



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
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Agenda item # 7

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 9, 2020

MOTION

**Made By: Ms. Hynes, Seconded By: Mr. Rucker
Action: Motion Carried, Unanimously**

Title: Arlington and Henrico Counties Maintenance Payments FY 2020-2021

WHEREAS, § 33.2-366 of the *Code of Virginia* provides for calculating annual maintenance payments to counties which have withdrawn from the secondary system of state highways and the method by which payment of these allocations are to be made; and

WHEREAS, Arlington and Henrico Counties have withdrawn from the secondary system of state highways; and

WHEREAS, one of the factors on which maintenance payments shall be based is the number of lane miles of such roads or streets accepted for maintenance by the local governing body; and

WHEREAS, the rate of payment for these lane miles is set forth in § 33.2-366 of the *Code of Virginia*; and

WHEREAS, §§ 46.2-1140.1, 46.1143, 46.2-1148, and 46.2-1149.1 of the *Code of Virginia* provide that a percentage of collected overweight permit fees are to be paid to localities based on the lane miles in the locality eligible for maintenance payments; and

WHEREAS, impacts of COVID-19 to transportation revenues created funding uncertainties such that the Department's budget necessary to establish urban street maintenance payments pursuant to 33.2-319, was not able to be determined for the First Quarterly Payment of FY 2021, so that the maintenance payments for FY 2020 continued for the First Quarter of FY 2021; and

WHEREAS, no payment shall be made without the approval of the Commonwealth Transportation Board.

NOW, THEREFORE, BE IT RESOLVED, that total payment and quarterly maintenance payments for Fiscal Year 2020-2021 to Arlington and Henrico Counties are established as stated on Attachments A-1 and A-2. Attachments A-1 and A-2 reflect adjustments to the Second Quarter FY 2021 payments necessitated by the FY 2020 Quarterly Payment carryover for First Quarter 2021 payments.

BE IT FURTHER RESOLVED, that the quarterly amounts for each locality pursuant to § 33.2-366 are hereby approved for payment as indicated on Attachments A-1 and A-2.

BE IT FURTHER RESOLVED, that the distribution of the overweight permit fees for each locality are hereby approved as indicated on Attachment B, subject to provisions of §§ 46.2-1140.1, 46.1143, 46.2-1148, and 46.2-1149.1 of the *Code of Virginia*.

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CTB Decision Brief

Payments to Arlington and Henrico Counties for Maintenance of Certain Roads and Streets - FY 2021

Issue: Section 33.2-366 of the *Code of Virginia* directs the Commonwealth Transportation Board (CTB) to make payments to counties that have withdrawn or elect to withdraw from the secondary state highway system and that have not elected to return under the provisions of § 11 of Chapter 415 of the Acts of Assembly of 1932. Each year the Virginia Department of Transportation (VDOT) distributes maintenance payments to Arlington and Henrico counties, each of which meets the forgoing criteria. In addition, pursuant to overweight vehicle permit statutes set forth in Title 46.2 of the *Code of Virginia*, certain overweight permit fee revenue collected by the Department of Motor Vehicles (DMV) is distributed to localities for maintenance along with VDOT's quarterly maintenance payments. Due to the impacts of COVID-19 on expected transportation revenues, a final Department budget for fiscal year (FY) 2021, which is necessary to determine FY 2021 street maintenance payments for Arlington and Henrico Counties, was not established for the FY 2021 first quarter payments. Accordingly, VDOT continued making, for FY 2021 first quarter, those quarterly street maintenance payments calculated for FY 2020 until such time that a budget could be established. CTB approval of the allocations/payments to localities calculated and proposed by VDOT for FY 2021 pursuant to the above-referenced laws is now sought.

Facts:

- Maintenance payments to Arlington and Henrico Counties are based upon lane-miles of qualifying roads and streets.
- Pursuant to § 33.2-366 base rates of \$17,218 per lane-mile for Arlington County and \$12,529 per lane-mile for Henrico County were established for fiscal year 2014 with payment rates to be adjusted annually by the CTB in accordance with procedures established for adjusting payments to cities and towns under § 33.2-319.
- Adjustments to the remaining quarterly payments are now being made taking into consideration the first quarter payments using FY2020 payment rates.
- Based on the additional mileage submitted by both counties, VDOT has made adjustments to the street mileage inventories for each county.
- Pursuant to §§ 46.2-1140.1, 46.2-1143, 46.2-1148, and 46.2-1149.1 of the *Code of Virginia* overweight permit fee revenue will be distributed on the basis of lane mileage to localities along with their quarterly maintenance payments.

Recommendations: VDOT recommends that the CTB approve fiscal year 2021 quarterly payments to the Counties of Arlington and Henrico as indicated on Attachments A-1 and A-2, respectively. Quarterly payments will be adjusted to account for the new budget and resulting payment rates, and adjustments to the counties' street mileage inventories. These include an adjustment to the FY 2021 second quarter payments necessitated by the FY 2020 quarterly payment carryover into the FY 2021 first quarter payments. VDOT also recommends that the payments indicated on Attachment B, relating to the distribution of overweight permit fees, which have taken into account adjustment to the counties' street mileage inventories, be approved.

Action Required by CTB: In order for VDOT to make these payments, CTB approval is required. The CTB will be presented with a resolution for a formal vote.

Results, if Approved: Approval will authorize VDOT to make fiscal year 2021 quarterly payments to specified localities and to also make distributions of overweight permit fee revenues to the counties, taking into consideration the newly adjusted street/mileage inventories for the counties.

Options: Approve, Deny, or Defer.

Public Comments/Reaction: None.

ATTACHMENT A-1
 ARLINGTON COUNTY
 FY 2021
CONSTRUCTION AND MAINTENANCE ALLOCATION

CONSTRUCTION PAYMENT

CONSTRUCTION ALLOCATION <i>(33.2-364)</i>	-	FEDERAL AID TO BE ESCROWED <i>(33.2-366)</i>	=	STATE FUNDS TO BE DISTRIBUTED
\$0.00		\$0.00		\$0.00

MAINTENANCE PAYMENT

<u>LANE MILES</u>		<u>RATE</u>	
1059.72		\$	19,406.4022

TOTAL MAINTENANCE PAYMENT	\$	20,565,352.49
QUARTERLY PAYMENT	\$	5,141,338.12
2ND QUARTER ADJUSTMENT	\$	76,196.50

ATTACHMENT A-2
HENRICO COUNTY
FY 2021
CONSTRUCTION AND MAINTENANCE ALLOCATION

CONSTRUCTION PAYMENT

CONSTRUCTION ALLOCATION (33.2-364)	-	FEDERAL AID TO BE ESCROWED (33.2-366)	=	STATE FUNDS TO BE DISTRIBUTED
\$0.00		\$0.00		\$0.00

MAINTENANCE PAYMENT

<u>LANE MILES</u>	<u>RATE</u>
3543.39	\$ 14,121.1423

TOTAL MAINTENANCE PAYMENT	\$ 50,036,714.51
QUARTERLY PAYMENT	\$ 12,509,178.63
2ND QUARTER ADJUSTMENT	\$ 242,192.00

**ATTACHMENT B - FY21
 PERMIT FEE REVENUES - ARLINGTON/HENRICO COUNTIES**

DISTRICT	LOCALITY	TOTAL LANE MILEAGE	PERMIT REVENUE	QUARTERLY PAYMENT
	Arlington County	1059.72	\$ 2,040.65	\$ 510.16
	Henrico County	3543.39	\$ 6,823.35	\$ 1,705.84
County Total		4,416.11	\$ 8,864.00	\$ 2,216.00