

WMATA Annual Reporting Requirements

Commonwealth Transportation Board

September 14, 2021

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Virginia Department of Rail and Public Transportation

WMATA Reporting Requirements

- By July 1, WMATA must annually certify compliance with applicable law and CTB policy for the following items:
 - Board Governance
 - Operating Assistance
 - Strategic Plan
 - Capital Improvement Plan
- WMATA provided the required documentation/certifications to DRPT on June 24 (governance) and July 1 (all others)
- OAG has reviewed for compliance with statutory requirements
- DRPT has reviewed for compliance with CTB policy requirements

WMATA Board Governance

Legislative Requirement

- Board shall withhold 20% of state WMATA allocation for non-compliance (estimated \$35.4M in FY22)

CTB Guidelines

- Alternates shall not participate in Executive Session of Full Board or Executive Session of Committees unless they are serving in absence of a primary member
- Alternates may not serve as Chair of a Committee
- In Committee meetings, alternates may be invited to make presentations or participate in discussion

DRPT Recommendation

- WMATA has met the requirements of the statute and Board policy
- No enforcement action is recommended

Cap on Growth in Operating Assistance: 3%

Legislative Requirement

- Board shall withhold 35% of state WMATA allocation (estimated \$62M in FY22)
- Operating costs related to the following are excluded from this calculation:
 - Any service, equipment, or facility that is required by any applicable law, rule, or regulation
 - Any capital project approved by the WMATA Board before or after effective date
 - Any payment/obligation resulting from a legal dispute or proceeding
 - Any service increases approved by the WMATA Board

CTB Guidelines

- Updated January 2021 to add service increase and clarify legal exclusion

DRPT Recommendation

- WMATA has met the requirements of the statute and Board policy
- No enforcement action is recommended

WMATA Strategic Plan

Legislative Requirement

- Board shall withhold 20% of state WMATA allocation for non-compliance (estimated \$35.4M in FY22)
- WMATA must adopt or update within the preceding 36 months a strategic plan and hold a public hearing on the strategic plan in Northern Virginia
- First strategic plan must address the key recommendations in the report submitted pursuant to Item 436 R of Chapter 836 of the Acts of Assembly of 2017

CTB Guidelines

- CTB policy requires an update every 36 months
- Next update due by June 30, 2023
 - Delayed from March 2022 by 2021 State Budget Amendment

WMATA Strategic Plan

DRPT Recommendation and Comments

- WMATA adopted their initial strategic plan in March 2019 and has initiated the development of a new plan with their Board
 - 2021 State Budget Amendment approved in 2021 directed DRPT to delay strategic plan requirements for WMATA and urban transit agencies in Virginia
 - DRPT delayed WMATA strategic plan update from March 2022 to June 30, 2023
- No enforcement action is recommended
- The next strategic plan will need to focus on service optimization and recovery from the ridership impacts of COVID

WMATA Capital Improvement Program

Legislative Requirement

- Board shall withhold 20% of state WMATA allocation for non-compliance (estimated \$35.4M in FY22)
- WMATA must adopt annually by July 1, a capital improvement program that covers a 6-year period and hold a public hearing in Northern Virginia
- Annually, thereafter WMATA must update the 6-year program

CTB Guidelines

- Every year by July 1, WMATA must adopt a detailed capital improvement program covering the current fiscal year and the next five fiscal years and hold at least one public hearing on said capital improvement program in a locality embraced by the NVTC

WMATA Capital Improvement Program

DRPT Recommendation and Comments

- WMATA has met the requirements for compliance with the statute and Board policy
- No enforcement action is recommended
- Due to the COVID-19 emergency, WMATA held a Virginia-focused public hearing on March 10, 2021, facilitated by the Commonwealth appointee and WMATA Board Chair, Paul Smedberg
- For the FY22 budget cycle, WMATA revised and implemented a new capital planning and programming process. Features included:
 - Project level detail in the CIP
 - Enhanced capital program reporting
 - Early policy guidance from GM, ten year capital strategy
- The development of the FY2022-27 CIP reflecting these negotiated terms

Next Steps

- October 2021 – DRPT will present the annual certification resolution to the Board for action on compliance recommendations
- December 2021 – NVTC will submit their Annual Report on the Performance and Condition of WMATA to the Governor and General Assembly

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