

**MINUTES**  
**NVTC COMMISSION MEETING – JUNE 1, 2006**  
**NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA**

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Connolly at 8:08 P.M.

**Members Present**

Sharon Bulova  
Gerald Connolly  
Jeannemarie Devolites Davis  
Adam Ebbin  
Paul Ferguson  
Corey Hill (DRPT)  
Catherine M. Hudgins  
Dana Kauffman  
Joe May  
Elaine McConnell  
Thomas Rust  
Paul Smedberg (Alternate, City of Alexandria)  
David F. Snyder  
Mary Margaret Whipple  
Christopher Zimmerman

**Members Absent**

David Albo  
Eugene Delgaudio  
William D. Euille  
Jay Fisette  
Ludwig Gaines  
Scott Silverthorne

**Staff Present**

Rhonda Gilchrest  
Scott Kalkwarf  
Jana Lynott  
Adam McGavock  
Steve MacIsaac (VRE)  
Jennifer Straub (VRE)  
Richard K. Taube  
Dale Zehner (VRE)

### Oath of Office

Chairman Connolly announced that Delegate Joe T. May and Delegate Thomas Rust have been appointed to NVTC. Chairman Connolly administered the oath of office to Delegates May and Rust. Commissioners welcomed them to NVTC.

### New VDRPT Director

Mr. Taube announced that Governor Kaine has appointed Matthew O. Tucker as the new Director of the Virginia Department of Rail and Public Transportation. Mr. Hill stated that Mr. Tucker, currently of San Ramon, California, has extensive and successful experience in both the public and private sectors. He has strong Virginia ties, including senior level experience with the Greater Richmond Transit Company. Mr. Tucker is expected to begin in early July. Mrs. Bulova stated that she served on the selection committee and Mr. Tucker was extremely impressive. He seems very enthusiastic and very capable for this position, as well as being excited about returning to Virginia.

### Minutes of NVTC Meeting of May 4, 2006

On a motion by Mr. Ferguson and a second by Mrs. Bulova, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman.

### Award of Option for Collection and Reporting of National Transit Database Information

Mr. Taube explained that NVTC awarded a contract in June, 2003 to Hoyt and Associates, Inc. for assistance in revising NTD sampling plans, collecting data and completing some or all required NTD forms to be submitted by Northern Virginia's local bus systems to the Federal Transit Administration. The initial term was three years with an option for an additional two years. Each year the exact scope of work is determined based on the precise needs of each participating transit system. By engaging such consulting expertise to ensure that all of NVTC's bus systems file reports each year, NVTC and local staff estimate that federal formula assistance (Section 5307) received by WMATA is about \$5 million greater than if NVTC's bus systems did not file reports, with a yield for NVTC's local jurisdictions in the form of reduced WMATA subsidies of about \$1.4 million annually.

Mr. Taube stated that funding for this contract is provided from the state aid received by NVTC. Local staff must be consulted each year on the proposed

budget before such funds are used. For FY 2007, the proposed budget is approximately \$176,000.

Mr. Zimmerman moved, with a second by Senator Whipple, to authorize NVTC's Executive Director to exercise the two-year option to the contract with Hoyt and Associates, Inc. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman.

### Legislative Items

Chairman Connolly asked General Assembly members to provide an update on what is happening in Richmond concerning the deadlock over the budget. Delegate May stated that there is progress being made. The Senate approved a version of the budget (substitute HB5002), which included about \$339 million of one-time transportation expenditures including \$20 million for WMATA projects, \$15 million for VRE railcars and \$1.5 million for VRE's Gainesville extension, among other projects. This version was sent to the House and was rejected so that it could go to a committee of conference. It is hoped and expected that after the budget is resolved certain regional transportation issues will be voted on at a Special Session in August or September. Delegate Rust stated that there is cautious optimism that something can be accomplished for Northern Virginia.

Senator Whipple stated that the budget provision of \$339 million would be used for transportation projects if there was a sustainable long-term comprehensive statewide plan adopted by November; otherwise the funds would be used elsewhere for non-transportation projects. In response to a question from Chairman Connolly, Senator Whipple stated that it is her understanding that the funds for VRE railcars and Metro are included in the \$339 million. Chairman Connolly observed that Northern Virginia would stand to lose a great deal if a budget cannot be approved. Mr. Zimmerman asked if the funds can be accessed for the railcar purchase if the budget isn't approved. Mr. Maclsaac stated that until the funds are appropriated VRE would be unable to use them. Chairman Connolly reminded commissioners that VRE must exercise its railcar purchase option by June 30, 2006. Chairman Connolly stated that this discussion is helpful to show NVTC's General Assembly members what is at stake—both VRE and Metro capital.

In response to a question from Mr. Smedberg, Delegate Rust stated that there are currently four bills before the House Finance Committee pertaining to transportation in Northern Virginia. He personally believes that there will be some funding allocation for Northern Virginia. Mr. Smedberg asked about a dedicated source of funding for Metro. Delegate Rust answered that it would be stable, reliable, long-term funding with an estimated \$400 million annually to stay in Northern Virginia. In response to a question from Chairman Connolly, Delegate Rust explained that the funds would go the Northern Virginia

Transportation Authority but jurisdictions would not get any unless they adopted the new taxes.

Senator Devolites Davis arrived at 8:22 P.M.

Mr. Smedberg asked about the status of state legislation that would provide a required match to the federal provision initiated by Congressman Davis for dedicated Metro funding. Chairman Connolly stated that it is his understanding that proposed state legislation includes this match provision. Senator Devolites Davis stated that she has also included \$25 million annually for VRE in her legislation.

### VRE Items

Report from the VRE Operations Board and VRE Chief Executive Officer. Mrs. Bulova urged commissioners to read the minutes of the most recent Operations Board meeting.

Locomotive Fuel Options. Mrs. Bulova reported that the VRE Operations Board recommends approval of Resolution #2023, which would authorize VRE's CEO to exercise the second option year of a contract with Quarles Petroleum of Fredericksburg for delivery of diesel fuel to the Crossroads Yard. The cost of exercising this option will not exceed \$2.15 million for approximately 860,000 gallons. The VRE Operations Board also recommends approval of Resolution #2024. This resolution would authorize VRE's Chief Executive Officer to exercise the second option year of a contract with Mifco Heating Oil of Manassas for delivery of diesel fuel to the Broad Run Yard. The cost of exercising this option will not exceed \$1.6 million for approximately 630,000 gallons. Funding for both options is provided in the FY 2007 and FY 2008 VRE operating budgets.

On a motion by Mrs. Bulova and a second by Mrs. McConnell, the commission unanimously approved Resolutions #2023 and #2024. The vote in favor was cast by commissioners Bulova, Connolly, Devolites Davis, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman. (A copy of the resolution is attached.)

Federal Railroad Administration Loan Costs. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #2025. This resolution would authorize VRE's Chief Executive Officer to pay to the Federal Railroad Administration (FRA) or its designee loan expenses related to VRE's purchase of 50 railcars. In response to a question from Chairman Connolly, Mr. Zehner stated that VRE is seeking a loan from FRA's Railroad Rehabilitation and Improvement Financing Program. Assuming a loan amount of \$57.5 million, FRA may charge a credit risk premium of \$575,000 to \$1,150,000. Funding is expected to be available in a state grant.

Mrs. Bulova moved, with a second by Mrs. McConnell, to approve Resolution #2025 (copy attached). The vote in favor was cast by commissioners Bulova, Connolly, Devolites Davis, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman.

Option for Railcar Engineering/Inspection. Mrs. Bulova reported that Resolution #2026 would authorize VRE's Chief Executive Officer to exercise an option with STV, Inc. for engineering and inspection services for VRE's proposed 50-railcar purchase. The requested contract amount is \$2,149,000 plus a 15 percent contingency for a total of \$2,472,000. Funds are included in VRE's railcar financing plan. Chairman Connolly observed that if the railcar purchase is not exercised, this option would not be exercised.

Mrs. Bulova moved, with a second by Mrs. McConnell, to approve Resolution #2026 (copy attached). The vote in favor was cast by commissioners Bulova, Connolly, Devolites Davis, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman.

Closed Session. Mrs. Bulova moved, with a second by Mr. Kauffman, the following motion to enter into closed session:

Pursuant to the Virginia Freedom of Information Act (Section 2.2-3711A (7) of the Code of Virginia), the Northern Virginia Transportation Commission authorizes discussion in closed session regarding one legal matter concerning the option to purchase railcars.

The vote in favor was cast by commissioners Bulova, Connolly, Devolites Davis, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman. The commission entered into closed session at 8:30 P.M. and returned to open session at 8:59 P.M. Mrs. Bulova moved, with a second by Delegate Ebbin, the following certification:

The Northern Virginia Transportation Commission certifies that, to the best of each member's knowledge and with no individual member dissenting, at the just concluded closed session:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed; and
2. Only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered.

The vote in favor was cast by commissioners Bulova, Connolly, Devolites Davis, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman.

Mrs. Bulova moved to approve Resolution #2027. In the event that the FY 2007 Commonwealth budget has not been approved which includes a \$15 million VRE grant, NVTC would delegate to the VRE Operations Board authority to 1) approve at its June 16, 2006 meeting, an alternative financial plan for the 50 VRE railcars within the parameters of the plan presented to the commissions; and 2) authorize the VRE Chief Executive Officer to execute the option for the 50 railcars based on this new financial plan. Mrs. McConnell seconded.

Mr. Snyder asked that the resolution be amended to include the following Whereas clause: "The alternate financial plan is an extraordinary measure that would sacrifice other important capital projects, but is necessary to save up to \$20 million relating to the railcar purchase." Mrs. Bulova and Mrs. McConnell agreed to accept this amendment.

The commission then voted on the amended resolution and it unanimously passed. The vote in favor was cast by commissioners Bulova, Connolly, Devolites Davis, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman. (A copy of the resolution is attached.)

Mr. Snyder asked the General Assembly members for any suggestions of what NVTC can do to communicate the message of the importance of transportation funding. Delegate Rust observed that he is not hearing from individuals outside of transportation issues, such as teachers, public safety, human resources, etc. If something is not passed legislatively concerning transportation funding, the days of the budget surplus will come to an end, and funding will dry up for public education, safety and other interests. Everyone will be affected. He stated that the majority of the Northern Virginia delegation truly understands the problems this region faces with transportation issues, but they can't do it all by themselves.

Senator Devolites Davis observed that this region has the second worst traffic congestion in the nation, and yet she has not received comments from her constituents concerning this matter. She suggested a mailer with a tear-out postcard to send to their representatives. It is critical that those members from Northern Virginia delegation who are not onboard with solving the transportation problems in this region be inundated with some kind of pressure from the public. Delegate May stated that the real challenge will be to persuade the Finance Committee that Northern Virginia should be able to help itself. It is important to collect the money here and spend it here. Mrs. Bulova observed that her office receives numerous complaints about maintenance of roads.

## Update on NVTC Projects

SmarTrip Farebox Procurement. Mr. McGavock reported that there has been significant progress made over the last six months, including the system integration testing. However, the Regional Customer Service Center is not currently prepared to receive transactions from regional operations. WMATA has given the contractor six weeks notice to prepare for operations. NVTC staff continues to remind Cubic and WMATA that there are very significant milestones and deadlines associated with our funding for this project. For example, one of the FTA grants associated with this project will be rescinded at the end of September 2006 if it is not billed out. There may be problems with other funding sources along that same timeframe. Cubic and WMATA have agreed to accelerate the project schedule to accommodate NVTC's funding issues and are making every effort to begin installing SmarTrip fareboxes on buses in Northern Virginia before the end of September.

Senior Mobility. Ms. Lynott reviewed some of the implementation plans for Phase 2 of the study, including providing travel instruction to 50 seniors on how to use the fixed-route public transportation system, as well as developing a centralized information and referral service where seniors would be offered one-stop shopping for their transportation needs. Mrs. Hudgins stated that it is important that the 50 seniors being trained reflect the population that is being served.

Mr. Zimmerman moved, with a second by Mr. Kauffman, to authorize NVTC to send a letter to WMATA's Acting General Manager summarizing NVTC's senior mobility study and providing recommendations regarding WMATA's planned senior mobility development efforts. The vote in favor was cast by commissioners Bulova, Connolly, Devolites Davis, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman.

Chairman Connolly asked that copies of the study be provided to NVTC's new members, Delegates May and Rust.

## WMATA Items

Mr. Kauffman reported that the WMATA Board approved a draft Management Exchange Program.

Mr. Smedberg asked if there has been any progress on the search process for a new General Manager. Chairman Connolly reported that there was an attempt by Maryland and the District of Columbia WMATA Board members to confirm Dan Tangherlini as General Manager without a search. This was in disregard of the agreement of the terms of his hiring as Acting General Manager, which was to provide him the position for a year to give him the opportunity to show his capabilities. A number of Northern Virginia officials met

with Mr. Tangherlini before his appointment and told him that he is going to have to prove to Northern Virginia that he understands Northern Virginia's issues and that he would be the General Manager for the whole region—Maryland, the District of Columbia and Virginia. Chairman Connolly stated that his viewpoint is that the search process should not be rushed, and in actuality, the search process strengthens Mr. Tangherlini if he ultimately is selected after reviewing the top nationwide candidates. Mr. Zimmerman agreed and stated there has been no search started, which was not his understanding of the agreement.

Mr. Kauffman stated that the next step is to define what the region wants in a General Manager, which should be a precursor to a search. Mrs. Hudgins stated that it would be helpful for WMATA to provide criteria for selecting a General Manager. The region can be better served by a search process since it can reaffirm that the Acting General Manager is right for job.

Mr. Smedberg moved to send a letter to WMATA Board Chairman Gladys Mack and copies to other Board members to urge them to come up with criteria for what kind of General Manager WMATA is looking for, without prejudice to the incumbent, and then to have some formalized search process. Mr. Snyder seconded. He stated that Metro is one of the major systems in the country and it is important to look at what talent is out there to hire someone who can bring original thinking and good management principles to Metro.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Connolly, Devolites Davis, Ebbin, Ferguson, Hill, Hudgins, Kauffman, May, McConnell, Rust, Smedberg, Snyder, Whipple and Zimmerman.

### Regional Transportation Items

VDOT HOV Data. Mr. Taube reported that on May 8<sup>th</sup> VDOT's Northern Virginia District Administrator reconvened the HOV Enforcement Task Force to consider new data and the results of a new draft study. VDOT is considering extending HOV hours on I-95 and I-395. Northern Virginia VDOT staff has pledged they will work closely with local jurisdictions. VDOT will wait until after the July 1, 2006 deadline for obtaining clean fuel plates before any changes are made.

NuRide/Transit Partnerships. Mr. Taube reported that on May 16<sup>th</sup> NVTC's Management Advisory Committee heard from Steve Offutt of NuRide about recent developments and planned improvements in its nationwide ridematching programs, known as the Ride Network. There are now about 14,000 members nationwide with about 4,000 in the Washington Metropolitan area. Nationwide 300,000 shared trips have been taken by members so far. About a thousand new members are signing up each month. NuRide's approach is to facilitate one-time rides made available via the Internet with great flexibility. Both riders and drivers earn points that can then be redeemed for merchandise



(such as Home Depot gift cards). These rewards are worth up to \$750 annually with an average member earning \$300-350 per year for five average trips each week at an average distance of 25 miles each. Total rewards to date are about \$1 million. Gas savings add another \$650-700 annually for the average member. NuRide stores information about each member's auto so when a shared trip is taken, emissions and fuel savings can be calculated precisely.

Fairfax County's Connector is arranging a sponsorship that will go live soon. VRE will also initiate a sponsorship soon that will target persons driving to and from VRE stations for special prizes. By encouraging such ride matching VRE hopes to relieve crowding at its parking lots.

Virginia Transit Association Conference. VTA Director Linda McMinimy reported that VTA conducted a very successful conference in Alexandria May 11-13<sup>th</sup>. The program featured several nationally recognized experts on Smart Growth and included a tour of the Rosslyn-Ballston Corridor for a close-up look at enlightened transit-oriented development. Outgoing VTA President Chris Zimmerman was primarily responsible for encouraging and planning this successful conference.

Virginia Accelerates Telework Program. Chairman Connolly reminded commissioners that NVTC has called on previous state administrations to take telework seriously and create a Telework Council. Telework is a serious business in this region. Delegate Ebbin stated that at the last General Assembly session legislation was passed that would form a Telework Commission.

Senator Devolites Davis stated that what will really push the telework issue is preparing for a pandemic. Homeland Security is looking at this issue seriously because in the event of a pandemic the government needs to keep functioning. Mr. Hill stated that the commonwealth has modified its plans, but the big challenge is accessing information. The Commonwealth is working to break down these technical barriers.

#### NVTC Financial Items for April, 2006

The financial reports were provided to commissioners and there were no questions.

Adjournment

Without objection, Chairman Connolly adjourned the meeting at 9:55 P.M.

Approved this 6<sup>th</sup> day of July, 2006.

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Gerald E. Connolly  
Chairman

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William D. Euille  
Secretary-Treasurer