

MINUTES
NVTC COMMISSION MEETING – APRIL 3, 2008
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

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

Members Present

David Albo
Charles Badger
Sharon Bulova
Kelly Burk
Gerald Connolly
William D. Euille
Jay Fiset
Catherine Hudgins
Mary Hynes
Jeffrey McKay
Thomas Rust
David F. Snyder
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

Adam Ebbin
Pat Herrity
Joe May
Paul Smedberg
Scott Silverthorne

Staff Present

Rhonda Gilchrest
Scott Kalkwarf
Greg McFarland
Adam McGavock
Kala Quintana
Elizabeth Rodgers
Jennifer Straub (VRE)
Rick Taube
Dale Zehner (VRE)

Minutes of the March 6, 2008 NVTC Meeting

On a motion by Mr. Zimmerman and a second by Mrs. Hudgins, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fisetta, Hudgins, Hynes, McKay, Whipple and Zimmerman. Mr. Snyder abstained.

By unanimous consent, commissioners agreed to send a card to former NVTC Commissioner Kate Hanley and her family during this difficult time. A card was passed around for commissioners to sign.

Award of NVTC Audit Contract

Mr. Taube stated that in response to a RFP, three firms submitted proposals. A selection team from NVTC, PRTC, VRE and DRPT reviewed the proposals, conducted interviews and ranked the firms. The commission is asked to authorize NVTC's executive director to negotiate and execute a contract with the top-ranked firm, PBGH LLP. The price for the FY 2008 audit should not exceed \$20,500.

Mr. Taube explained that of the two finalists, PBGH's proposal has a lower price and since they are NVTC's current auditors, they are very familiar with the number of hours likely to be required. If negotiations cannot be completed with PBGH, the executive director will initiate negotiations with the second-ranked firm, etc., until a satisfactory contract is completed. Funding for the FY 2008 audit is available in NVTC's approved budget. The remaining years are subject to appropriation. The VRE Operations Board will be asked to authorize a separate contract for VRE with this firm. The procurement is also open to NVTA if it chooses to act.

Mr. Connolly arrived at 8:11 P.M.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Albo, Badger, Bulova, Connolly, Euille, Fisetta, Hudgins, Hynes, McKay, Snyder, Whipple and Zimmerman.

VRE Items

Report from the VRE Operations Board and Chief Executive Officer. Mr. Zehner reported that the cumulative ridership for this fiscal year compared to last year has increased 4.4 percent to 14,392 average daily trips. There are now 98,259 more passenger trips than there were a year ago. On-time performance is hovering in the 88 percent range, which is close to the 90 percent target range. The average length of all delays in February is the lowest that it has been in the last year, with an average delay of 16 minutes.

Mr. Zehner reported that Meet the Management events are scheduled for all stations, beginning this week at Union Station and ending in August at the Lorton Station. VRE staff and railroad officials will attend these events to talk to passengers.

Contract for Emergency Environmental Services for Cherry Hill Third Track. Mrs. Bulova reported that the VRE Operations Board recommends commission approval of Resolution #2101, which would authorize VRE's Chief Executive Officer to award a contract to STV/RWA for engineering and environmental services for VRE's Cherry Hill third track project. The amount of the contract would not exceed \$1,961,709, including contingency.

Mrs. Bulova stated that following a bid procurement process, VRE received three proposals. After award of contract and notice to proceed about 15 months will be required to complete this work. Funding is being provided from a Rail Enhancement Fund grant from DRPT.

Mrs. Bulova moved, with a second by Mr. Connolly, to approve Resolution #2101. The vote in favor was cast by Albo, Badger, Bulova, Connolly, Euille, Fissette, Hudgins, Hynes, McKay, Snyder, Whipple and Zimmerman. (A copy of the resolution is attached.)

NVTC's Senior Transportation Study (Phase II)

Mr. Taube introduced Steve Markenson and Kevin Pullis from WB&A Market Research, NVTC's consultants for the study. NVTC received a \$150,000 grant from DRPT for this phase of the study to improve use of fixed-route transit by seniors. Mr. Taube gave a PowerPoint presentation explaining the study, including the training of seniors and follow-up survey results.

Delegate Rust arrived at 8:23 P.M. and joined the discussion.

Mr. Taube stated that for all transit systems the percentage of transit trips taken by persons 65 years or older is very modest (less than four percent). The desire is to increase that percentage, especially since the share of population of 65 years and older is growing substantially in this region. Mr. Connolly asked if the low percentage is also a function of seniors not commuting. Mr. Taube stated that it is part of it, but they also are not using transit in general (only two percent of all trips by seniors). Phase II was to provide training and boost confidence of seniors to use transit more often.

Mr. Taube stated that NVTC staff regards the demonstration as successful in a number of ways. First, the costs fall at the low end of the typical range of travel training programs. Replicating the NVTC approach would now be even less costly given the lessons learned and training materials developed. The Bus Bingo game and individual training trips worked really well.

Mr. Taube stated that participants enjoyed and valued the program; they felt more confident in using transit after training and actually substantially increased their use of transit after training. They also took more overall trips after training, which suggests reduced risk of social isolation.

Mr. Zimmerman moved, with a second by Mr. Connolly, to authorize staff to continue to receive comments on the draft report for the next three weeks and then to publish the final report on NVTC's website.

Mrs. Bulova asked if the travel trainers from Pennsylvania had comments about this region's transit systems. Mr. Taube replied that the trainers' comments are summarized in the report. There was an intense one-week training session that they went through to learn all about the many transit systems in the region. They learned the distances covered by transit especially from Loudoun County to the core, were greater than they anticipated.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Albo, Badger, Bulova, Connolly, Euille, Fissette, Hudgins, Hynes, McKay, Rust, Snyder, Whipple and Zimmerman.

Mrs. Burk arrived at 8:35 P.M.

Legislative Items

NVTA Principles. Mr. Taube stated that commissioners were provided with a draft copy of NVTA's "The Eight Principles," which will be presented to NVTA at its next meeting. It is a list of principles that NVTA will use to guide it in assessing proposed solutions to new legislation to respond to the Supreme Court's ruling against part of HB3202. In response to a question from Mr. Connolly, Tom Biesiadny of Fairfax County staff, stated that these eight principles are based on the principles NVTA adopted last year. They have been updated, include a few additions and are consistent with already endorsed principles by NVTA.

Mr. Connolly moved, with a second by Mr. Zimmerman, to have NVTC adopt the same principles.

Mr. Zimmerman stated that it is implicit in the motion that references to "NVTA" will be changed to "NVTC" to reflect that it is NVTC that is endorsing the principles.

Mr. Snyder stated that he supports the motion, but in regards to principle #6, he stated that for the record, he is not happy with the share of the formula Northern Virginia receives because it is not based on reality, need or logic. Chairman Euille observed that many of Mr. Snyder's colleagues would agree with him.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Albo, Bulova, Burk, Connolly, Euille, Fiset, Hudgins, Hynes, McKay, Rust, Snyder, Whipple and Zimmerman. Mr. Badger abstained.

Transportation Funding in Virginia. Chairman Euille introduced Pierce Homer, the commonwealth's Secretary of Transportation. Secretary Homer stated that he spent the morning with a Hampton Roads delegation and would like to give the same presentation to NVTC.

In response to Mr. Connolly, Secretary Homer stated that every one-cent of gas tax raises \$52 million in revenue. North Carolina has one of the higher gas tax rates, but the cost of gasoline there is similar to the cost of gas purchased in Virginia. A one-percent increase of the sales tax would generate \$1 billion. Mr. Connolly stated that Virginia's gas tax rate has not changed since 1986.

Delegate Rust stated that it is a difficult problem to fix statewide because the rural areas are not in favor of any change because they are getting all their maintenance funds. He asked if there is any way to change the Code so that the first obligation is to construction costs. Secretary Homer stated that the appropriations act

would need to be changed; however, it is important to keep up maintenance, especially for bridges. He stated that there needs to be a balance.

Secretary Homer stated that beginning in FY2016 the commonwealth will not be able to match federal dollars. It may seem like a long time before that starts to happen, but if a state cannot show the ability to match federal funds in future years, the state is not in a good place. Next year there will be substantial deficits in federal funding. Mr. Connolly observed that the reauthorization bill is up for vote next year and the hearings are happening now. If the commonwealth does not solve its problems in time for the actual reauthorization the state could be damaged and at the least at a distinct disadvantage. There will be much competition from state to state for those funds. Delegate Albo stated that it's a problem right now if the state cannot match future federal dollars. Mr. Connolly stated that members of the General Assembly need to understand these federal implications because there are real stakes involved and real dollars that the state could lose. Mr. Zimmerman stated that it could also bump projects in the CLRP because of not being able to match federal dollars.

Secretary Homer stated that the highway maintenance deficit will have a major impact on future funding. Mr. Snyder asked if the commonwealth has a proposed solution. Secretary Homer stated that the governor is working diligently with local elected officials from Hampton Roads and Northern Virginia, along with the four caucuses. If there is going to be a solution, there will need to be a mix of regional and state components. There seems to be an acknowledgement from a majority of General Assembly members that there is a problem and it needs to be fixed. The hurdle is to get other members from rural parts of the state to understand that they have a stake in Northern Virginia's transportation funding. Chairman Euille agreed and stated that Northern Virginia is the economic engine of the commonwealth and the rest of Virginia needs to understand this.

Senator Whipple observed that it is clearly the maintenance fund that is lacking and needs to be rebuilt. If a statewide tax is dedicated to the maintenance fund, it would not have components for other modes of transit. However, if the funds went to the Transportation Trust Fund, then there would be a share for transit. Delegate Albo stated that the way it is now, even if the economy takes a turn for the better, there will always be a maintenance deficit.

In response to a question from Mr. Zimmerman, Delegate Albo stated that other General Assembly members from other parts of the state are only looking at what their jurisdictions need, not for the benefit of the entire commonwealth. Mr. Connolly stated that with the Supreme Court ruling NVTVA lost its ability to take on debt and cannot issue bonds. It is a real loss to the region (about \$1.7 billion of lost investments). The bond

problem cannot be fixed unless the commonwealth agrees to incur the debt and issue bonds, which does not seem likely.

Senator Whipple left the meeting at 9:13 P.M. and did not return.

I-95/395 HOT Lanes

Commissioners were provided with a copy of a memorandum from the HOT Lanes Transit Advisory Committee responding to a recent Washington Post article ("Toll-Lane Revenue Proposal Gets a Rewrite in Richmond" March 23, 2008) asserting that the state has reduced the amount of transit service and improvements that will be funded as part of the HOT Lanes project, and shifted the funding to the southern part of the corridor. The memo clarifies some points contained in the article and provides a more complete picture of the transit improvements included in the TIP and CLRP for this corridor.

Chairman Euille noted that even though there have been discussions, the revised plan does not address all the issues, such as safety and design issues. Mr. Connolly stated that the Post article suggested that Richmond was doing a "bait and switch" by paring back the transit component of putting more money into the southern portion of the facility. He asked Secretary Homer to comment on the article.

Secretary Homer stated that, first of all, it is not a Richmond-only study. Local staffs collaborated on the study and, therefore, it is a product of the region. Secondly, the potential revenue generated (\$195 million) has not changed. There may be fewer buses purchased but there will be more bus service hours. In regards to the shift from north to south, he does not understand where that came from. The Post article describes it as a done deal, but actually it won't be decided for several years and it will be decided by NVTA, FAMPO and the TPB.

Mr. Zimmerman stated that it is clear that the Post writer wrote the article before talking to anyone. However, there are still continuing concerns, specifically regarding the information the localities keep asking to be provided. Some requests were made over a year ago, including the traffic projections for Eads Street and Shirlington, as well as modeling of a bus-only lane option. Secretary Homer responded that the bus-only modeling is complete and the results should be distributed next week. He believes the study shows that operating a bus-only lane would produce less toll revenue so there would be no concession payment to support transit service in the corridor. Mr. Zimmerman suggested that if that is so, it seems to confirm fears that without a bus-only lane, levels of service on the HOT Lanes will deteriorate compared to the current HOV Lanes.

Mrs. Hudgins observed that the Post article resonated with a lot of people. The discussion of transit use got lost. The HOT Lanes project no longer looks like a project that will enhance transit, but remains a project that merely becomes an expansion of capacity to hopefully generate revenue. Secretary Homer stated that the article created that attitude, but he stated that it is important to remember that the genesis of the project was what is the best way to provide transit services in the corridor. If VRE capacity in Fredericksburg takes traffic off I-95, then it is a good thing. Mrs. Hudgins stated she understands this, but asked how much congestion will be relieved as cars come further north. Mr. Connolly agreed that if investing in VRE in Fredericksburg takes cars off the road it is a good thing. However, the privatization of a public facility requires a very compelling value proposition. HOT Lanes on the Beltway makes sense and meets the test of a value proposition. It will add capacity, be self-financed, done in existing right-of-way, enhance transit, and is a new facility. The I-95 HOT Lanes proposal is more problematic because it would be taking over an existing facility that was paid for by taxpayers. That should raise the threshold of a value proposition. The Post article erodes public confidence of what is being done in the corridor.

Mr. Snyder stated that with the Supreme Court ruling against NVTA, \$13 million in projects that would have benefited his jurisdiction were lost. He asked that local and state officials work to aggressively solve the issue. NVTC should disseminate the just adopted eight principles. Ms. Quintana reported that NVTA is also beginning an aggressive campaign beginning April 14th.

Delegate Albo stated that the replacement bill for HB 3202 has already been written. The problem is that Senator Saslaw has drawn a line and stated that it won't pass unless the regional plans (Northern Virginia and Hampton Roads) are linked with a statewide component. The governor also seems to want them both tied together. Delegate Albo stated that it is holding the regional plans hostage to force a statewide tax increase. He stated that there does need to be a statewide solution, but it shouldn't be linked to a regional plan. Delegate Rust agreed and stated that people need to stop drawing lines in the sand.

Mr. Connolly stated that he sympathizes with Delegates Albo and Rust, but in fairness to Senator Saslaw, the senator has always been consistent calling for a statewide solution. It is not unreasonable to look at the whole picture. There have been many lines drawn in the sand. Both political parties need to work together to solve the problem and look at the needs of the entire commonwealth. There are rural counties along the I-81 corridor who are becoming concerned about the deterioration of that corridor and the need for more investment. He believes that there is a growing coalition of concerned legislators who believe that there needs to be a statewide solution. It is no longer just a Northern Virginia and Hampton Roads issue. There are different dynamics in place now.

Chairman Euille observed that most local governments will be adopting their budgets May 1st. Jurisdictions dealing with unfunded local needs can result in a deterioration of regionalism. Mr. Zimmerman added that TPB is preparing to knock out unfunded projects in the CLRP.

Mr. Zimmerman left the meeting at 9:45 P.M.

NVTC's Ride Free Program

Mr. Taube reported that the Northern Virginia bus systems are ready to implement the revised Ride Free Program for the upcoming ozone season starting May 1st. On March 12, 2008 the EPA revised the Air Quality Index. As a result, when ozone levels reach 0.075 ppm it will be considered Code Orange air quality. Last year the level for Code Orange was 0.084 ppm. The Code Red air quality standard has also changed from 0.104 ppm to 0.095 ppm. For summer 2008, the Ride Free budget includes \$1.5 million for 20 forecast Code Orange/Red days. Since the EPA revision, the budget would essentially need to double to offer free rides as originally planned.

Mr. Taube stated that as a result of these changes, the Jurisdictional and Agency Coordinating Committee (JACC) of NVTA discussed this program and options for the summer. Given the transportation funding situation in Northern Virginia the option of securing additional funding is not feasible. JACC members agreed the best option for this program is to continue offering free rides on forecast Code Red days only and eliminate the free rides on forecast Code Orange days. A subsequent meeting of transit systems operators and marketing staff held on April 2nd confirmed this recommendation.

Mr. Taube announced that the kick-off event is scheduled for April 30, 2008. It will feature fee bus rides all day. Additional marketing components for the summer 2008 season include a mass mail out to over 2,000 Northern Virginia employers; interior bus advertisements; a redesigned website, banner advertisements on local media and jurisdictional websites; and media releases.

Mr. Connolly expressed his concern that this program is just subsidizing riders who would normally ride the bus. Mr. Taube responded that since not all bus drivers record passenger counts, it is hard to accurately measure the program's success. On-board surveys show that four percent of the bus riders on Ride Free days changed their commuting behavior from driving automobiles because of the program. This does not seem like a lot, but it results in 80,000 diverted trips from automobiles per ozone

season. It is a reasonably cost effective way to reduce ozone when one looks at the cost of reduced pollution (about \$1 per pound).

In response to a question from Mrs. Bulova, Ms. Rodgers stated that the budget for the program this summer is estimated at \$1.5 million. Mr. Taube stated that it is not expected that all the budgeted funds will be used this summer.

Status of Regional Light Rail Studies/Projects

Mr. McFarland gave a presentation on Light Rail projects in the region, including local studies of the Route 7 corridor, Route 28 from Manassas to Dulles Airport, and Columbia Pike. The Columbia Pike project is about to begin the EIS phase, but there is a problem because NVTA funds were to be used. Mr. Connolly stated that the Columbia Pike project is furthest along in the process and is a collaborative effort between Arlington and Fairfax counties. Mrs. Hudgins stated that the Route 28 project has potential since it would interconnect with the Metrorail extension to Dulles.

Metro Items

Update on WMATA's Capital Needs. Mr. Taube stated that WMATA has urgent unfunded capital needs; local governments cannot pay for all of them. Mrs. Hudgins stated that there is a deficit for the long-term future. Metro Matters continues to 2011 and it's already 2008. What happens beyond 2011 is much more frightening. Mr. Connolly observed that if the economy continues to deteriorate the problem is compounded because of Fairfax County's bonded indebtedness and its limited ability to incur additional debt.

Status of Rail to Dulles. Negotiations are continuing between the commonwealth of Virginia and FTA in response to FTA's concerns about approving the project.

Recent Metrorail Ridership in Virginia. Metrorail ridership at Virginia stations is very strong in FY 2008 through February compared to FY 2007. Even after the sharp increase in fares imposed beginning on January 6, 2008, ridership is up substantially. Mrs. Hudgins announced that Metro hit a "home run" on the opening day of the Nationals' new stadium. Mr. Connolly stated it was impressive.

Other Local Transit News

Chairman Euille announced that the new Alexandria King Street trolley runs free seven days a week. Restaurants and retailers already have seen an increase in business. Also, a river taxi is now running between Alexandria and the National Harbor. A round-trip ticket costs \$14.

Adjournment

Mr. Connolly moved, with a second by Mrs. Bulova, to adjourn the meeting. The vote to adjourn was unanimous. Chairman Euille adjourned the meeting at 10:14 P.M.

Approved this 1st day of May, 2008.

William D. Euille
Chairman

Gerald E. Connolly
Secretary-Treasurer