

MINUTES
NVTC COMMISSION MEETING – APRIL 5, 2007
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

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

Members Present

David Albo
Sharon Bulova
Adam Ebbin
William D. Euille
Paul Ferguson
Jay Fisette
Catherine M. Hudgins
Dana Kauffman
Thomas Rust
Paul Smedberg
David F. Snyder
Matthew Tucker
Christopher Zimmerman

Members Absent

Gerald Connolly
Jeannemarie Devolites Davis
Eugene Delgaudio
Joe May
Elaine McConnell
Scott Silverthorne
Mary Margaret Whipple

Staff Present

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

Minutes of NVTC's Meeting of March 1, 2007

Mr. Zimmerman requested that the minutes be corrected to reflect that Chairman Snyder called the meeting to order. On a motion by Mr. Zimmerman and a second by Mr. Euille, the commission unanimously approved the amended minutes. The vote in favor was cast by commissioners Bulova, Ebbin, Euille, Ferguson, Fiset, Hudgins, Kauffman, Rust, Smedberg, Snyder, Tucker and Zimmerman.

Delegate Albo arrived at 8:11 P.M.

Legislative Items

Chairman Snyder asked NVTC's General Assembly members to offer their assessments of Governor Kaine's substitute transportation funding bill that was passed during the April 4th veto session. Delegate Rust observed that it is the largest transportation funding bill in Virginia's history. Delegate Albo stated that he and Delegate Rust started this legislative process a year and a half ago. He credited Governor Kaine, Speaker Chichester, Senator Stolle, and local elected officials for being instrumental in finding a solution to this region's transportation funding problems. He cautioned local governments to lock in their funding sources, because efforts to unravel this will likely occur during the next General Assembly session. Delegate Albo stated that the legislation provides annually \$25 million for VRE and \$50 million for Metro. He suggested spending the funds wisely on things that show a goal has been achieved. Delegate Rust stated that although this legislation is not perfect and won't solve all the transportation problems, it is a step in the right direction.

Chairman Snyder thanked NVTC's General Assembly members for their efforts. Tom Biesiadny, of Fairfax County staff, reviewed the benefits to transit, which includes a portion of the \$3 billion bond package. Twenty percent of it will go to transit projects over the next 8-10 years. Mr. Euille also thanked Delegates Albo and Rust for their leadership in bringing legislation forward. The outcome demonstrates how collaboration and compromise really work.

On a motion by Mr. Euille and a second by Mr. Zimmerman, the commission unanimously authorized NVTC's chairman to send a letter of appreciation to Governor Kaine and the General Assembly members. Delegate Albo suggested sending an individual letter to all those legislators that voted for the bill, since some will take some heat from their constituents for voting for it. Chairman Snyder requested that letters of thanks should also be sent to NVTC's General Assembly members, Secretary of Transportation Pierce Homer and DRPT Director Tucker.

Chairman Snyder stated that the challenge is to get this process moving as soon as possible, which will enhance the credibility of the whole process. On the other hand, there are long-term challenges of erecting a framework at NVTA, which has largely

been just a shell of an organization, to make the most cost effective use of these funds. Delegate Rust stated that the governor's office hopes to have \$100 million in construction underway by this fall. Chairman Snyder thanked NVTC, jurisdictional and transit agency staff, especially Tom Biesiadny, for their hard work during this process.

The commission then voted on the motion and it passed unanimously. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Hudgins, Kauffman, Rust, Smedberg, Snyder, Tucker and Zimmerman.

Chairman Snyder noted that federal H.R. 401, regarding Metro funding, includes a provision that additional federal participation is contingent upon dedicated funding sources of \$150 million annually being approved by the District of Columbia, Maryland and Virginia. There are several issues raised by regional officials that need to be explored.

VRE Items

Report from VRE's Operations Board and Chief Executive Officer. Mrs. Bulova urged commissioners to read the minutes of the VRE Operations Board meeting of March 18, 2007. Mr. Zehner announced that the Quantico Bridge project is completed on time and on budget. It should result in better on-time performance on the Fredericksburg Line.

Authorization to Modify VRE's Fare Policy. Mrs. Bulova explained that the VRE Operations Board recommends approval of Resolution #2056, which would authorize a change in VRE's fare policy to increase the extra fare to VRE customers riding Amtrak trains with a VRE ticket. The new fare would match the fee assessed to VRE by Amtrak. VRE has asked that Amtrak consider lowering the charge and reinstating the weekend cross-honoring. The new fare policy would also authorize a change to VRE's free ride certificate policy by increasing the required delay to 60 minutes from 30 minutes and simplifying the distribution. These changes would begin by April 30, 2007 as recommended in VRE's FY 2008 budget.

In response to a question from Delegate Ebbin, Mrs. Bulova explained that these changes are cost savings measures. Many passengers are already monthly ticket holders, so the free ride policy change would only affect a certain number of riders.

Mrs. Bulova moved, with a second by Mr. Kauffman, to approve Resolution #2056 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Hudgins, Kauffman, Rust, Smedberg, Snyder, Tucker and Zimmerman.

Authorization to Sell Five Mafersa Railcars. Mrs. Bulova reported that the VRE Operations Board recommends approval of Resolution #2057, which would authorize VRE's CEO to sell five surplus single-level Mafersa railcars to Qit-Fer et Titane, Inc. (a

mining company located in Quebec Province). The proposed purchase price is \$350,000 per car, the same price paid by the Connecticut DOT for the balance of the railcars. The proceeds of the sale will help restore VRE's required operating reserve. Mrs. Bulova reminisced about the original procurement of the Mafersa railcars and the trip to Brazil to observe the manufacturing of those first VRE railcars.

On a motion by Mrs. Bulova and a second by Mr. Kauffman, the commission unanimously approved Resolution #2057 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Hudgins, Kauffman, Rust, Smedberg, Snyder, Tucker and Zimmerman.

Authorization for a MOU for the Cherry Hill Station. Mrs. Bulova reported that Resolution #2058, which is recommended by the Operations Board, would authorize VRE's CEO to execute a Memorandum of Understanding with Lee Carolina LLC to permit that firm to construct a new VRE station, stabilize the slope and build a public road bridge over CSXT right-of-way. The firm will provide a 30 percent local match for a \$2.5 million state reimbursement grant to determine feasibility and begin environmental evaluation. Lee Carolina will also provide property worth \$21.7 million that will be used to construct a 550-space parking facility and match state grants for the third track project. The MOU has been negotiated and approved by VRE legal counsel and is required by DRPT as a condition of the grant agreement.

On a motion by Mrs. Bulova and a second by Mr. Kauffman, the Commission approved Resolution #2068 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Hudgins, Kauffman, Rust, Smedberg, Snyder, Tucker and Zimmerman.

Authorization for a Wheelset Replacement and Repair Contract. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #2069, which would authorize VRE's CEO to award a contract with ORX of Tipton, Pennsylvania for up to \$1,482,000. The award is for the first year with the ability to exercise two successive one-year options thereafter. This firm was recommended to replace Amtrak for wheelset replacement and repair, since Amtrak has been both slow and cumbersome. The bid is based on a set price per wheelset including labor. Funding for the first year has been included in VRE's proposed FY 2008 budget.

Mrs. Bulova moved, with a second by Mr. Kauffman, to approve the resolution. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Hudgins, Kauffman, Rust, Smedberg, Snyder, Tucker and Zimmerman.

Proposed Governance/Subsidy Changes. Mrs. Bulova reviewed the proposed changes to VRE's governance and subsidy allocation. A Governance Subcommittee of the VRE Board has been meeting to recommend changes acceptable to all of VRE's jurisdictions to be included in the FY 2008 VRE budget with the new subsidy allocation. The subcommittee recommends approval of Resolution #2060, which includes the issues discussed and solutions recommended by the subcommittee.

The Operations Board would be expanded to include all member jurisdictions and the membership would be proportionate to ridership based on the annual ridership survey. Voting would be weighted proportionate to annual jurisdiction subsidy with each board member casting an individual vote based on a prorata share of their jurisdictional percentage of subsidy. For the purposes of weighted voting, Arlington and Alexandria would each receive 0.5 votes which could be cast independently or as a full vote on behalf of both jurisdictions. In order to offset impacts on jurisdictions affected by non-member jurisdictional riders, the changes also include a capital improvement program that would provide \$7,274,000 for mitigation projects in Stafford County, Fredericksburg, Manassas, Manassas Park and Prince William County. There is also a commitment to move VRE towards an independent status or full autonomy by 2010.

Mrs. Bulova moved, with a second by Mr. Kauffman, to approve Resolution #2060.

In response to a question from Delegate Albo, Mrs. Bulova explained that the VRE Operations Board has approved these changes and is recommending the two commissions urge all VRE's jurisdictions to approve them and adopt the budget. Mr. Zimmerman explained that the proposed new voting is similar to TPB.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisetete, Hudgins, Kauffman, Rust, Smedberg, Snyder, Tucker and Zimmerman.

NVTC Testimony for CTB Hearing

Chairman Snyder reported that NVTC has prepared a statement for the Commonwealth Transportation Board's annual public hearing on its six-year program. The statement emphasizes many of the themes that NVTC has stressed in the past. He stated that it is important to convey that this region's transit ridership growth exceeds the national average. People are choosing transit. He also suggested emphasizing air quality, safety and security issues.

Mr. Zimmerman moved to authorize Chairman Snyder or his designee to present NVTC's statement, to be consistent with NVTC's approved positions and reflective of the most recent action of the General Assembly concerning transportation funding. Mr. Euille seconded and the commission voted in favor of the motion. The vote was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisetete, Hudgins, Kauffman, Rust, Smedberg, Snyder, Tucker and Zimmerman.

Mr. Taube stated that the hearing date has been changed to May 23rd, which will give NVTC commissioners more time to add comments.

Regional Transportation Items

HOV Advisory Committee. Secretary Homer has appointed a committee to provide advice on HOV policy and procedures. The first meeting of the new committee was on March 18th. NVTC's executive director serves as a member of that committee.

Public Transit Access in America: Analysis of Access Using the 2001 National Household Travel Survey, Center for Urban Transportation Research, University of Florida (February, 2007). Based on data from the 2001 National Household Travel Survey, this study can be found at www.nctr.usf.edu/pdf/576-02.pdf.

NVTC Financial Items for February, 2007

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

Fluor/Transurban HOT Lane Proposal for I-95/395.

Dennis Morrison of VDOT stated that his department has been working closely with Fluor/Transurban on an innovative HOT Lane project to ease congestion and benefit drivers on the region's roadways. He stated that there are still outstanding issues that need to be resolved, including degradation of levels of service for transit and HOV users, HOV-3 versus HOV-4, and transit funding, among others.

Tim Young, of Fluor/Transurban, gave a presentation, including a project update, project benefits and responses. In response to a question from Delegate Albo, Mr. Young explained that since the tolls will be based on supply and demand, they are expected to be between 10-cents and \$1.00 a mile.

Chairman Snyder asked Mr. Morrison what contractual arrangements VDOT has in place if the project does not work. Mr. Morrison replied that VDOT wants this to be successful and will have criteria set so if there are problems VDOT can step in. HOV in the I-95/395 Corridor has been so successful and VDOT does not want to jeopardize the positive effects of this HOV facility.

Mr. Kauffman stated that Fluor/Transurban plans to use the shoulder lanes and he asked how it will respond to enforcement and incident management. Mr. Young stated that there will be a shoulder on the right side of the lanes and 24-hour monitoring will provide the opportunity to respond immediately to situations. Mr. Kauffman also asked about funding for congestion management. Mr. Morrison replied that the state is preparing a congestion management plan for the entire region, including the Beltway HOT lanes, Dulles Corridor and I-95/395. A project manager will be hired to coordinate all these projects. The Springfield Interchange project has provided a good model of what needs to be done. Mr. Kauffman requested that the mitigation plans be shared

with NVTC. Mr. Tucker stated that there is a detailed plan in draft form that needs to be finalized.

Mr. Smedberg stated that Fluor/Transurban talked about using funds to leverage federal funds and he asked if these funds are specific for these types of projects or would they come out of Virginia's share of federal funding. Mr. Tucker explained that some of the money would come from small start and new starts funding. These funds are not specifically apportioned to Virginia. Mr. Smedberg requested clarification in writing on this issue.

Mr. Fisette asked if a driver would know in advance before entering the toll lanes how much it will cost. Mr. Young explained that there will be "two touches" with the consumer before they enter the lanes.

Mrs. Hudgins expressed her concern with Fluor/Transurban's plan to use a basic transit plan in the CLRP as a placeholder until DRPT's own plan is complete. It will be difficult to understand now what transit's future role will be.

Delegate Albo left the meeting at 9:35 P.M.

Chairman Snyder observed that a list of nine issues has been drafted by jurisdictional staff. He added two more issues:

- 10) Safety will not be degraded, but be improved.
- 11) There needs to be adequate enforcement provisions in the event of failure to meet the performance measures.

Mr. Kauffman requested an additional two issues:

- 12) The project should recognize the potentially significant trip generation/impact of BRAC and future Fort Belvoir growth.
- 13) Significant dollars need to be dedicated to traffic congestion mitigation during construction, both on the interstate itself and parallel facilities.

Mr. Smedberg reminded the commission that NVTC also wants clarification on funding/revenues to be leveraged for federal funding and whether they are funds specific for projects like this or would come out of Virginia's share of federal funding.

Mr. Zimmerman moved, with a second by Mrs. Hudgins, to authorize Chairman Snyder to send a letter to TPB, with a copy to Secretary Homer, requesting that these issues be addressed in the CLRP approval process.

In response to a question from Mr. Zimmerman, Mr. Young explained that the project needs to be in the CLRP before Fluor/Transurban can get its certification for the

NEPA documentation. It is also important to do it now because costs will continue to escalate. Mr. Zimmerman stated that this underscores the importance of putting in place now the protections the region needs to make sure there is not degradation of service to the existing facility. Mr. Tucker suggested meeting to further discuss these issues, so he will have a better understanding of how to work through these issues. Mrs. Hudgins stated that these are not new issues. Mr. Smedberg stated that it is important for the public to realize that the HOT Lanes will be a 365-day, 24-hour facility.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Ebbin, Euille, Ferguson, Fisette, Hudgins, Kauffman, Rust, Smedberg, Snyder and Zimmerman. Mr. Tucker abstained.

Adjournment

Mr. Tucker thanked NVTC for the top-notch transit tour over two days in March. It was very impressive. Mr. Zimmerman thanked Mr. Tucker for taking the time to come and he extended an invitation to come again.

Without objection, Chairman Snyder adjourned the meeting at 9:50 P.M.

Approved this 3rd day of May, 2007.

David F. Snyder
Chairman

Christopher Zimmerman
Secretary-Treasurer