6.2 GOVERNANCE

A transportation district is governed by a district commission, which is created to manage and control the activities of the transportation district. Commissioners are appointed from the governing bodies<sup>46</sup> of participating counties or cities (members) based on the number agreed by the members unless otherwise provided by law. The Chairman of the Commonwealth Transportation Board (CTB) or designee also serves as an ex-officio member with voting privileges and may appoint an alternate to act in the absence of the or designee. This responsibility has been delegated to the

<sup>44</sup> The NVTC was established pursuant to 33.2-1904 as the governing body of the transportation district.

<sup>45</sup> Code of Virginia §33.2-1903, 33.2-1905

<sup>46</sup> Exceptions exist under Code of Virginia §33.2-1915

DRPT Director or her designee for all three Commissions. Exceptions exist to the general provisions of the commission structure. Transportation District Commissions may also include additional appointments from the General Assembly through specific provisions in the legislation. Following the new legislative change for TDCHR, all three Commissions now have General Assembly appointments.

Furthermore, the TDCHR Commission appointees from member counties or cities may be selected from within the respective governing bodies or its respective county or city manager. In the case of the Northern Virginia Transportation Commission (NVTC), the governing body for NVTD, specific provisions in the Act prescribe the authorization and qualifications of its Commissioners to serve on the Board of the Washington Metropolitan Area Transit Authority (WMATA). This is because the NVTC was created in part to represent the Virginia's interests during the establishment of WMATA. The General Assembly is therefore represented by two Senate and House of Delegates. Legislative and other ex-officio Commission members generally serve their terms of office.

Commission members of a transportation district elect the chair and Vice-Chair from among its members to serve as officers for a term of one year. The Secretary and Treasurer may or may not be members of the Commission. Officers that are not members of the Commission will have a fixed compensation and duties.

## 6.3 POWERS AND AUTHORITY

The Transportation District Act of 1964 provides general powers and authority as well as additional provisions for specific entities. Articles 4, 5, and 6 of the Act provide an extensive description of the detailed powers and authority of the district commission. This section provides a summary of the general provisions for powers and authority.<sup>47</sup> The general provisions include:

- Preparation of a transportation plan for the transportation district by cooperating with governing bodies of member localities, the CTB, and other agencies of which commission members are also members. Additional provisions for the planning process are provided in Appendix A.
- Following the adoption of a transportation plan in accordance with provisions of the Act, the commission may construct or acquire, by purchase or lease the transportation facilities required by the plan.
- The commission may enter operate the needed transportation services<sup>48</sup> or may engage private companies to operate such facilities.
- The commission may collaborate with the appropriate entities to provide transit service (or other modes of transportation). Agreements or contracts may be with the following:
  - counties and cities within the transportation district,
  - adjoining counties and cities within the same planning district, or
  - other commissions of adjoining transportation districts.

Unless otherwise stated by law, the commission has additional powers and authority, a few of which include: to sue and be sued; apply for and accept loans, issue bonds and obligations; appropriate funds for administrative and other expenses; enter into contracts and agreements; and execute instruments necessary for the purpose of carrying out its powers.

Creation of a transportation district does not authorize a levy to fund activities of the transportation commission unless otherwise provided. In the Commonwealth, levies must be authorized by the General Assembly. For example, the creation of the TDCHR in September 1999 was not associated with fund or dedicated tax revenue. Activities of the commission were funded through a combination of federal, state, local, and directly generated funds. The TDCHR participating member localities provided contributions through a cost allocation agreement. However, in 2020, decades after the commission's establishment, the General Assembly passed SB 1038 and HB1726, which created

<sup>47</sup> Code of Virginia Title 33.2, Chapter 19 Article 4 (§ 33.32-1915)

<sup>48</sup> For any mode including rail, bus, water, air, or any other mode of travel and its associated related assets such as rights-of-way, tunnels, bridges, facilities, equipment, or any business activities required for the provision of the transportation service.

the Hampton Roads Regional Transit Program (HRRTP) and Hampton Roads Regional Transit Fund (HRRTF). The HRRTF became the first dedicated transit funding for Hampton Roads to support a system of regional transit routes operated by Hampton Roads Transit (HRT)<sup>49</sup>. The HRRTF is managed by the Hampton Roads Transportation Accountability Commission (HRTAC).

Similarly, the PRTC receives, among other federal and state funding sources, local funding through a 2.1% motor fuels tax from member jurisdictions within the transportation district. The tax is used to fund transit service and, once those needs are met, transportation improvements within the member jurisdictions.

## 6.4 OPPORTUNITIES AND CHALLENGES

Transportation districts may be formed in situations where the joint provision of transportation improvements is advantageous and advances the quality of life of residents in participating jurisdictions. In areas that lack a cooperative and coordinated approach to transit planning and provision, a transportation district may provide the appropriate structure to secure a local share for major transit capital improvements, such as rapid transit (bus or rail) or regional/commuter rail along Commonwealth railroad corridors. Considering the key issues identified in this study, the following opportunities and challenges may be considered in further studies or deliberations.

During discussions with stakeholders, suggestions were raised for broader participation in transit governance and of having elected officials on a transit board. Although the creation of a transportation district for a regional system would provide the opportunity for a new entity with a structure that would possibly suit all participating members, and include elected officials, this would duplicate efforts of existing transit-related entities in the region. The central Virginia region currently has multiple agencies created to promote coordination for regional transit planning as well as provide oversight for transit funding. For example, the CVTA provides a forum for both elected officials and staff from member localities to participate in a coordinated approach to regional transit. A new transportation district could therefore be redundant and duplicate efforts already in place.

Another reason transportation districts are typically formed is to pool together a dedicated tax for some transit improvements that benefit member localities. Such a dedicated tax for transit already exists through the 15% share from the CVTA. Thus, forming a new transportation district with all or some of the nine localities in hopes of securing additional funding would be challenging unless the current CVTA funds are proved insufficient. Furthermore, in the Commonwealth of Virginia, the creation of new transportation district does not include the ability to generate local tax revenue, unless a tax is levied by the General Assembly. Component governments interested in such a district would have to fund any new service which would not provide marginal benefit as localities can currently contract with GRTC for service. Localities interested in receiving new contracted service are currently able to jointly plan for and implement such services considering its full cost.

Creating another entity for transit system improvements could be a potential disadvantage due to public confusion about roles and responsibilities of regional entities, particularly, transportation related entities. Currently, regional collaboration, coordination, and transportation improvement services such as planning, programming, implementation, maintenance, and funding are provided by the Richmond Regional Transportation Planning Organization (RRTPO), PlanRVA, GRTC, CTB, VDOT, VDRPT, and Richmond Metropolitan Transportation Authority (RMTA). Considering the nascent nature of the CVTA, the establishment of another regional transportation entity could potentially affect public trust in the role and ability of existing bodies. It would be advantageous to allow the CVTA to fully implement transportation improvements and, over time, reevaluate the need for another regional transportation entity.

Finally, the appointment of new transportation district commission members from existing local governing bodies could create an additional burden on localities. With the limited resources available, serving on multiple boards could potentially reduce the effectiveness and participation of commission members on the board.

At present, the CVTA provides a forum for jointly planning for and funding transportation improvements. Additionally, the governance issues identified (accountability to elected officials, suburban/rural participation in transit governance, and the implications of GRTC) are not clearly solved by forming a transportation district.

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<sup>49</sup> The TDCHR operates transit service under the name Hampton Roads Transit.

# 7 FINDINGS AND RECOMMENDATIONS

Transit governance structures should be designed to meet the unique experiences and challenges faced by each context. In the case of the central Virginia region, strategies need to be coordinated with transparency to ensure that key stakeholders are engaged in a collaborative way.

The 2020 CVTA legislation introduced new regional taxes with a 15% transit component. The main goal of this study was therefore to review the governance structure of existing transit service in the Richmond region, and evaluate the possibility of creating a transportation district. During the course of the study, key governance issues were identified through extensive stakeholder outreach to CVTA member jurisdictions, GRTC, VDRPT and members of the state legislature. These issues and study goals are summarized as follows:

- 1) **Decision making and accountability:** representation of elected officials in current governance structure for accountability
- 2) **Board representation:** Henrico representation, rural/suburban area Board representation, potential new service, decision-making equity, and historical investments
- 3) **Implications of governance changes for GRTC ownership:** implications for current and potential future partners
- 4) **Evaluation of a transportation district:** reviewing legislative requirements and associated opportunities and challenges

The sections summarize the key findings and suggested recommendations for governance issues.

## 7.1 DECISION MAKING AND ACCOUNTABILITY

Decision making and accountability for the 15% transit component of the CVTA tax was key issue identified in this study. Particularly, member jurisdictions wanted to determine if sufficient accountability was present with the current GRTC Board comprising citizen members appointed by two of the nine CVTA members. The following mechanisms were therefore identified in this study as mechanisms ensuring accountability, as it relates to CVTA transit funding.

### **Accountability Provided by Presence of Elected Officials on CVTA Board**

The CVTA Board is comprised of representatives from member jurisdictions, the Virginia House of Delegates, Senate of Virginia, and Commonwealth Transportation Board. Additionally, Virginia Department of Rail and Public Transportation, Virginia Department of Transportation, GRTC, and Richmond Metropolitan Transportation Authority have seats on the Board as non-voting ex-officio members. Each member jurisdiction is represented by an elected official and support staff. Thus, elected officials are inherently involved in the decision-making process involving CVTA funds including the 15% GRTC allocation.

### **Funding Oversight and Accountability Provided Through CVTA**

The 2020 CVTA legislation required GRTC to create a separate fund for all revenues received from the new tax. It also required GRTC to prepare a regional public transportation plan in collaboration with the RRTPO for Planning District 15 (CVTA member jurisdictions). This plan will annually prioritize regional transit projects and the spending needs for the 15% GRTC allocation and will also require funding approval from CVTA. The legislation provides CVTA the power to request documentation it deems sufficient to show that spending is done in accordance with the approval received.

Firstly, the RRTPO governance Board includes elected officials from the governing bodies of the member localities. As such, elected officials can participate in the plan development process with the GRTC. Secondly, the CVTA Board which provides funding approval of the regional public transportation plan also includes elected officials from the member localities, providing another means to participate directly in decision making related to the 15% transit funds. Therefore, the regional plan enables elected officials and other Board members of the RRTPO to collaboratively work to develop and prioritize transit projects that promote the growth and development of the region and its citizens.

### **Funding Oversight and Accountability Through CVTA Finance Committee**

The CVTA Finance Committee is responsible for advising the authority on all financial matters and overseeing the financial activities undertaken by the authority. In the CVTA bylaws, the committee is specifically charged with the *review of GRTC's expenditure of funds received through the authority on a quarterly basis*.

The committee is made up of five CVTA members: three from jurisdictions with the highest population and two appointed by the authority. Therefore, oversight of direct GRTC expenditure of CVTA funds is provided by elected officials and one Commonwealth Transportation Board Appointee. Currently, Finance Committee members are represented as follows:

- 1) Chesterfield County Board of Supervisors
- 2) Hanover County Board of Supervisors
- 3) Henrico County Board of Supervisors
- 4) Mayor of the City of Richmond
- 5) Commonwealth Transportation Board Appointee

### **Funding Oversight and Accountability Through CVTA Technical Advisory Committee**

The Technical Advisory Committee is made up of 14 members. Each of the nine jurisdictions that form the CVTA is represented by one technical representative employed by the respective component governments (nine in total). The VDRPT, VDOT, GRTC, RMTA, and RRTPO are also represented by one non-voting member each. Together, this committee advises the CVTA on matters including planning, project prioritization, project selection, and programming. Furthermore, the CVTA bylaws specifically charge the committee with *"reviewing, commenting on, and recommending GRTC's, or its successor's, annual plan for expenditure of regional public transportation funds received through the Authority."*<sup>50</sup>

The existing mechanisms for involvement of both elected officials and staff from CVTA member jurisdictions, as well as participation from state and regional entities such as VDRPT, VDOT, RMTA, RRTPO and GRTC in the planning, reviewing, commenting, and oversight of the 15% GRTC funding allocation support proper accountability.

### **Other Mechanisms for Oversight and Accountability**

The involvement of elected officials is one way of bringing accountability, but other mechanisms exist. The GRTC Board is accountable to its shareholders who have the ability to appoint or remove Board members. Also, GRTC's audits and associated reports provide some level of accountability. Finally, further independent funding oversight from the CVTA brings accountability to GRTC's expenditure of CVTA funding through the planning mechanisms previously discussed.

### **Representation of Elected Officials on GRTC Board**

It is not uncommon to have citizen only governance boards for transit systems as seen in the peer study from VIA Metro, WeGo Public Transit and Rock Region Metro. Also, in the case of VIA Metro which had a citizen only Board, there were two dedicated transit taxes present.

The current stakeholders of GRTC have the ability to make changes to the agency's governing documents if they choose to do so; however, consideration should be given to the general review of advantages and disadvantages of having elected officials as Board members (

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<sup>50</sup> CVTA (2020). Bylaws of the Central Virginia Transportation Authority. Available at [https://planrva.org/wp-content/uploads/CVTABylaws\\_Final\\_Approved\\_8.27.2020.pdf](https://planrva.org/wp-content/uploads/CVTABylaws_Final_Approved_8.27.2020.pdf)

Table 7-1).

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**Table 7-1 Summary of Advantages and Disadvantages of Elected Officials on Transit Governance Boards**

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

*Recommendation: Existing mechanisms are sufficient to ensure accountability of the 15% transit component of the CVTA tax and to involve elected officials in decision making regarding those funds.*

## 7.2 BOARD REPRESENTATION

The current GRTC Board structure was instituted in 1989 when Chesterfield County became a shareholder of GRTC and led the change of the nine-member, Richmond-only Board, to a six-member Board. Each stakeholder appointed three members each to the Board.

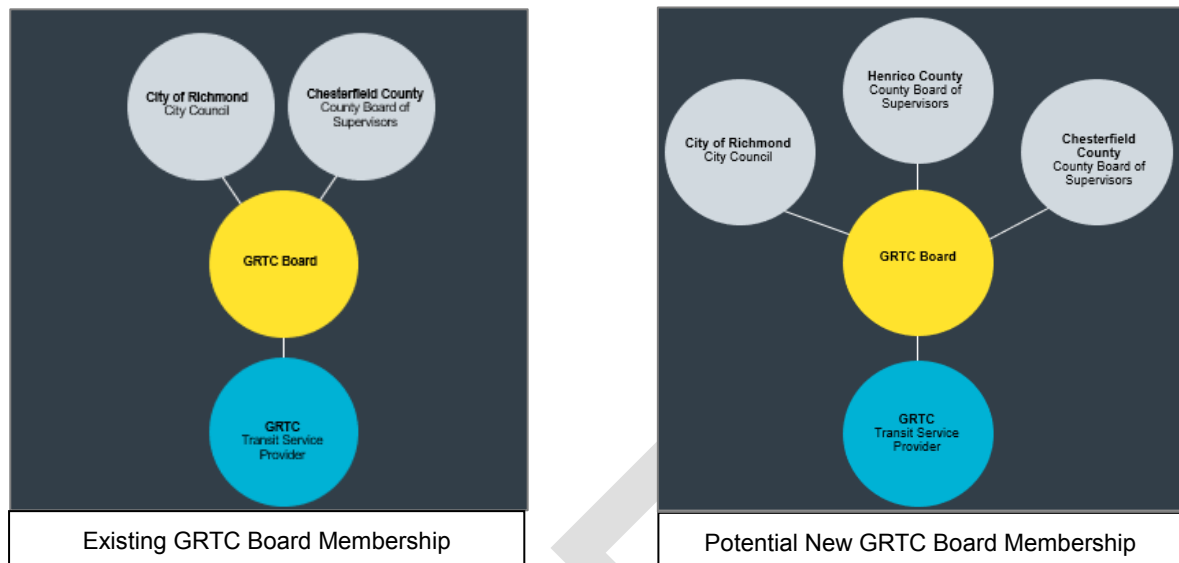
Presently, the CVTA members without GRTC Board membership have expressed the desire to participate in GRTC governance for their tax contributions. An important point to note, however, is the representation already provided for via the CVTA, itself. Along with the previous accountability and oversight mechanisms discussed in this chapter, equating GRTC Board representation solely with CVTA contributions does not provide a complete picture.

### **Henrico County Board Representation**

As shown in Section 2, Henrico County receives a considerable amount of GRTC service and has financially contributed, over the years, to GRTC by way of paying for its contracted services. The recent creation of the CVTA has resulted in a strong desire of the county to participate directly in the governance of GRTC. Henrico County has since then officially petitioned the City of Richmond and Chesterfield County to be included on the GRTC Board.

Discussions during the stakeholder outreach process showed an openness from the City of Richmond, Chesterfield County, and GRTC to add Board members from Henrico County. Figure 7-1 illustrates the potential new membership for the GRTC Board. Henrico County would either purchase a stake in GRTC shares or be added to the Board by existing shareholders without directly purchasing shares. Other jurisdictions such as Petersburg and Hanover County would continue to receive contracted services. Furthermore, any additional new service designed for viable markets in the region could also be provided on a contract basis.

However, continued dialogue between the four entities is needed to determine the Board composition and voting. One important issue that remained inconclusive with regard to this subject was that of the City of Richmond’s financial stake in GRTC. It was the City’s perspective that concrete decisions about Board composition and voting, could not be progressed until a thorough evaluation of financial investments in GRTC was determined. It is recommended that the City of Richmond in collaboration with Chesterfield County and GRTC resolve this issue through dialogue and if necessary, further analysis and study.



**Figure 7-1 Potential GRTC Board Membership**

Upon resolution of this issue of historical financial investments, shareholders may determine board composition and voting on factors including:

- 1) Revenue miles and revenue hours of service within each jurisdiction by mode
- 2) Local funding support for fixed route services
- 3) Funding contributions to paratransit services and extended paratransit services

***Recommendation: City of Richmond, Chesterfield County, and GRTC should consider including Henrico County in the current GRTC Board structure***

### **Rural/Suburban Area Representation**

The three concerns raised by other rural/suburban CVTA members are summarized as follows:

- Dissatisfaction from the feeling of contributing to GRTC without directly receiving any or enough service
- Concern of potentially subsidizing transit in areas outside their local jurisdictions due to the CVTA legislation's provision for current GRTC funders to maintain at least 50% of funding levels provided prior to the creation of CVTA
- Dissatisfaction of not having direct input on the GRTC Board.

Many CVTA members felt dissatisfied with the feeling of contributing to GRTC through CVTA taxes without directly benefiting from the agency's services. However, the study findings show that, per the CVTA legislation, all CVTA contributions received by GRTC would be placed in a separate fund to be used for regional transit purposes. The regional public transportation plan which will be prepared by GRTC annually, would be a collaborative approach involving all CVTA member jurisdictions. Through the planning process, GRTC would work with regional partners to

enhance transit connectivity based on need, market suitability, and complete cost of any new service. The region as a whole would therefore benefit from the CVTA funds.

Furthermore, in some cases, localities from the rural/suburban areas in some cases, conflated the desire for increased or new GRTC service with Board representation. As stated, the desire for regional GRTC service would be addressed by GRTC in its regional plan. The appropriate need and cost for services desired by localities such as enhanced mobility services for seniors, persons with disabilities, low-income individuals and even youth for employment programs would be addressed.

Concerning Board representation, insights from the peer review showed that rural/suburban representation was primarily based on amount of service received and the funds paid to support that service. As GRTC’s Regional Public Transportation Plan is finalized, and regional projects are implemented throughout the region, GRTC’s service footprint would continue to grow. The potential future growth and expansion of GRTC services could in turn lead to further expansion of the Board. Potential would then exist to explore an opt-in clause.

Figure 7-2 illustrates a potential path for Board membership for CVTA members that would meet a set of criteria to opt-in. This illustration is premised on Henrico County already being a Board member at that future time. An opt-in clause for Board inclusion based on criteria could include:

- 1) Minimum size, density and/or service need of locality
- 2) Minimum commitment to financial responsibility and stability of the regional system by locality

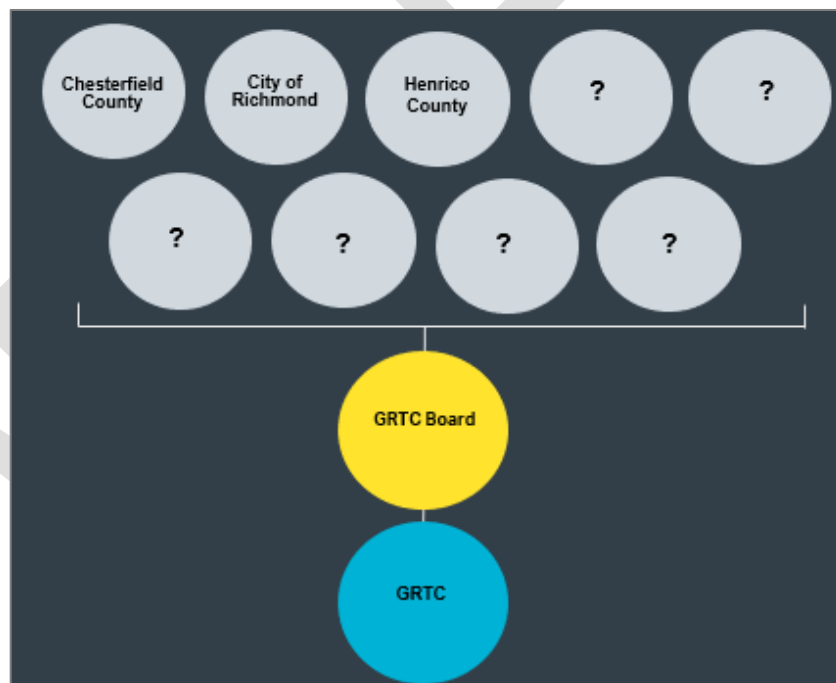


Figure 7-2 Potential Path for Future Board Membership

Composition for a future board that includes potential rural/suburban members could be tiered. Similar to the peer example from Rock Region Metro, the Board could be structured as primary and secondary members. Primary members would constitute the existing Board members, City of Richmond and Chesterfield County, and Henrico County. Secondary members would additional localities that meet the opt-in clause criteria for Board representation. Thus, the distinction between primary and secondary members could be based on amount of service benefited (hours and/miles of service) and financial contributions for the associated service. It is worth noting in the discussion of potential new service that localities must consider the full cost of service including the associated federal paratransit service requirements.

***Recommendation: GRTC Board representation for rural/suburban CVTA member jurisdictions should not be based solely on CVTA contributions but should also consider service need, service viability and financial commitment once future service is established.***

### **Equity in Decision Making Considering Historical Investments**

Potential changes to the GRTC Board structure and discussions of future board composition raised concerns of equity in decision making power. One factor raised was that of considering historical funding contributions in addition to present and potential future contributions from GRTC shareholders. Historically and at present, GRTC has primarily served residents of the City of Richmond. As such, over the years, the City has borne a significant share of funding for its riders, but only has had 50% voting representation on the GRTC Board.

The City expressed a desire to either maintain its 50% voting power or have a majority stake in any potential Board changes. The City believed that considering past capital contributions in addition to current and future contributions would provide a fuller picture of its financial stake in GRTC and evidence for majority representation. Further study on historical financial investments made by the existing shareholders would provide useful insights for future discussions of GRTC Board composition. Some factors to be considered during dialogue include (1) classification/use of funds, (2) residual value or useful life of assets, and (3) federal and/or interest in capital assets.

Pertaining to item number 1, the use of funds for either operating or capital purposes provides context in the discussion of historical investments. Funds expended for operating purposes would have been tied to services received. In that sense, localities would have received a return on funds paid in the form of service provision.

Secondly, capital expenditures on physical assets that have a useful life would have to be considered. In general, all capital assets have a useful life representing the amount of time the asset may be used safely and efficiently in service. Any further analysis or review of historical investments would have to take into consideration, the useful lives of those assets and any residual value.

Finally, most transit capital assets are acquired with some share of federal and/or state funds. For example, Section 5307 Urbanized Area Formular funds and Section 5339 Grants for Bus and Bus Facilities are both federal sources of capital funding for GRTC. The percent share of federal, state, and local funds for these two capital grants are generally 28% / 68% / 04%. Thus, in discussing residual value of capital assets, the percent of local funds invested would provide context to accurately depict investment levels.

***Recommendation: The City of Richmond, Chesterfield County, and GRTC should discuss the issue of historical financial investments into GRTC through dialogue, and if needed, further study and analysis***

## 7.3 IMPLICATIONS OF GOVERNANCE CHANGES FOR GRTC OWNERSHIP

GRTC was set up as a non-for-profit stock corporation after the City of Richmond purchased transit assets from the Virginia Transit Company in 1973 using local, state, and federal funds. All shares of GRTC were owned by the City of Richmond and the agency's governance Board was comprised of nine residents. In 1975, GRTC began service in Henrico County. In 1989, the agency's articles of incorporation were amended to include Chesterfield county as a 50% shareholder in GRTC. Chesterfield County purchased five shares for \$50,000 but Henrico County opted out. Since then, GRTC's Board has been comprised of six members with three each appointed by the two shareholders.

At present, any changes to the Board structure would require the following steps:

- 1) **Restated Articles of Incorporation:** Amendment and subsequent ratification from the governing body of each shareholder – Richmond City Council and Chesterfield Board of Supervisors
- 2) **GRTC by-laws:** Amendment by shareholders or more than two-thirds of the Board members. Any amendments must be ratified by the City of Richmond and Chesterfield County
- 3) **Umbrella Agreement:** Amendment to the agreement reached between the City of Richmond, Chesterfield County, and GRTC regarding management of GRTC.

Changes to GRTC Board structure would inevitably have implications on the ownership structure. At present, nominations for the GRTC Board are presented at the annual meeting of shareholders. Without a locality being a shareholder, any amendments to governance documents would have to reflect the new governance structure and appointment process. The disadvantage of a locality being on the Board without owning shares is that, some major decisions, as described above, require ratification by shareholders

Should a locality choose to become a shareholder of the company, collaborative discussions between the City of Richmond, Chesterfield County, and GRTC would be needed to determine the ownership amount. Two options could be considered in this case: (1) doing away with the shareholder structure completely or (2) equating Board member seats with quantity of shares. The 1989 transaction where five GRTC shares were purchased for \$50,000 created an inherent misrepresentation in the governance. The transaction may not have been an accurate depiction for half of the liquidation value and half of the governance of GRTC. The 50% ownership did not account for half of:

- The need for transit service (measured by population/population density or any other density measure)
- The supply of transit service (vehicle hours or miles)
- The funding of transit service (contributions from local general funds, or regional CVTA funds)
- The use of transit service.

Consequently, there is now a fundamental imbalance which could potentially create challenges to future change or improvement.

***Recommendation: Current shareholders, City of Richmond and Chesterfield County should consider either (1) changing GRTC's shareholder structure or (2) equate board membership with quantity of shares***

## 7.4 EVALUATION OF ESTABLISHING A TRANSPORTATION DISTRICT

A Transportation District is a mechanism provided to support improved or expanded transportation systems that enhance the quality of life of citizens in regions, metropolitan areas, or contiguous political subdivisions. They are implemented where joint action by the political subdivisions is needed for planning and provision of major capital improvements, which may include transit infrastructure. Existing Transportation Districts in the Commonwealth include: Northern Virginia Transportation District and Commission (NVTDC),<sup>51</sup> Potomac and Rappahannock Transportation Commission (PRTC), and Transportation District Commission of Hampton Roads (TDCHR).

In the Commonwealth of Virginia, Transportation Districts are authorized under the Transportation District Act of 1964 (Title 33.2, Chapter 19). According to the Act, transportation districts may be created by two or more counties or cities through ordinance adopted by each of the local governing bodies after all provisions of the legislation are met or by an act of the General Assembly<sup>52</sup>. Cities or counties seeking to form a transportation district must first file a petition with the Secretary of the Commonwealth who then certifies the petition to the Tax Commissioner and the governing body of each participating city or county. The certification ensures that the ordinances satisfy all legislative requirements.

This study sought to evaluate the establishment of a transportation district in the Richmond region. The purpose of doing so was to determine if a transportation district would further enhance the accountability of CVTA transit funding dedicated to GRTC. Thus, in the review of transportation districts and their establishment, the key focus, was to determine if the marginal benefit of establishing a transportation district outweighed the potential challenges.

Based on the findings of existing mechanisms for ensuring accountability of the CVTA 15% transit funding as well as the potential alternatives identified to resolve existing transit governance issues, it was determined that the challenges of implementation would outweigh the marginal benefit of establishing a transportation district at this present time. It is suggested that the alternative strategies identified for the key issues raised be explored. The team also suggests that the CVTA be given sufficient time to solidify its footprint in the region before another major change is implemented.

***Recommendation: There was no clear evidence that benefits of creating a transportation district to address the identified transit governance issues would outweigh the alternative strategies proposed.***

## 7.5 CONSIDERATIONS FOR FURTHER STUDY

The current governance structure for GRTC is 32 years old. The City of Richmond and broader region have changed significantly in that timeframe and will continue to change in the future. The creation of the CVTA to provide regional transportation funding was a positive change with the potential to enhance quality of life as well as regional growth and development. This study's core mandate was to assess the sufficiency of existing policies and procedures that ensure accountability of transit funding received by GRTC from the CVTA. In the discussion of findings, several policies and mechanisms were identified that provide oversight and ensure accountability. The other primary study goal of evaluating the establishment of a transportation district was also reviewed and discussed with associated advantages and disadvantages.

The outreach and guidance for this study also substantially enhanced a common understanding of the alignment of funding sources with service and service needs, and the alignment of governance with service needs and funding. Changes in governance structure beyond these two specific issues of accountability for CVTA transit funding and the

<sup>51</sup> The NVTC was established pursuant to 33.2-1904 as the governing body of the transportation district.

<sup>52</sup> Code of Virginia §33.2-1903, 33.2-1905

potential for a transportation district were raised and may warrant further community consideration. Experience shows that fundamental changes in governance require extended community consideration before widely supported interventions can be formulated

Implementing effective changes to regional transit governance structure could enhance overall collaboration and growth of the region. In light of this, the following areas previously discussed as considerations for further study are reiterated below:

- 1) **Historical Financial Investments by GRTC Shareholders:** Collaboration by GRTC Board and respective component governments to further analyze historical financial investments including remaining useful life of past capital investments.
- 2) **GRTC Board Representation:** Collaboration by GRTC Board, shareholders and potential new Board appointing bodies on Board composition and voting.
- 3) **GRTC Shareholder Structure:** Further analysis into the GRTC shareholder structure to determine value of shares, marginal benefit of shareholder structure, and the benefit of potentially allocating shares on the basis of Board representation.



# Appendix A Funding Descriptions

## **Section 5307 Urbanized Area Formula**

The Urbanized Area Formula Grants Program, 5307, provides funding to urbanized areas and to Governors for capital and operating assistance for transportation related projects in urbanized areas (population of 50,000 or more). Eligible activities include planning, engineering, design, and evaluation, as well as other capital investments or bus-related activities.

Urbanized areas (UZAs) with populations between 50,000 and 199,999 receive funding through the Governor. Urbanized areas with populations over 200,000 receive funding directly to the designated recipient. Apportionments are based on the following formula:

- 4) Populations 50,000 to 199,999 – combination of population and population density.
- 5) Population at or above 200,000 – combination of bus revenue vehicle miles, bus passenger miles, fixed guideway revenue vehicle miles, and fixed guideway route miles, population, and population density

Recipients of 5307 funds may apply for up to 80% of the net cost for capital projects and up to 50% of the net cost for operating costs. The remainder of the net costs (or non-federal matching funds) must be provided from sources other than revenues received from public transportation services. These matching funds may include advertising and concession sales; undistributed cash surplus or new capital; eligible funds from a government agency other than the Department of Transportation; or revenues from service agreements with social service agencies or organizations.

## **Section 5339 Grants for Buses and Bus Facilities**

Section 5339 formula grants are available to assist eligible agencies with financing the replacement, rehabilitation and purchase of buses and related equipment. The grants also fund the construction of bus-related facilities including technological changes or innovations to modify low or no emission vehicles or facilities. Funds are provided through formula allocations and competitive grants.

Eligible recipients are those that operate fixed route bus service or that allocate funding to fixed route bus operators. This includes state or local governmental entities that operate fixed route bus service and are direct grant recipients under 5307 and 5311. Public agencies and private nonprofit organizations that provide public transportation services are also eligible to receive 5339 funds as subrecipients.

Similar to 5307 grant funding, the federal share is not to exceed 80% of the net project cost. The grant allocates \$1.75 million of the annual \$90.5 million to each state annually under the FAST Act. The remainder of the program funds is apportioned based on the population and service factors used in the Section 5307 Urbanized Area Formula Program apportionment formula. Apportioned amounts are available for three years after the fiscal year in which the funds are apportioned.

## **Congestion Mitigation and Air Quality Improvement (CMAQ) Program**

This federal discretionary program provides funding to areas in nonattainment or maintenance for ozone, carbon monoxide, and/or particulate matter. Additionally, states that do not have nonattainment or maintenance areas also receive a minimum apportionment of CMAQ funding for either air quality projects or other elements.

## **Coronavirus Aid, Relief, and Economic Security (CARES) Act**

The CARES Act was authorized in 2020 to allocate approximately \$25 billion to existing recipients of urbanized (\$22.7 billion) and rural (\$2.2 billion) area formula funds. These funds are provided at a 100% federal share with no need for matching funds. Funds may be used for capital or operating expenses.



# Appendix B Supplementary information on Transportation Districts

## MEMBERSHIP OF EXISTING TRANSPORTATION DISTRICTS

### **Northern Virginia Transportation District and Commission (NVTD/NVTC)**

1. Fairfax County – Five members
2. Arlington County – Three members
3. City of Alexandria – Two members
4. City of Fairfax – One member
5. City of Falls Church – One member
6. Loudoun County – Two members

### **Potomac and Rappahannock Transportation Commission (PRTC)**

1. Stafford County – Two members
2. Prince William County – Six members
3. City of Manassas – One member
4. City of Manassas Park – One member
5. Spotsylvania County – Two members
6. City of Fredericksburg – One member
7. Chairman of Commonwealth Transportation Board or designee
8. House of Delegates – Two members
9. Senate – One member (Senate Committee on Rules)

### **Transportation District Commission of Hampton Roads (TDCHR)**

1. Chesapeake – Two members
2. Hampton – Two members
3. Norfolk – Two members
4. Newport News – Two members
5. Portsmouth – Two members
6. Virginia Beach – Two members
7. Town of Smithfield – Two members
8. Chair of the Commonwealth Transportation Board (CTB) - delegated to DRPT
9. One representative each from the Senate and House
10. House of Delegates – One member
11. Senate – One member

## PLANNING PROCESS FOR TRANSPORTATION DISTRICTS

Below are the planning provisions for transportation planning districts provided by Code of Virginia § 33.2-1928

- A. In performing the duties imposed under subsections A and B of § 33.2-1915, the commission shall cooperate with the governing bodies of the counties and cities embraced by the transportation district and agencies thereof, with the Commonwealth Transportation Board, and with an agency of which members of the district commission are also members, to the end that the plans, decisions, and policies for transportation shall be consistent with and shall foster the development and implementation of the general plans and policies of the counties and cities for their orderly growth and development.
- B. Each commission member shall serve as the liaison between the commission and the body by which he was appointed. Those commission members who are also members of an agency shall provide liaison between the district commission and such agency, to the end that the district commission, its component governments, the Commonwealth Transportation Board, and any such agency shall be continuously, comprehensively, and mutually advised of plans, policies, and actions requiring consideration in the planning for transportation and in the development of planned transportation facilities.
- C. Planning, policy, and decision-making should be consistent with the development plans for the orderly growth of the counties and cities and coordinated with the plans and programs of the Commonwealth Transportation Board. Toward this end, decisions should be based on comprehensive data with respect to current and prospective local conditions, including land use, economic and population factors, the objectives for future urban development, and future travel demands generated by such considerations. The commission may:
  - a. Create, subject to their appointment, technical committees from the personnel of the agencies of the counties and cities and from the Commonwealth Transportation Board concerned with planning, collection, and analysis of data relevant to decision-making in the transportation planning process. Appointments to such technical committees, however, are to be made by the governing bodies of the counties and cities and by the Commonwealth Transportation Board; or
  - b. If the transportation district is located within an area that has an organized planning process created in conformance with the provisions of 23 U.S.C. § 134, utilize the technical committees created for such planning process.
- D. The commission, on behalf of the counties and cities within the transportation district, but only upon their direction, is authorized to enter into the written agreements specified in 23 U.S.C. § 134 to assure conformance with the requirements of that law for continuous, comprehensive transportation planning.

