
WMATA Annual Reporting Requirements

September 17, 2019

Commonwealth Transportation Board

Jennifer Mitchell, Director



Virginia Department of Rail and Public Transportation

WMATA Reporting Requirements

- **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 28**
- **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 dedicated state funds for WMATA for non-compliance (\$31.8M in FY20)

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.**

3% Cap on Growth in Operating Assistance

Legislative Requirement:

- Board shall withhold 35% of dedicated state funds for WMATA (\$55.7M in FY20)
- 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*

CTB Guidelines:

- Provided additional clarity on definitions and calculations

DRPT Recommendation:

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

WMATA Strategic Plan

Legislative Requirements

- Board shall withhold 20% of dedicated state funding for WMATA for non-compliance (\$31.8M in FY20)
- 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

- First strategic plan shall address recommendations in LaHood report
- Every 3 years thereafter WMATA must adopt or update a strategic plan

WMATA Strategic Plan

DRPT Recommendation:

- **WMATA has met the minimum requirements for compliance with the statute and CTB policy.**
- **No enforcement action is recommended.**
- **WMATA was under a time constraint to produce the first strategic plan, which is very general and lacks specificity.**
- **The strategic plan was developed internally by WMATA staff with limited input from the Board or jurisdictions.**
- **The strategic plan would have benefitted from an open, collaborative process with the Board and jurisdictions.**
- **CTB policy requires an update every 36 months. The next strategic plan should be developed in a more open and inclusive manner, with enough time allotted to allow for meaningful input.**

WMATA Capital Improvement Program

Legislative Requirements

- Board shall withhold 20% of dedicated state funding for WMATA for non-compliance (\$31.8M in FY20)
- WMATA must adopt by July 1, 2019 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, similar to CTB policy

CTB Guidelines

- Beginning July 1, 2019, WMATA must adopt a detailed capital improvement program covering the current fiscal year and the next five fiscal years; and have held at least one public hearing on such capital improvement program in NVTC jurisdiction

WMATA Capital Improvement Program

DRPT Recommendation:

- **WMATA has met the minimum requirements for compliance with the statute and CTB policy.**
- **No enforcement action is recommended**
- **There has been significant discussion in the development of a new regional capital funding agreement around the information and reporting including:**
 - » *More project level detail in the CIP*
 - » *Enhanced capital program reporting*
- **The development of the FY2021-26 CIP should reflect these negotiated terms.**

Next Steps

- **October – DRPT will present resolution to the CTB for action on compliance recommendations**
- **November – NVTC will submit their Annual Report to the CTB and present on their findings**

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