

MINUTES
NVTC COMMISSION MEETING – SEPTEMBER 7, 2006
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Connolly at 8:20 P.M.

Members Present

David Albo
Sharon Bulova
Gerald Connolly
Jeannemarie Devolites Davis
Adam Ebbin
William D. Euille
Jay Fisette
Catherine M. Hudgins
Tanya Husick (DRPT)
Thomas Rust
Scott Silverthorne
Paul Smedberg
David F. Snyder
Mary Margaret Whipple

Members Absent

Eugene Delgaudio
Paul Ferguson
Dana Kauffman
Joe May
Elaine McConnell
Christopher Zimmerman

Staff Present

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

New NVTC Commissioner

Chairman Connolly announced that Matthew Tucker is the new Director of the Virginia Department of Rail and Public Transportation. Mr. Tucker was unable to attend the NVTC meeting, but commissioners were invited to attend a welcome luncheon for Mr. Tucker on September 22nd hosted by the Virginia Transit Association.

Minutes of NVTC Meeting of July 6, 2006

On a motion by Senator Whipple and a second by Mr. Smedberg, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Devolites Davis, Ebbin, Euille, Fisette, Hudgins, Husick, Rust, Silverthorne, Smedberg, Snyder and Whipple.

USDOT Congestion Pricing Pilot Project

Chairman Connolly welcomed Tyler Duvall, Assistant Secretary of Transportation for the U.S. Department of Transportation, who gave a presentation on a USDOT initiative. Mr. Duvall described opportunities for Northern Virginia to initiate a congestion pricing pilot project.

Mr. Duvall stated that the average Washington, D.C. area driver loses 69 hours per year to congestion, which is equivalent to nearly two weeks of work. This amount represents almost a 230 percent increase since 1983. Congestion annually costs the Washington, D.C. region \$2.5 billion in wasted fuel and lost time, which works out to a "hidden tax" of \$1,169 per driver. USDOT is encouraging pilot projects, which would consist of four components: establishment of a variable tolling/pricing demonstration, utilization of cost-effective transit options such as Bus Rapid Transit (BRT), expansion of telecommuting and flexible work schedules, and utilization of cutting edge approaches to improve system performance. USDOT would provide financial resources (grants, loans and borrowing authority), expedited federal approvals, and dedicated USDOT resources, expertise and personnel.

Mr. Duvall stated that implementation is relatively easy given current technology, which includes dashboard/window mounted transponders, GPS devices or odometer sensors. He stated that public opinion indicates a strong willingness to accept pricing as an alternative to congestion. By a 2-to-1 margin, respondents to a 2005 Washington Post poll preferred tolls over taxes for financing highway construction or expansion.

Chairman Connolly stated if this project has any chance of being approved by the local governments there would have to be an ironclad understanding that any revenues generated in Northern Virginia would stay in Northern Virginia. Mr. Duvall responded that USDOT is agreeable to that.

Mr. Duvall explained that the region could decide which facilities would be part of the project, such as the I-495 Beltway, I-95 from Beltway to Fairfax County Parkway, I-395 inside Beltway, variable pricing on Dulles Toll Road, I-66 and Route 287 inside the Beltway and the GW Parkway between the Beltway and downtown Alexandria. Congestion pricing could be done on individual roadways or deployed across Northern Virginia. There would be significant benefits including travel time savings for drivers, transit riders and additional revenues for the state and local governments, which depending on the pricing configuration could be up to \$100 million per year in net toll revenue (after paying for additional transit service).

In response to a question from Senator DeVolites Davis, Mr. Duvall stated that USDOT would defer to Northern Virginia on how the project was implemented, although HOV to HOT lanes conversion is probably the easiest solution. Senator DeVolites Davis stated that there is currently underway a state telework study and she will provide the final report to NVTC and USDOT.

Mr. Smedberg asked how this project would work on a two-lane road, such as I-66 or the GW Parkway, since conceptually people would not have a choice on these types of roads. Mr. Duvall stated that modeling shows that free flow conditions can occur at the \$2-3 a day range. He stated that the larger facilities, such as the Beltway, have more flexibility. He explained that there is really no such thing as a "free" lane because the costs that urban drivers are imposing on others (external costs of congestion) are in the 50-80 cents per mile range.

Mr. Fisette observed that the only way this type of project would work is if there was transit as an alternative. Mr. Duvall agreed that expansion of bus service is a vital component of the project. Senator Whipple asked if USDOT has data about diversion to parallel facilities, especially for I-66.

Mr. Snyder pointed out that there are governance issues. In response to a question from Mr. Snyder, Mr. Duvall explained that the funding for this pilot project would all be new dollars and not reprogrammed funds.

Mr. Duvall explained that the pilot project would be done on a trial basis for 9-12 months to see if it works. The public is starved for a new approach to solving congestion. Mrs. Hudgins stated that it would also be helpful to get an update on TPB's Value Pricing Task Force.

Mr. Snyder thanked Mr. Duvall for his presentation. He suggested that the project be referred to staff for further analysis and staff should report back to the commission at the next meeting.

Legislative Items

State Legislation. Delegate Albo reported on the status of his bill to provide regional funding for transportation in Northern Virginia, including \$50 million annually for WMATA and \$20 million for VRE. Delegate Rust is a co-patron of the bill. Delegate Rust explained that they have been working on this legislation for the past 8-9 months, trying to raise new revenue for Northern Virginia where “it stays here and is spent here.” This plan would charge fees for those who contribute to the region’s transportation problems. It would impact the 80,000 people moving into Virginia every year (an initial registration fee of 0.75 percent on the value of all cars), developers (\$5,000 for every new single-family house, \$4,000 for townhouses and \$3,000 for multi-family units), commercial office owners (an extra 30-cents per \$100 of assessed value), tourists (five percent on hotels, two percent on rental cars), and automobile owners (\$30 increase in car registrations). These initiatives would raise \$400-500 million per year for Northern Virginia.

Delegate Rust explained that local governments would have to adopt the entire package to be on NVTA and receive these funds. Chairman Connolly stated his objection to the fact that local governments would have to raise these taxes next year. Delegate Albo stated that he understands local government concerns, but the whole key to keeping the funds in Northern Virginia (and ensuring 75 percent of the votes in the House of Delegates don’t recapture these funds), is to have the final enactment done at the local level. There does not seem to be any other way to protect the funds.

Mr. Euille stated that this is the first time that local officials have seen this legislation and have had an opportunity to comment. Delegate Rust stated that except for driver’s license and registration fees, the majority of the revenue would be generated from the business community. Delegates have spent the last two months meeting with the business community to gain consensus. Senator Devolites Davis stated that if timing is an issue, it is not insurmountable to include provisions in the legislation for a delayed enactment. Ms. Bulova stated that if the business community is supporting this and in favor, it would not be as difficult to gain public support.

Senator Whipple expressed concern over residential impact fees, since those fees are transferred to the buyer. She asked how it would work with existing proffer systems and site plan conditions. Ms. Hudgins stated that there is concern how it would impact affordable housing issues. Mr. Silverthorne stated that he is concerned with how the automobile assessment would impact the 21 auto dealerships in the city of Fairfax.

Delegate Albo stated that he will change the bill if someone can find a way to protect the funds from the 75 votes in the General Assembly, who may be inclined to capture the revenues in the future. He is willing to work with local officials. Senator Whipple stated that she does not agree that 75 votes are likely to take the funds away at the next session. There is understanding in the Senate

that Northern Virginia is an important economic engine for the state and the region's transportation problems need to be addressed.

Chairman Connolly stated that he personally believes that local governments are willing to meet half way in stepping up to the plate and if necessary impose fees and revenue sources, so long as the state also steps to the plate. In his opinion, to have the burden 100 percent on the local governments won't fly. Delegate Albo agreed but stated that his challenge is to get something passed out of the House of Delegates when he only has 25 votes. This bill seems to have the best chance of passing that will bring substantial funds to Northern Virginia. He also stated that he hopes local governments do not feel as if they were being bypassed. The sponsors didn't want to present something to local governments with a funding package that would not work. He asked local officials to work with him to improve the bill before the Special Session begins at the end of September.

Mr. Snyder stated that this legislation is a serious good faith effort to deal with a very difficult situation. In his opinion, the state should step forward and provide its fair share. Delegate Albo responded that unfortunately this won't happen with only 25 votes in the House.

In response to a question from Mr. Smedberg, Delegate Albo explained that the revenues generated would be broken down the following way: \$50 million to WMATA, \$20 million to VRE, and of the remaining funds 25 percent to be spent on secondary or urban roads and 25 percent would go back to the locality where the revenue was raised to be spent however the locality wants.

Senator Devolites Davis explained that her Senate version of the bill is on-line on the Internet if commissioners want to look at it. There are several differences, including how the funds are spent. The Senate version would provide NVRTA with the authority to decide where the funds would be spent.

Chairman Connolly reiterated his opinion that there has to be some financial piece of this that is the state's responsibility, since transportation is a state responsibility. Local governments are willing to meet them half way.

Federal Legislation. Mr. Taube explained that staff has prepared draft letters to Senators Allen and Warner urging that the Homeland Security Committee act favorably on funding for Metro from off-shore drilling leases and royalties. As the House has passed Representative Davis's \$1.5 billion funding bill for WMATA, the Senate must act before the end of the session this year or else Representative Davis must start over again in the House next session. Commissioners had no objections to Chairman Connolly signing and sending the letters.

Preliminary FY 2008 NVTC Administrative Budget and Performance Objectives

Chairman Connolly stated that the commission is asked to authorize NVTC's executive director to forward the preliminary NVTC FY 2008 budget to the member jurisdictions for use in planning their own local budgets. The commission will discuss this budget again in January, 2007 and act on the final version in February, 2007. The recommended preliminary budget has been discussed in detail with local staff. The budget would increase NVTC's total expenditures for FY 2008 by five percent, compared to the FY 2007 budget. Commissioners had no objection to the executive director forwarding the budget to the jurisdictions.

VRE Items

Report from the VRE Operations Board and VRE Chief Executive Officer. Mrs. Bulova urged commissioners to read the minutes of the August 18, 2006 VRE Operations Board meeting.

VRE Ridership. Mr. Snyder observed that there were several news articles over the summer about VRE's loss of ridership and on-time performance and he asked for a report at the next meeting. Mr. Zehner provided a brief overview of the factors associated with on-time performance and stated that it has improved over the last month.

Consent Agenda. Ms. Bulova moved, with a second by Senator Whipple, to approve the following Consent Agenda Items:

- 1) Resolution #2031 "Broad Run Maintenance Facilities."
- 2) Resolution #2032 "Renew Contract for Banking Services and Line of Credit."
- 3) Resolution #2033 "Option for Facilities Maintenance."
- 4) Resolution #2034 "MOU with Fairfax County for Burke Centre Parking."

The commission then voted on the consent items and they were unanimously approved. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Devolites Davis, Ebbin, Euille, Fisette, Hudgins, Husick, Rust, Silverthorne, Smedberg, Snyder and Whipple. (Copies of the resolutions are attached.)

Referral of FY 2008 Draft VRE Budget to the Jurisdictions. Mrs. Bulova stated that the VRE Operations Board recommends commission approval of Resolution #2035, which would authorize staff to send the draft VRE FY 2008 budget to VRE's member jurisdictions for review and comment. The commission will be asked in January, 2007 to adopt and forward to the jurisdictions the final

budget. Mrs. Bulova explained that the preliminary budget is \$69.3 million with \$9.4 million unfunded (assuming no increase in fares or local subsidies). A balanced budget will be submitted by VRE staff in November. In response to a question from Senator Whipple, Mr. Zehner stated that \$700,000-\$800,000 would be raised by each one percent fare increase.

Chairman Connolly asked if VRE has made any progress on a more equitable allocation formula. Mr. Zehner stated that the subcommittee will be briefing the Operations Board at its next meeting in October concerning this issue. Mrs. Bulova further explained that the Operations Board hopes to have a proposal prior to the General Assembly session in case legislation is needed. Chairman Connolly stated that reallocating the formula would not require legislative action. Mr. Zehner stated that there are two issues directly linked together, the allocation formula and governance issues. Chairman Connolly expressed his concern that Fairfax County taxpayers are paying a disproportionate share of VRE's bills and this has to be corrected.

Mrs. Bulova moved, with a second by Senator Whipple, to approve Resolution #2035 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Connolly, Devolites Davis, Ebbin, Euille, Fisette, Hudgins, Husick, Rust, Silverthorne, Smedberg, Snyder and Whipple.

Agreement with DRPT for L'Enfant Storage. Mrs. Bulova reported that the VRE Operations Board recommends commission approval of Resolution #2036 (copy attached). This resolution would authorize VRE's CEO, following review by VRE's legal counsel, to execute an agreement with DRPT for funding and constructing the L'Enfant storage track project. This project would facilitate VRE's operation of trains south from L'Enfant in an emergency. The amount will not exceed \$830,000 from the U.S. Department of Homeland Security. In response to a question from Chairman Connolly, Mr. Zehner explained that in the event of an evacuation, the tunnel would likely be closed to train traffic, preventing trains from leaving Union Station. This storage track would allow two VRE train consists to be stored at L'Enfant during the mid-day, and therefore, be available in the event of an incident. DRPT has already entered into a contract with CSX to complete a third track and this work would be added as an amendment to that contract.

On a motion by Mrs. Bulova and a second by Senator Whipple, the commission unanimously approved the resolution (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Connolly, Devolites Davis, Ebbin, Euille, Fisette, Hudgins, Husick, Rust, Silverthorne, Smedberg, Snyder and Whipple.

Authorization to Apply for Federal Grant Funds for Alexandria and Fairfax County

Chairman Connolly stated that Resolution #2037 would authorize NVTC's executive director to apply for federal transit grant funds on behalf of Fairfax

County for bus improvements in the Route 1 corridor. It also authorizes him to apply for federal transit grant funds on behalf of Alexandria for a project that will develop a real-time bus information system and link that system to the regional ITS architecture. These projects would be added to NVTC's work program.

Mr. Euille moved to approve Resolution #2037. Mr. Smedberg seconded. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Devolites Davis, Ebbin, Euille, Fiset, Hudgins, Husick, Rust, Silverthorne, Smedberg, Snyder and Whipple. (A copy of the resolution is attached.)

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

Chairman Connolly suggested deferring this item to the next meeting. There were no objections.

Metro Items

Recruitment of General Manager. Ms. Hudgins reported that NVTC received a letter from WMATA Board Chairman Gladys Mack in which she stated that the WMATA Board would like to meet with NVTC to have a dialogue about this issue. Since Virginia's WMATA Board members are well aware of NVTC's position concerning a national search for a General Manager and support the establishment of criteria to evaluate applicants, commissioners agreed that it was not necessary to have such a meeting. Ms. Hudgins suggested inviting Chairman Mack to a future NVTC meeting to discuss Metro matters of mutual interest. There were no objections.

Mr. Euille left the meeting at 10:00 P.M. and did not return.

Metro Advertising at Gas Stations. The "Go Green on Metro" advertising campaign at 75 area gas stations is viewed by an estimated 27,750 persons a month.

Extended Phone and Internet Access. The nation's four largest telecommunications companies (Sprint-Nextel, T-Mobile, Cingular and Verizon) have joined forces to propose a contract with WMATA for expanded phone, Internet and other communication services across the Metro system. This could bring many millions of dollars of revenue to WMATA.

Consideration of Tunnel Under Tysons Corner on Metrorail to Dulles Project. Governor Kaine announced that a proposal to build a tunnel under Tysons Corner as part of the Dulles Metrorail project is dead, after federal officials and area Congressmen made it clear that the costs of an underground link could jeopardize the entire 23-mile, \$4 billion project. Instead of a tunnel, an elevated track through Tysons will be built.

Status Report on FAMPO Funding Issue

Mr. Taube reminded commissioners that some members of the Fredericksburg Area Metropolitan Planning Organization (FMAPO) are seeking to capture some federal transit formula funding at the expense of WMATA and VRE. In response to a question from Mrs. Bulova, Mr. Taube stated that the decision may ultimately go to TPB.

Modeling Transit System Improvements to Accommodate Growth at Ft. Belvoir

Mr. Taube reported that Delegate May has provided a state budgetary earmark of \$400,000 to allow the Virginia Modeling, Analysis and Simulation Center (VMASC) to apply advanced, military-style modeling to help design an effective transportation system to accommodate the growth due to the BRAC recommendations. Delegate May asked NVTC staff to help identify individuals and resources that might assist VMASC in its modeling effort.

Chairman Connolly stated that NVTC may at some point want an update on what is happening with the BRAC recommendations. There are many concerns especially with the unfinished section of the Fairfax County Parkway running through the Engineer Proving Ground at Fort Belvoir.

Regional Transportation Items

Clean Fuel Data. Mr. Taube stated that there has been an influx in clean special fuel (CF) license plate applications before the deadline for CF vehicles to use HOV lanes. Also, transit systems are concerned that the proposal for HOT lanes on I-95 may be cutting back bus service. Chairman Connolly stated that there is concern since this facility began as a busway and should not be changed into something entirely different that degrades transit service.

Mrs. Hudgins moved, with a second by Mrs. Bulova, to authorize a letter be sent expressing these concerns. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Devolites Davis, Ebbin, Euille, Fisette, Hudgins, Husick, Rust, Silverthorne, Smedberg, Snyder and Whipple.

Status of TransAction 2030 Transportation Plan. Mr. Taube reported that NVTA will be asked to approve the plan on September 14, 2006. All of its member jurisdictions have approved it. A media event will occur on the next day.

NVTC Financial Items for June and July, 2006

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

Closed Session

Chairman Connolly observed the lateness of the hour and suggested that the closed session be held over until next month. There were no objections.

Adjournment

Without objection, Chairman Connolly adjourned the meeting at 10:10 P.M.

Approved this 5th day of October, 2006.

Gerald E. Connolly
Chairman

William D. Euille
Secretary-Treasurer