

Central Virginia Transportation Authority



August 27, 2020

Central Virginia Transportation Authority

Code of Virginia Section 33.2-3700 – 3713

Effective July 1, 2020

§ 33.2-3701. Central Virginia Transportation Fund.

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

§ 33.2-3702. Central Virginia Transportation Authority created.

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

CVTA Legislation – Key Provisions

- Legislation creating the Authority and the Fund made certain amendments to the state tax laws to provide for new tax revenue collection and distribution (§ 58.1-603.1, -604.01, -604.1, -614, -2295, -2299.20):
 - Additional sales and use tax – 0.7 percent (effective October 1, 2020)
 - Additional tax of 7.6 cents per gallon on gasoline and gasohol
 - Additional tax of 7.7 cents per gallon on diesel fuel
- Moneys deposited shall be used solely for:
 - Transportation purposes benefiting Planning District 15/member jurisdictions
 - Administrative and operating expenses
- After administrative and operating expenses, revenues shall be allocated to transportation projects consistent with the legislation.

CVTA Legislation – Key Provisions

CVTA Authority: Fund Distribution and Oversight

1. Prioritize and select regional transportation projects to be funded with **35%** of revenues retained by CVTA. Projects must benefit Planning District 15/member jurisdictions
2. Oversee **50%** of funding returned, proportionally, to each Planning District 15 locality to be used to improve mobility, which may include construction, maintenance, or expansion of roads, sidewalks, trails, mobility services, or transit located in the locality
3. Approve GRTC annual plan for projects funded by **15%** of fund revenues distributed to GRTC for transit and mobility services/projects.
4. Also, the CVTA can issue **bonds and finance debt** via future tax revenues to be received.

CVTA - Membership

12 Voting Members – Planning District 15

- Charles City County
- Chesterfield County
- Hanover County
- Henrico County
- Goochland County
- New Kent County
- Powhatan County
- Town of Ashland
- 1 Member of the House of Delegates from within Planning District 15
- 1 Member of the Senate from within Planning District 15
- 1 Member of the Commonwealth Transportation Board residing within Planning District 15

4 Non-Voting Members:

- Director of the Virginia Department of Rail and Public Transportation
- Commission of Highways/VDOT
- CEO of Greater Richmond Transit Company (GRTC)
- CEO of Richmond Metropolitan Transportation Authority

CVTA Governance - Voting Structure

See CVTA Act, § 33.2-3705 of the Code of Virginia and Article IV, Section K in CVTA Bylaws:

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

1. Votes of the chief elected officers of localities or their designees, appointed to the Authority shall be weighted, based upon the population of the locality, as follows:
 - a. A vote cast by each member representing the Counties of Chesterfield and Henrico and the City of Richmond shall each constitute four (4) votes.
 - b. A vote cast by the member representing the County of Hanover shall constitute three (3) votes.
 - c. A vote cast by each member representing the Counties of Goochland, New Kent and Powhatan shall each constitute two (2) votes.
 - d. A vote cast by each member representing the Town of Ashland and the County of Charles City shall each constitute one (1) vote.
2. The Delegate, the Senator, and the member of the Commonwealth Transportation Board appointed to the Authority shall each receive one (1) vote.
 - For the purposes of this section, each voting Member of the Authority refers to the Member or, if a Member has a designee attending pursuant to Article II, section B, then to that Member's designee. Each voting Member of the Authority shall vote once in all matters requiring action by the Authority and those votes shall be weighted as described in K.1.
 - Decisions of the Authority shall require an affirmative vote of those present and voting whose votes represent at least four-fifths of the population embraced by the Authority; however, no motion to fund a specific facility or service shall fail because of this population criterion if such facility or service is not located or to be located or provided or to be provided within the county or city whose chief elected officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service to fail to meet the population criterion.
 - **PlanRVA staff have developed an Excel spreadsheet tool to calculate voting results based upon the criteria in paragraphs 1 and 2 above.**

CVTA Governance Documents

- Legislation:
 - Virginia Acts of Assembly, Chapter 1235, enacting...
 - Code of Virginia §§ 33.2-3700 – 3713 and...
 - Certain Virginia Tax Code Provisions establishing taxes and revenue flow
- Bylaws – Draft proposed for adoption today.
 - Comply with CVTA Act. (Va. Code § 33.2-3708.A.4)
 - Meeting procedures, voting, CVTA officers, committees, amendment process.
- Guidance Documents – Draft proposed for adoption today.
 - Memorialize rules for meetings conducted by electronic communications means, in compliance with FOIA and recent legislation responding to Covid-19 and state of emergency declarations.
 - Allows for flexibility if applicable laws are amended.
- *Robert's Rules of Order, Newly Revised* – Standard parliamentary procedures.

CVTA – FOIA and COIA

- **CVTA is a public body.** The Virginia Freedom of Information Act applies and covers both CVTA meetings and public records.
- State and Local Government Conflict of Interests Act applies to CVTA members and designees.
 - Statements of Personal Interests filed by local government body members and designees will suffice (Va. Code § 2.2-3118.1).