

March 29, 2021

Martha Elena Coello
Secretary
Phase 1 Dulles Rail Transportation Improvement District Commission

RE: Dulles Rail Tax Commission- Phase 1

Dear Ms. Coello:

The Petition and Virginia Code require that the Advisory Board provide you an "annual report on the transportation needs of the district and on the activities of the advisory board...." To that end, accompanying this letter, are the draft minutes of the Phase 1 Advisory Board meeting which was held on March 15, 2021. While these minutes are in draft form, they accurately represent the transportation needs of the district and the Phase 1 Advisory Board's activities. This letter and draft minutes constitute the Phase 1 Advisory Board's annual report to the Commission.

The Phase 1 Advisory Board had a quorum at our meeting on March 15, 2021 and therefore we formally endorse County Staff's recommendation that the tax rate remain at \$0.09/\$100 for FY 2022. The attached draft meeting minutes accurately reflect that those members present at this Phase 1 Advisory Board meeting supported this recommendation.

Sincerely

A handwritten signature in black ink, appearing to read 'Thomas Fleury', with a long horizontal flourish extending to the right.

Thomas Fleury
Phase 1 Advisory Board

Phase 1 Dulles Rail
Transportation Improvement District Advisory Board
Fairfax County Department of Transportation Room 400.06
March 15, 2021
MEETING MINUTES

1. Call to Order

Meeting called to order at 3:07 p.m.

Members Present

John Harrison, Macerich Corp
James Policaro, Lerner Enterprises
Thomas Fleury, Bowman Consulting
Michael Cooper, American Real Estate Partners
Frederick Rothmeijer, MRP Realty
Cory Scott, Macerich Corp

Others Present

Tom Biesiadny
Martha Coello
Joe LaHait
Patti McCay
Robin Geiger
Pam Rittenhouse
Yuqing Xiong
Marwan Mahmoud
JoAnne Carter
Dong Kim
Matthew Steelberg

2. Proof of public notification and advertisement of the meeting was provided by Ms. Coello.

Mr. Fleury announces conference call electronic procedures for the virtual meeting.

Motion by Mr. Fleury for roll call and identification of members' remote locations. Seconded by Mr. Policaro and adopted unanimously by the following Board members in attendance:

- o Mr. James Policaro; Leesburg, VA
- o Mr. Frederick Rothmeijer; Great Falls, VA
- o Mr. Cory Scott; Tysons, VA
- o Mr. Michael Cooper; Leesburg, VA
- o Mr. Tom Fleury; Vienna, VA
- o Mr. John Harrison; Reston, VA

The Board conducted a wholly electronic meeting because the COVID-19 pandemic made it unsafe to physically assemble a quorum in one location or to have the public present. Motion by Mr. Fleury on the need for an Electronic Meeting through a dedicated audio-conferencing line. Seconded by Mr. Policaro and approved with unanimous vote.

Motion by Mr. Fleury on the need to dispense with FOIA's Usual Procedures to Assure Continuity in Government and Continue Operations. Seconded by Mr. Harrison and approved unanimously.

3. Approval of Minutes: March 12, 2019 and March 12, 2020 Annual Meetings

The minutes were distributed electronically. Mr. Fleury motions that meeting minutes from the March 12, 2019 and March 12, 2020 annual meetings be approved. Motion is seconded by Mr. Harrison and adopted by unanimous vote.

4. Advisory Board Bylaws and FOIA

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The County Clerk has recommended that this Board adopt bylaws. Ms. Coello provided a copy of the draft bylaws prior to the meeting and presented it during the meeting.

Ms. Coello reminds the board members that any meetings of three members of this body or more constitute a public meeting, including email correspondence, according to the Virginia Freedom of Information Act.

Mr. Cooper motions to adopt updated draft bylaws bearing date of March 12, 2020. Seconded by Mr. Harrison and adopted unanimously.

5. Advisory Board Member Expiration Dates and Vacancies

Ms. Coello indicates there are currently no vacancies on the Board. The next expirations will be for Mr. Harrison, Mr. Fleury, and Mr. Cooper on March 14, 2022.

Mr. Rothmeijer motions to keep election officers as currently represented with Mr. Fleury as Chair of the Board and Mr. Policaro as Secretary of the Board. Motion seconded by Mr. Harrison and approved by unanimous vote.

6. Dulles Corridor Metrorail Project Update – Martha Coello

Ms. Coello provides an update on Phase 1 noting that the Old Meadow Road realignment is now complete. Other VDOT punchlist work remains outstanding and is expected to be completed in Summer 2021. The budget for Phase 1 remains at \$2.98 billion.

Phase 2 is overall 99% complete. Package A represents the rail line and stations. Package B includes the rail yard at Dulles. Package A remaining work includes dynamic and functional testing as well as interior station finishes and clean up. Package B remaining work includes equipment testing, remedial track work, software programming and punch list work.

The target substantial completion for Package A is Labor Day 2021 as recently announced by MWAA. Package B's target substantial completion is Summer 2021. Revenue service date will be established by WMATA. WMATA will need 6 months after substantial completion to complete testing and open the system for a potential start in early 2022 for Phase 2 revenue service operation. The overall budget for Phase 2 is \$2.778 billion with \$2.420 billion expended to-date. The remaining contingency is \$168.5 million.

Ms. Coello provides details and background information on the outstanding quality issues under discussion for resolution which include faulty concrete panels, concrete ties cross level deficiencies, and software tie-ins between Phases 1 and 2. Overall, there are 17 outstanding quality issues with 7 items under resolution implementation and 10 items under discussion.

Ms. Coello and Mr. Biesiadny provide updates regarding WMATA's 2022 budget proposal under consideration for approval and adoption in April 2021. The General Manager's original recommendations included bus service cuts and station closings which were objected by the County's Board. The most recent Federal Stimulus legislation will provide \$1.2 billion for transit needs in the region which will resolve the General Manager's concerns relative to the FY 2022 Metro budget.

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Metro's budget will be adjusted to reflect MWAA's recent announcement of target substantial completion Labor Day 2021.

Ms. Coello provides an update on the two garages constructed by Fairfax County. Both Herndon Garage and Innovation Center Garage, including the bus loop repaving project were complete. Ms. Coello discusses the Reston Herndon Bus Route Optimization plan which increases access to employment and population relying on public transit. The timeframe to take this matter to the board will be adjusted based on MWAA's recent announcement of substantial completion Labor Day 2021.

Mr. Cooper asks whether any lawsuits, or pending lawsuits, have been filed against Capital Rail Contractors (CRC). Ms. Coello is not aware of any lawsuits and notes the current focus is achieving substantial completion.

7. Financial/Tax Assessment/TIFIA Updates – Joe LaHait, Fairfax County Debt Coordinator

Mr. LaHait provides the historical perspective of growth in the district. At present-day the District stands at approximately \$17 billion. Assessed Value of Taxable Property is down 5.3%. About \$382.3 million tax revenue has been collected from the Tax District to date, with \$15.98 million collected over the last year. A penny represents \$1.7 million dollars of revenue. All debt has been issued for this tax district and reached the \$400 million cap paid to the Airports Authority. The funds were collected via cash contribution and bonds. During FY 2020, the County executed the planned cash pre-payment of \$17.495 million of debt with amounts available in the residual fund. Redeeming debt early reduced annual debt service by approximately \$0.7 million per year. Mr. LaHait summarizes the credit ratings for the District and the Residual, Debt Service Coverage and Reserve Policy.

Mr. LaHait notes that it is advisable to maintain the current tax rate 9% for FY 2022 and that a tax rate increase is not required.

8. Advisory Board Recommendation on a Proposed Tax Rate for FY 2021

Mr. Cooper motions to maintain the tax rate as recommended at \$0.09/\$100 for FY 2022 and pre-pay debt from Residual Fund at \$13 million during FY 2021. Motion seconded by Mr. Policaro and adopted without objection.

9. Annual Report from the Advisory Board to the Commission

Planned for April 6, 2021 at 4:30 pm. Location is to be determined whether it will be virtual or in-person, more information will be provided.

10. Adjourn

Mr. Cooper motioned to adjourn which was seconded by Mr. Fleury without objection. Meeting ended at 3:55 p.m.