Testimony Before Planning Commission Tysons Committee

June 21, 2012 by Louis Freeman

A Fair Deal for Taxpayers

The purpose of these comments, after review of the Strawman Document of June 13, is to encourage changes which will help avoid sticking it to the taxpayers when things go awry. In short, we need to assure a fair deal for taxpayers. (There is some reiteration of some positions stated by others, particularly Sally Horn.) I have 4 items to discuss.

I. Proper Funding Split: It is fair that projects are "primarily funded by groups receiving the greatest benefit", as stated in Recommendation (REC) 10. As such, the Grid of Streets assignment of "primary" responsibility in lines 98 and 105 is too vague, since it could mean 51% is private and the rest public. The undefined word "primary" should be removed; private money should be responsible.

For Tysons-wide improvements, the word "primary" is defined in RECs 10, 11, and 12 as a 90%-10% split. However, this split is not a fair deal for taxpayers. Peak traffic data indicate that about 44% of traffic through road improvements **outside** Tysons is Tysons traffic, and about 56% is not. Yet, taxpayers are assigned 90% of the cost, not 56%. For road improvements **inside** Tysons, about 85% of the traffic is Tysons traffic, so the 90% of the cost assigned to private sources is much closer to fair. In addition, the cost of road improvements outside Tyson is significantly larger than inside Tysons, exacerbating the lack of fairness. The % assignments need to be made fairer.

Along the same lines, REC 4 for neighborhood improvements assigns an undefined "primary" responsibility to taxpayers for intersection improvements despite a big chunk of future traffic coming from Tysons.

Finally, in Transportation Funding Monitoring, lines 454-460, the Strawman says the taxpayers will have to front money for the private sources for early construction. Any such funds should be treated as a loan with an agreed-to repayment schedule.

II. Caps and Last Resort: There can be no fair deal for taxpayers if the County coffers are regarded as "the source of last resort", a REC 16 statement that should be removed. Whatever the intent, the interpretation of the statement can be abused. Similarly, there must be no caps on private responsibility for needed improvements, either in what projects are needed or their cost. Such caps are a sure route to an unfair deal. If money is short, development can be slowed or limited until funds become available.

III. Transit and a Complete Plan: Lines 204-207 and REC 6 in the Strawman state the intent to use public sources to provide local transit within Tysons and regional transit. Also stated is that the Tysons transit is not associated with a particular development, contrary to the planning idea

that Tysons should be developed as a unit. A suggestion to examine the possibility of a private jitney service, perhaps starting with shared taxis, was presented here on Sept 7, 2011, with followup emails on September 16 and December 11. The response has been an incomplete transit program ending in 2030 (REC 5), with a vague intent to look at such potential money savers after 2030 (REC 8). Given the hundreds of millions of dollars for transit cost, this is not a fair deal for the taxpayers. The consideration of a private entity should be examined now, not, as in the popular vernacular, kicking the can down the road.

IV. IDL: It is not yet appropriate to recommend an increase or removal of the initial development level as is done in REC 26. First, as seen in the discussion above on transit, the present Strawman does not provide for the completion of all transportation improvements contrary to what is stated in line 587. Second, criterion (a) on progress toward the vision for Tysons would be violated by increasing the imbalance between office and residential land use, which is already front-loaded toward office use.

Thank you for listening.