

MINUTES
NVTC COMMISSION MEETING – OCTOBER 5, 2006
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Connolly at 8:10 P.M.

Members Present

David Albo
Chip Badger (DRPT)
Sharon Bulova
Gerald Connolly
Jeannemarie Devolites Davis
Adam Ebbin
William D. Euille
Paul Ferguson
Jay Fisette
Catherine M. Hudgins
Dana Kauffman
Dan Maller (Alternate, Falls Church)
Joe May
Elaine McConnell
Thomas Rust
Paul Smedberg
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

Eugene Delgaudio
Scott Silverthorne
David F. Snyder

Staff Present

Rhonda Gilchrest
Scott Kalkwarf
Jana Lynott
Adam McGavock
Kala Quintana
Elizabeth Rodgers
Jennifer Straub (VRE)
Richard K. Taube
Dale Zehner (VRE)

Oath of Office for New NVTC Commissioner

Chairman Connolly announced that Paul Smedberg, who has been serving as an alternate for the City of Alexandria, has taken Ludwig Gaines's place as a NVTC commissioner. Chairman Connolly administered the oath of office to Mr. Smedberg.

Chairman Connolly welcomed several NVTA members, including Judy Connolly and Martin Nohe.

Minutes of NVTC's Meeting of September 7, 2006

On a motion by Senator Whipple and a second by Ms. Bulova, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Badger, Bulova, Connolly, Euille, Ferguson, Hudgins, Kauffman, Maller, May, McConnell, Smedberg, Whipple and Zimmerman.

VRE Items

Report from the VRE Operations Board and VRE Chief Executive Officer. Mrs. Bulova urged commissioners to read the minutes of the September 15, 2006 VRE Operations Board meeting.

Contract Amendment with Scheidt & Bachmann for Fare Collection Equipment Maintenance. Mrs. Bulova explained that Resolution #2038 would authorize VRE's CEO to amend the existing contract with Scheidt & Bachmann to increase the new equipment maintenance amount by up to \$83,639. This would increase the total contract value to \$3,803,021. The current agreement expires October 31, 2006 and this action would extend the expiration date for three months while negotiations are concluded over a one-year extension.

Mrs. Bulova moved, with a second by Senator Whipple, to approve Resolution #2038 (copy attached). The vote in favor was cast by commissioners Badger, Bulova, Connolly, Euille, Ferguson, Hudgins, Kauffman, Maller, May, McConnell, Smedberg, Whipple and Zimmerman.

Transit on I-95/395 HOV/HOT Lanes

Mr. Taube introduced Tim Young of Fluor-Transurban, the private consortium that is negotiating with the commonwealth to build and operate HOT lanes in the I-95/395 corridor. Mr. Young introduced the rest of his team members.

Senator Devolites Davis arrived at 8:14 P.M.

Mr. Young explained that the project covers 56 miles of managed lanes in the I-95/395 corridor. The first segment of the project would be expansion of the existing HOV system from two lanes to a three lane HOV/HOT/Bus lane system. The second segment would extend that system south to Fredericksburg. The northern terminus would be located at Eads Street in Arlington. Mr. Young reassured the commission that Fluor-Transurban is committed to open dialogue and a transparent process. Senator Whipple suggested that any future reports should accurately reflect that the existing HOV system is a HOV/Bus system.

At 8:20 P.M., Delegate Rust arrived.

Mr. Young stated that it is estimated that the project will generate excess revenues for transit activities in the corridor (either a \$250 million upfront concession payment or \$500 million over time from revenues). Chairman Connolly asked if there is an understanding with the commonwealth that Northern Virginia would receive these funds and revenues would not be sent to other parts of the state. Mr. Young replied that VDOT has signaled that the revenues would be used for Northern Virginia transit and would go through the CTB process. Chairman Connolly stated that it is very important that the funds get "locked" in because this revenue needs to stay in Northern Virginia.

Mr. Fisetta joined the discussion at 8:24 P.M.

Mr. Young stated that the proposal has been enhanced to include a Shirlington ramp, an in-line station at Lorton, additional proposed entry/exit points, revised timing of the park and ride lots and responses to BRAC issues. Mr. Kauffman observed that the new Army Museum is expected to generate significant jobs and traffic. The Newington northbound exit ramp will be heavily used to get to the museum. Mr. Young stated that traffic modeling analysis can be done.

Delegates Albo and Ebbin arrived at 8:27 P.M.

In response to a question from Mrs. McConnell, Mr. Young stated that the locations of the park and ride facilities have not yet been identified. In response to a question from Mrs. Bulova, Mr. Young stated that a categorical exclusion on the northern segment is based on staying in the right-of-way and no impacts to the environment are anticipated, although this must be proven. Mr. Zimmerman noted that it is also a capacity issue.

Delegate Rust observed that there is no final agreement signed yet between Fluor-Transurban and the commonwealth. He expressed concern about the recent legislation passed by the House that these types of agreements must be reviewed by the General Assembly. Fortunately, when the bill went to the Senate it did not pass. However, similar legislation will probably be introduced again and this could be a concern to Northern Virginia as it may signal an attempt to take funds away from Northern Virginia.

In response to a question from Senator Whipple, Mr. Badger stated that the costs and benefits to the commonwealth will be reviewed. Senator Whipple advised that there needs to be an analysis done on the effects on this project if gas prices go up to \$4-\$6 a gallon.

Mr. Zimmerman stated that he would like to know how many public outreach events occur before TPB is asked to act on the project. Chairman Connolly stated that traditional public outreach does not work because usually only those opposed to a project speak out, which does not necessarily reflect public opinion. NVTa conducted a scientific survey which resulted in striking results and he encouraged Fluor-Transurban to find other mechanisms besides public comment sessions to test public opinion.

Mr. Zimmerman observed that the original Fluor-Transurban proposal included a prominent role for transit with a HOT/BRT proposal. Now BRT is strikingly absent. Mr. Young stated that FHWA requires dedicated lanes for BRT and this proposal allows multiple uses so the term BRT was dropped. Mr. Zimmerman replied that the northern segment is an existing system. The Shirley Highway Busway was built as a BRT facility and in its current form counts as a fixed guideway. He is concerned that the current proposal would degrade what is a current BRT facility to something else. He would rather have seen the proposal adjusted as opposed to the name adjusted to meet some other definition. Chairman Connolly asked if DRPT is satisfied that the substance of the proposal is the same and the changes were only in nomenclature. Mr. Badger replied that DRPT is satisfied and committed to making sure that bus service is enhanced.

Mr. Zimmerman expressed another concern about maintaining free flow traffic conditions without shoulders in the event of any incident. This will degrade transit on the system. A Fluor-Transurban representative stated that expanding the shoulders would be ideal, but there is no way to expand the width of the corridor. Rapid incident response is a way to provide immediate relief. Fluor-Transurban has had successful experiences in Melbourne, Australia where there is a mandatory five minute incident response.

Chairman Connolly stated that there are several important concerns regarding this project, including that there's no deterioration of existing levels of transit service on the I-95/395 HOV lanes, there is enhancement of additional transit service, and excess revenues need to stay and be spent on transit in this region.

Senator Devolites Davis stated that she would be interested in knowing what percentage of people currently use bus in the corridor, since many people don't like to get out of their cars. Mr. Taube stated that there was a study just recently done for the I-66 corridor inside the Beltway and in the fall a study will be done for I-395 inside the Beltway. As of yet there has not been any analysis done of mode shares for the entire I-95 corridor. Senator Whipple stated that the two HOV lanes carry 25 percent more people than the other four lanes of traffic.

Delegate May stated that if video technology is being considered for enforcement for this project, he suggested Fluor-Transurban start working with legislators now to draft legislation. Senator Whipple stated that the General Assembly already passed legislation for improved toll road enforcement in Richmond.

Mr. Zimmerman asked that if the northern terminus is at Eads Street, what prevents big traffic backups at the 14th Street Bridge. Mr. Young replied that they don't know yet, but through traffic modeling will be looking at ways to alleviate any problems. Fluor-Transurban is committed to keeping NVTC, local jurisdictions, transit agencies and the public informed and there are opportunities for input throughout the process.

Comments on FTA Proposed Policy Regarding HOT Lanes as Fixed Guideway Miles

Mr. Taube explained that FTA has requested comments on a proposed policy titled "When High-Occupancy Vehicle Lanes Shall be Classified as Fixed Guideway Miles for FTA's Funding Formulas...." NVTC staff drafted a letter that would reinforce the most essential points: First, continued monitoring of the performance of HOV lanes converted to HOT lanes is needed to ensure no degradation. Second, in order to qualify as fixed guideway miles when a HOV lane is converted to a HOT lane, transit vehicles should not be assessed tolls. Finally, federal income from the fixed guideway miles of the HOT lane facility should be directed to the designated recipients for funding eligible public transit capital projects.

Commissioners had no objections to the letter being signed by Chairman Connolly and sent.

Analysis of A.M. Peak Period Travel in Northern Virginia's I-66 Corridor

Ms. Rodgers reported that MWCOG staff conducted traffic counts in mid-September 2005 for VDOT at a screenline on I-66 at Glebe Road and other major parallel roadways in the I-66 corridor. At the request of NVTC, MWCOG included transit ridership provided by Northern Virginia's transit systems. About 64 percent of inbound person trips were by transit or ridesharing during the three-hour morning peak period.

Senator Devolites Davis observed that considering only HOV riders can be on I-66 during the peak period, it would be a more fair analysis to also count outside the Beltway. Mr. Taube explained that counts outside the Beltway will also be done in the future. For this analysis, not only I-66 but also other parallel roads were counted. Ms. Rodgers also noted that the analysis was conducted for an hour before HOV goes into effect, so there were some non-HOV data collected.

Senator Devolites Davis stated that since this analysis is not representative of the entire I-66 corridor it is important to specify "Beltway to Washington, D.C." on press releases and other printed material.

Mr. Taube stated that this was a pilot project and now further analysis can be done for other corridors in the region. In response to a question from Ms. Hudgins, Mr. Taube explained that the screenline was at Glebe Road so the analysis does not directly include all drivers coming from the feeder lanes from the Toll Road (since they could exit I-66 before reaching the Glebe Road screenline).

There were no objections from commissioners to releasing the press release.

NVTC Statement for November 1, 2006 CTB Public Meeting

Mr. Taube stated that the Commonwealth Transportation Board will conduct its annual public meeting in Northern Virginia on November 1st at the Fairfax County Government Center. NVTC's draft statement was amended to include jurisdictional staff comments. The statement shows that annual transit ridership in Northern Virginia is up 17 percent since FY 2002. Every transit system in Northern Virginia, with the exception of VRE, saw ridership growth over the last year. Some systems experienced double digit growth. Mrs. McConnell observed that VRE had on-time performance issues with CSX.

There were no objections to Chairman Connolly or his designee providing the statement to CTB.

Legislative Items

Chairman Connolly thanked the senators and delegates for their legislative initiatives that they tried to get passed during the General Assembly session and special session. Delegate Albo thanked local governments for their comments and suggestions which made his bill much better. Unfortunately, it did not get passed. Chairman Connolly cautioned the legislators that there is a growing public repulsion that nothing can be done for transportation down in Richmond.

Delegate Albo thought his bill would at least have a chance. Irregardless, he learned some things to improve the legislation for the next session. Delegate May observed that the business community really stepped up and supported this legislation. Mrs. McConnell asked if there is a list of legislators who didn't support the bill. Mr. Taube stated that he will forward a list generated by the Northern Virginia Transportation Alliance.

Senator Devolites Davis suggested that legislators need to hear from advocacy groups. There also needs to be a grass roots effort. Local governments can help to get the message out. Ms. Hudgins agreed. Mr. Euille stated that the Virginia Municipal League and the Virginia Association of Counties should be invited to participate in the process.

Senator Devolites Davis acknowledged Tom Biesiadny of Fairfax County DOT who did an outstanding job of providing information to legislators.

FY 2006 Transit Ridership and Trends in Northern Virginia

As discussed earlier, there is very positive transit growth in the region. Commissioners had no questions.

Congestion Mitigation Demonstration

Mr. Taube explained that NVTC staff is suggesting that local transportation staff, with careful coordination with TPB's Value Pricing Task Force and VDOT, consider whether to develop a Northern Virginia grant proposal that could be used to gather more information about the potential success of the type of demonstration described by Mr. Duvall at the September NVTC meeting. There were no objections to NVTC staff continuing to collect information and to continue a dialogue with USDOT and the other agencies.

Metro Items

Chairman Connolly expressed his deep disappointment with the Washington Post for its gross mischaracterization of Northern Virginia's position regarding WMATA's search for a new general manager. Northern Virginia was never against Dan Tangerlini, but Virginia objected to not having a selection process. Last year the Post ran relentless articles about the dysfunctionality and mismanagement at Metro, and now to criticize Northern Virginia for wanting a selection process is unbearable. He, along with Mr. Zimmerman, Mr. Kauffman, Mr. Euille and Mrs. Hudgins, sent a letter to the Post, but the Post refused to print it. Mr. Zimmerman stated that it was not only Northern Virginia's position, but also Montgomery and Prince George's counties who also wanted a process. Chairman Connolly asked NVTC staff to contact the Post and send a response. Mr. Euille suggested that there should be a meeting with Post editorial staff.

Regional Transportation Items

Installation of SmarTrip Fareboxes at DASH. The SmarTrip equipped fareboxes are scheduled for limited installation for testing on five DASH buses in early October.

New Census Bureau Release on D.C. Metro Area Commuting. On September 21st the Washington Post showed a trend of increasing use of single-occupant vehicles between 1990 and 2005, relying on Census Bureau findings. As of 2005, the national average was 77 percent of commuters driving alone. All of Northern Virginia's jurisdictions are less than that average, except Loudoun County. The Census Bureau released another report describing commuting times as of 2003. These data show that the average commute is taking longer, with the current average in the region of 33 minutes one way to work. The nationwide average was 24.3 minutes. Virginia as a whole ranks 9th among the states at 25.8 minutes.

Virginia AARP Forum on Senior Mobility. Jana Lynott is an invited speaker at the statewide AARP forum to be held in Richmond on October 30-31, 2006.

VTA Fall Conference. VTA's fall conference is scheduled for November 1st in Richmond.

Tour of Northern Virginia Transit Facilities. NVTC staff is taking the lead in arranging a tour for new DRPT Director Tucker and other senior state transportation officials. The format will be similar to the successful tour last fall for several members of the General Assembly.

Final Approval of NVTA's 2030 Plan. The press conference to announce and celebrate the final approval of the plan was well attended.

NVTC Financial Items for August, 2006

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

Closed Session

Mr. Euille moved, with a second by Mrs. Bulova, as follows:

Pursuant to the Virginia Freedom of Information Act (Section 2.2-3711A (1) of the Code of Virginia), the Northern Virginia Transportation Commission authorizes discussion in closed session regarding a personnel matter.

The vote in favor was cast by commissioners Badger, Bulova, Connolly, Euille, Ferguson, Hudgins, Kauffman, Maller, May, McConnell, Smedberg, Whipple and Zimmerman. The commission entered into closed session at 9:45 P.M. and returned to open session at 9:55 P.M.

Mr. Euille moved, with a second by Mrs. Bulova, 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 Badger, Bulova, Connolly, Euille, Ferguson, Hudgins, Kauffman, Maller, May, McConnell, Smedberg, Whipple and Zimmerman.

A joint motion was made by Mr. Zimmerman and Mr. Ferguson to approve the recommendations of the executive committee, which were discussed in closed session, to increase NVTC's executive director's total compensation by 4.5 percent with the understanding that the salary shall not increase by more than \$2,000, with the remaining distribution at the discretion of the executive director. Mrs. Bulova seconded the motion. Mr. Euille clarified that the action is retroactive to the executive director's contract date. The vote in favor was cast by commissioners Badger, Bulova, Connolly, Euille, Ferguson, Hudgins, Kauffman, Maller, May, McConnell, Smedberg, Whipple and Zimmerman.

Adjournment

Without objection, Chairman Connolly adjourned the meeting at 9:59 P.M.

Approved this 2nd day of November, 2006.

Gerald E. Connolly
Chairman

William D. Euille
Secretary-Treasurer