



NVTC COMMISSION MEETING

THURSDAY, JULY 1, 2010

6:30 PM

NVTC CONFERENCE ROOM

NOTE: NVTC will meet early, beginning at 6:30 P.M. The Executive Committee will not meet. A buffet supper will be provided for attendees.

AGENDA

1. Minutes of the NVTC Meeting of June 3, 2010.

Recommended Action: Approval.

2. VRE Items.

- A. Report from the VRE Operations Board and VRE Chief Executive Officer--Information Item.
- B. Extend Operating/Access Agreement with CSXT--Action Item/Resolution #2147.
- C. Extend Operating/Access Agreement with Norfolk Southern--Action Item/Resolution #2148.
- D. Modify Contract for New Locomotives--Action Item/ Resolution #2149.

3. Selection of Consulting Team for NVTA's TransAction 2040 Plan Update.

NVTC issued the Request for Proposals on behalf of the Northern Virginia Transportation Authority. Two responsive and responsible proposals were received by NVTC and evaluated and ranked by a selection team of local and regional staff.

Recommended Action: Approve Resolution #2151. The resolution accepts the ranking of the selection team and following confirming action by NVTA, authorizes NVTC's staff to negotiate with the top-ranked firm and execute a contract that is acceptable to NVTA's Council of Counsels. If negotiations with the top-ranked firm are not successful, then negotiations should proceed with the second-ranked firm and if successful a contract should be executed.



4. NVTC Office Lease.

NVTC's lease at the Ellipse in Ballston expires at the end of 2010. After a year of considering alternatives, NVTC staff has identified the top candidates. An economic comparison is provided.

Recommended Action: Authorize NVTC's Executive Director with the assistance of the commission's tenants agent, to negotiate a lease for property in the Navy League Building at 2300 Clarendon Boulevard in the Court House area of Arlington. If negotiations are successful, he would return for approval of the final lease agreement by NVTC at its September 2, 2010 meeting.

5. Endorsement of TIGER II Applications.

Fairfax County will apply for funding for the I-66/Vienna ramp which was included in TPB's Tiger I application but not funded. Other NVTC jurisdictions are cooperating with TPB's bike sharing and bike access to WMATA projects.

Recommended Action: Approve Resolution #2150 which endorses the application of Fairfax County with NVTC as a partner and also endorses TPB's bike sharing and bike access projects.

6. Comments on Draft List of State Governmental Reforms.

An attachment provides a list of Governor McDonnell's appointments to the Government Reform Commission. A list of 129 ideas is available for comment. Local/regional staff discussed those pertaining to public transit and NVTC staff prepared the attached list of proposed comments.

Recommended Action: After discussion, authorize NVTC staff to submit comments on behalf of the commission.

7. Comments on Funding of Intercity Passenger Rail Service in Virginia.

Comments are requested as DRPT undertakes a study mandated by SJ63 of the 2010 General Assembly Session. Local/regional staff discussed the issues and NVTC staff prepared the attached list of proposed comments.

Recommended Action: After discussion, authorize NVTC staff to submit comments on behalf of the commission.

8. Comments on Virginia's Surface Transportation Plan for 2035.

The draft was released on June 16 and comments are due by July 30, 2010. NVTC staff has prepared comments.

Recommended Action: After discussion, authorize NVTC staff to submit comments on behalf of the commission.

9. WMATA Items.

The status of important WMATA developments, including adoption of the FY 2011 budget and the execution of the Metro Matters II multi-year capital funding agreement, will be reviewed by NVTC's WMATA Board members. Exhibits illustrating WMATA's sources of funding and a legal analysis of the Commonwealth's responsibility for matching funds (\$50 million annually) will be provided. A draft response is provided to Secretary Connaughton's May 26th letter regarding matching funds and WMATA governance.

Recommended Action: Provide direction to staff.

10. NVTC Motor Fuels Tax Issues.

NVTC, PRTC and jurisdiction staff continue to have concerns about the proper allocation of revenues to individual jurisdictions. The Virginia Department of Taxation has not addressed these concerns.

Recommended Action: Approve a letter from NVTC Chairman Hudgins to the Acting Tax Commissioner requesting immediate action, with a copy to Senator Saslaw.

11. Pentagon Transit Security Issues.

Pentagon officials may unilaterally alter access of transit customers in the name of increased security for the building. That action would abrogate an understanding arranged by members of Congress to protect the access of the 30,000 daily transit customers using the Pentagon Transit Center.

Recommended Action: Approve a letter from NVTC Chairman Hudgins to the appropriate Pentagon officials, with copies to NVTC's congressional delegation, seeking collaboration with NVTC's jurisdictions and transit systems.

12. Mid-year Review of Major NVTC Projects.

NVTC staff will briefly update the commission on progress with NVTC's work program.

Information Item.

13. Regional Transportation Items.

- A. APTA's Public Transportation Fact Book for 2010.
- B. Feedback on NVTC's Regional Transit Tour (June 30-July 1, 2010).
- C. Letter to NVTC from the Northern Virginia Transportation Coalition.
- D. Loudoun Tysons Express Launch.

Information Item.

14. NVTC Financial Items for May, 2010.

Information Item.

Reminder: NVTC will not meet in August. The next scheduled commission meeting is September 2, 2010.



Agenda Item #1

MINUTES

JOINT NVTC/PRTC COMMISSION MEETING – JUNE 3, 2010
SPRINGFIELD HILTON – SPRINGFIELD, VIRGINIA

The meeting of the Northern Virginia Transportation Commission (NVTC) and the Potomac and Rappahannock Transportation Commission (PRTC) was called to order by NVTC Chairman Catherine Hudgins and PRTC Chairman Michael May at 7:10 P.M.

NVTC Members Present

Sharon Bulova
Barbara Comstock
John Cook
Thelma Drake
Adam Ebbin
William D. Euille
John Foust
Jeffrey Greenfield
Mark R. Herring
Catherine Hudgins
Dan Maller
Joe May
Jeffrey McKay
Paul Smedberg
Thomas Rust
Christopher Zimmerman
Mary Margaret Whipple

NVTC Members Absent

Kelly Burk
Jay Fisette
Mary Hynes

NVTC Staff Present

Rhonda Gilchrest
Scott Kalkwarf
Greg McFarland
Adam McGavock
Kala Quintana
Rick Taube

VRE Staff Present

Stephen MacIsaac (VRE)
Jennifer Mouchantaf (VRE)
Dale Zehner (VRE)

PRTC Members Present

Corey Hill
Matthew Kelly
Jerry Logan
Michael May
Paul Milde
Jackson Miller
Frank Principi
Toddy Puller
Susan Stimpson
Jonathan Way

PRTC Alternates Present

Ateeb Ahmad
Jean Benson
Lorraine Lasch
Benjamin Pitts
William Wren

PRTC Members Absent

Richard Anderson
Maureen Caddigan
Wally Covington
John Jenkins
Frank Jones
Marty Nohe
Gary Skinner

PRTC Alternates Absent

David Awbrey
Hilda Barg
Hap Connors
Harry Crisp
Mark Dudenhefer
Brad Ellis
Darrel Feasel
Peter LaMarca
Suhas Naddoni
Hal Parrish
Sorine Preli
Corey Stewart
John Stirrup

PRTC Staff Present

Gina Altis
Doris Chism
Joyce Embrey
Althea Evans
Al Harf
Angela Horan
Betsy Massie
Eric Marx

Welcome

NVTC Chairman Hudgins and PRTC Chairman May welcomed everyone to the Joint NVTC/PRTC Meeting. NVTC Chairman Hudgins reviewed the agenda and there were no changes.

VRE Items

VRE Status. Mr. Zehner reported that VRE daily ridership has averaged 17,030 passenger trips for the month of May, which makes it the sixth straight month over 17,000. VRE's on-time performance for May was 87 percent on the Fredericksburg line and 88 percent on the Manassas line. He explained that on-time performance was affected by a partial derailment that occurred when a locomotive entered the VRE Crossroads Yard, which resulted in train delays. Mr. Zehner went on to report on the planned service disruption which occurred on June 1st for bridge replacement work in Alexandria done by CSXT, which is necessary for the third-track from Alexandria to Franconia/Springfield. This work is important to have completed before the state's intercity train service between Washington, D.C. and Richmond begins mid-July.

Ratification of Spotsylvania County Easement. Mr. Zehner explained that Spotsylvania County's legal counsel believes that the VRE Operations Board does not have the legal authority to authorize execution of the subject easement. VRE's legal counsel does not agree but the most expedient action appears to be ratification by the commissions of the previous action by the VRE Operations Board. Resolution #2145 would accomplish this.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve Resolution #2145. The vote in favor was cast by commissioners Bulova, Cook, Drake, Ebbin, Euille, Foust, Greenfield, Herring, Hudgins, Maller, Whipple and Zimmerman. PRTC also approved an identical resolution. (A copy of the NVTC resolution is attached.)

Mr. Smedberg arrived at 7:18 P.M.

Closed Session. On a motion by Mrs. Bulova and a second by Senator Whipple, NVTC unanimously approved the following motion:

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 for consultation with legal counsel concerning provisions of the contract with Keolis Rail Services and the current access agreement with Amtrak.

The vote in favor was cast by commissioners Bulova, Cook, Drake, Ebbin, Euille, Foust, Greenfield, Herring, Hudgins, Maller, Smedberg, Whipple and Zimmerman. PRTC also approved an identical motion.

The commissions entered into closed session at 7:19 P.M. Delegates Comstock, May and Rust arrived at 7:22 P.M. and joined the closed session already in progress. Mr. McKay arrived at 7:26 P.M. Mr. Euille left during the closed session and did not return. The commissions returned to open session at 9:18 P.M.

Ms. Bulova moved, with a second by Mr. Zimmerman, 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.

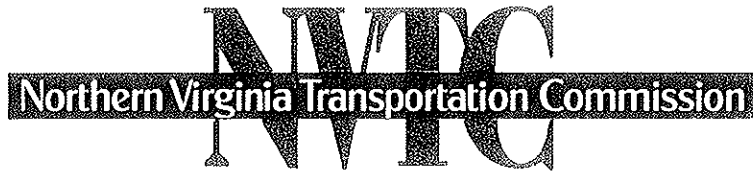
The vote in favor was cast by commissioners Bulova, Cook, Comstock, Drake, Ebbin, Foust, Greenfield, Herring, Hudgins, Maller, May, McKay, Rust, Smedberg, Whipple and Zimmerman. PRTC approved the same certification.

Mrs. Bulova moved Resolution #2146 and she read it in its entirety. Senator Whipple seconded.

Delegate May stated that the words "hereafter arise that" should not be included in the next to last sentence. Mrs. Bulova accepted this friendly amendment. Senator Whipple concurred. There were no objections.

The resolution would authorize the VRE Chief Executive Officer to enter into an agreement with Amtrak, if necessary, in a form approved by legal counsel, to implement a contingency plan consistent with the terms and costs and other direction provided by the Commissions. It would also authorize the VRE Chief Executive Officer to execute such amendments to the Keolis contract as are necessary to implement the contingency plan, as well as authorize legal counsel, upon prior written notice to the Commission members and authorization by the Operations Board if possible, to institute such actions on behalf of the Commissions as may be necessary to address circumstances that threaten the transfer of the VRE service to Keolis.

NVTC then voted on the resolution and it passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Ebbin, Foust, Greenfield, Herring, Hudgins, Maller, May, McKay, Whipple and Zimmerman. Delegate Rust voted no and Mrs. Drake



RESOLUTION #2145

SUBJECT: Ratification of a Storm Water Management and Access Easement

WHEREAS: On December 19, 2008, the VRE Operations Board authorized the Chief Executive Officer to grant a water line easement to Spotsylvania County within the VRE Crossroads Maintenance Yard; and

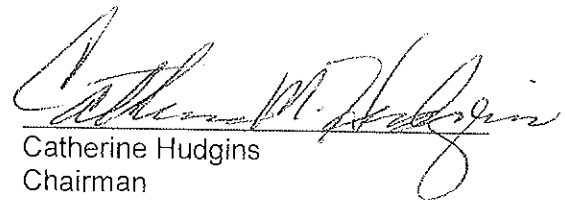
WHEREAS: It has since been determined that an additional storm water management and access easement is required in conjunction with the previously approved water line easement; and

WHEREAS: The easement only provides Spotsylvania County access to perform maintenance on the existing storm water management pond if VRE fails to perform the maintenance required by the previously executed water line easement; and

WHEREAS: The VRE Operations Board authorized the Chief Executive Officer to execute a permanent storm water management and access easement with Spotsylvania County and to execute all documents related to the Spotsylvania County water line and storm water management and access easements at the Crossroads Yard.

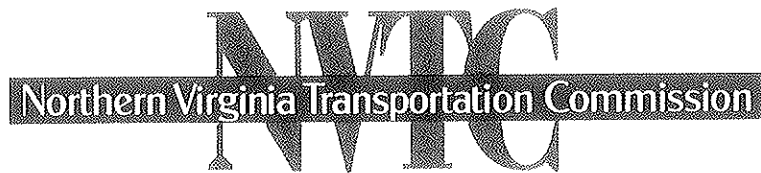
NOW, THEREFORE, BE IT RESOLVED THAT the Northern Virginia Transportation Commission hereby ratifies the VRE Operations Board's approval of the aforesaid easements and the authorization for the Chief Executive Officer to execute the easements on behalf of the commissions as consistent with the VRE Delegation of Authority Plan previously approved by the commissions.

Approved this 3rd day of June, 2010.


Catherine Hudgins
Chairman

Mary Hynes
Secretary-Treasurer





RESOLUTION #2146

SUBJECT: Contingency Plan for Transition of VRE Service from Amtrak to Keolis Rail Services Virginia.

WHEREAS: Following a legally required competitive procurement process, Keolis Rail Services Virginia was awarded the contract for operations and maintenance of the VRE commuter rail service;

WHEREAS: Keolis is making progress toward assuming operation and maintenance of VRE service on June 28, 2010, and the Commissions are fully committed to the success of this transition:

WHEREAS: The VRE Operations Board has expressed its concern about Amtrak's interference with a smooth and timely transition and the Commissions fully expect Amtrak to cooperate in good faith to complete the transition successfully;

WHEREAS: VRE is producing a contingency plan that addresses how VRE service will be operated in the event Keolis is unable to take over full operation of the service by June 28, 2010;

WHEREAS: Several alternative contingency plans have been developed and discussed with the Commissions, and the Commissions have provided direction to the Chief Executive Officer concerning the contingency plans that best serve the interests of the VRE service; and

WHEREAS: The alternative contingency plans require further discussion with Amtrak and Keolis, among others, before they are final.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia and Potomac and Rappahannock Transportation Commissions authorize the VRE Chief Executive Officer to enter into an agreement with Amtrak, if necessary, in a form approved by legal counsel, to implement a contingency plan consistent with the terms and costs and other direction provided by the Commissions.



BE IT FURTHER RESOLVED that the Northern Virginia and Potomac and Rappahannock Transportation Commissions authorize the VRE Chief Executive Officer to execute such amendments to the Keolis contract as are necessary to implement the contingency plan.

BE IT FURTHER RESOLVED that the Northern Virginia and Potomac and Rappahannock Transportation Commissions authorize legal counsel, upon prior written notice to the Commission members and authorization by the Operations Board if possible, to institute such actions on behalf of the Commissions as may be necessary to address circumstances that threaten the transfer of the VRE service to Keolis.

Approved this 3rd day of June, 2010.

Catherine Hudgins
Chairman

Mary Hynes
Secretary-Treasurer

abstained. (A copy of the resolution is attached.) PRTC approved an identical resolution.

Adjournment

Chairman Hudgins explained that the two commissions will move to different rooms to conduct their own business meetings. There were no objections to adjourning the joint meeting. NVTC Chairman Hudgins and PRTC Chairman May adjourned the meeting at 9:26 P.M.

Approved this 1st day of July, 2010.

Catherine Hudgins
Chairman

Mary Hynes
Secretary-Treasurer



Agenda Item #1

MINUTES
NVTC COMMISSION MEETING – JUNE 3, 2010
SPRINGFIELD HILTON – SPRINGFIELD, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Hudgins at 9:42 P.M.

Members Present

Sharon Bulova
Barbara Comstock
John Cook
Thelma Drake
Adam Ebbin
John Foust
Jeffrey Greenfield
Mark R. Herring
Catherine Hudgins
Dan Maller
Joe May
Jeffrey McKay
Thomas Rust
Paul Smedberg
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

Kelly Burk
William D. Euille
Jay Fiset
Mary Hynes

Staff Present

Rhonda Gilchrest
Scott Kalkwarf
Stephen MacIsaac (VRE)
Greg McFarland
Adam McGavock
Jennifer Mouchantaf (VRE)
Kala Quintana
Rick Taube
Dale Zehner (VRE)



Minutes of the May 6, 2010 NVTC Meeting

On a motion by Mr. Zimmerman and a second by Mrs. Bulova, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Drake, Ebbin, Foust, Greenfield, Herring, Hudgins, Maller, May, McKay, Rust, Smedberg, Whipple and Zimmerman.

NVTC Title VI Program and Compliance Report to FTA

Mr. Taube stated that NVTC is required to submit its program and report for FTA approval every three years. The current approval expires in June, 2010. FTA's Title VI program is described in guidelines contained in a circular (FTA 3702.1A dated May 13, 2007) and it integrates responsibilities under Title VI of the Civil Rights Act of 1964 with other policies such as DOT's orders on Environmental Justice and on Persons with Limited English Proficiency. The format of NVTC's report follows the requirements set forth in the FTA circular. NVTC has received all the necessary information requested from Falls Church and Alexandria, who are sub-recipients of federal assistance through NVTC.

Senator Whipple moved with a second by Mr. Zimmerman, to authorize the executive director to submit the report to FTA. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Drake, Ebbin, Foust, Greenfield, Herring, Hudgins, Maller, May, McKay, Rust, Smedberg, Whipple and Zimmerman.

WMATA Items

Chairman Hudgins stated that the proposed resolution included in the commission board package is no longer pertinent and, therefore, no action is required. She provided an overview of the status of the FY 2011 WMATA Budget process. The WMATA Board provided budget guidance to direct staff to move forward with a fare increase, budget reductions and jurisdictional subsidy increase to meet the budget gap. The budget is expected to be adopted at the June 24th WMATA Board meeting.

Regional staffs are also working on a multi-year capital funding agreement. DRPT has recommended that NVTC become a signatory to that agreement as an agent for the commonwealth with respect to the stream of \$50 million annual amounts to match identical contributions from Maryland and the District of Columbia. These three \$50 million annual contributions will match the \$150 million in annual federal contributions for WMATA capital projects. Time is of the essence in funding Metro Matters II, which is the successor capital funding agreement to Metro Matters. NVTC's commitment would be "subject to appropriation" as are those of Maryland and D.C.

Chairman Hudgins reported that NVTC received a letter from Secretary of Transportation Connaughton concerning the commonwealth's support for NVTC signing the Metro Matters II capital funding agreement. However, the letter also calls for NVTC to execute a separate agreement with DRPT that would include "a significant change."

According to Secretary Connaughton, "...the commonwealth believes that it is appropriate to request that NVTC provide two if its four appointments to the WMATA Board of Directors, one Principal Director and one Alternate Director, to DRPT."

Chairman Hudgins provided her reaction to the letter by stating that the commonwealth is required by law to provide the dedicated funding. Congressional legislation required that the jurisdictions (MD, VA, and DC) provide \$50 million each annually to match the \$150 federal funds. The Virginia General Assembly passed legislation that appropriated these funds for this purpose. Chairman Hudgins stated that she would like NVTC to ask that Secretary Connaughton adhere to what the law provided by sending the funding for the dedicated match and, therefore, have no contingencies that were not provided in the law.

Mrs. Drake explained the reasoning behind the request from Secretary Connaughton. The commonwealth provides a total of \$75-80 million annually to WMATA and is a major partner in the funding of WMATA. Virginia has four WMATA board members (2 principals and 2 alternates) and it seems reasonable to give two of those seats to the state (1 principal and 1 alternate). This would provide a direct link to the Governor. With the increase in funding (\$50 million) the commonwealth will be the largest contributor (52.2 percent) in terms of government subsidy among the Virginia jurisdictions.

Chairman Hudgins stated that the Metro Matters agreement expires on June 30, 2010 and the creation of Metro Matters II is contingent upon the new dedicated funding. Local jurisdictions have significantly contributed to the building of Metro and also the continued operation and capital commitment. The Metro Matters II agreement needs to move forward. The law, as understood by the jurisdictions, has no contingencies.

Mrs. Bulova stated that the funding that was passed by the General Assembly needs to be considered separately from any governance issues. To her knowledge, there were no contingencies placed on the funding when it was passed by the General Assembly. If the Governor and DRPT feel that they should have a place "at the table" then that should be a separate discussion. MWCOCG has already established a task force to look at governance issues at WMATA. They could look at this proposal and include it in their recommendations.

Mr. Cook stated that it would be helpful for NVTC's legal counsel to look at this issue and advise the commission at the next meeting whether the law is clear on this issue. He does not want NVTC to be dismissive if there could be a dual benefit to having a state representative on the WMATA Board with a direct link to the Governor or possibly having a representative with professional transit expertise on the board. Mrs. Bulova stated that her comments were not intended to be dismissive. However, funding should not be tied to the governance issue. Mr. Cook stated that he would like a legal opinion. Mr. Maclsaac stated that he could provide an opinion at the next NVTC meeting.

Mrs. Drake stated that it is important to note that under the Secretary's proposal, NVTC would make the state appointment to the WMATA Board.

Delegate Rust asked if the commonwealth's request is unprecedented and whether Maryland and the District of Columbia have state members on the WMATA Board. Mrs. Hudgins responded that the State of Maryland does have a direct link to the WMATA Board because of the way the Metro Compact is structured. Maryland's portion of Metro costs is funded entirely by the state. Mr. Zimmerman explained that when the Metro Compact was created, Maryland localities paid for Metro and were represented on the WMATA Board. When the state of Maryland decided to assume all the costs for Metro, the board member appointments were moved to the state. He also noted that for Virginia, there was never a question that Fairfax County, Arlington County and the city of Alexandria would need to pay to fill the recent deficit—not the state.

Delegate May stated that the commonwealth has made investments in Metro and every year the state provides funding. Senator Whipple stated that it is according to the state formula. Delegate May observed that recently the General Assembly appropriated substantial funding for Metro railcar replacement. Senator Whipple stated that it would be useful to have a discussion about governance. However, the issues are not all about money. She served on the WMATA Board for 10 years and she observed that Virginia is better served by local representation on the WMATA Board in comparison to the Maryland Board members who represent the state's interests. In particular, local representatives have a stronger understanding of local issues and they get a lot of input from riders--what the public wants, their complaints, the service they want to have, how much they are willing to pay for the service, etc. In her experience, the Virginia representatives were more rounded and they understood the balancing act necessary during the budget process.

Mr. McKay agreed with Senator Whipple's comments. He stated that Maryland has one pot of money and if the state is not doing well financially they don't have the money to fund Metro. If all financial responsibility is shifted to the commonwealth, in his opinion it would defund Metro. Northern Virginia would have the same problems that Maryland has with the shift from local representatives to legislators in Annapolis, who are not riders of the Metro system and don't know its needs. If Virginia shifts control to Richmond, then in his opinion, it would bring about the demise of Metro. He is very eager to have a discussion about Metro governance, but it is not helpful to attach conditions to the funding. He stated that it is important not to squabble over governance now while there are urgent capital needs at Metro that need to be funded, while there is landmark legislation that has been approved by Congress and where the capital agreement has been approved and signed by its partners, Maryland and the District of Columbia.

In response to a question from Mr. Zimmerman, Chairman Hudgins stated that it is important for NVTC to send a response to the Secretary's letter. An important question is what will happen after June 30th when Metro Matters expires and Virginia does not provide the matching funds. The funding should not be linked to the governance issue. Mr. Zimmerman stated that hopefully the state will not renege on its promise made to the federal government.

Mr. Zimmerman noted that this issue could be debated all night. He challenged the notion of the state paying 52 percent. He asked staff to analyze these numbers. Mrs. Bulova agreed that the analysis should be done. A response to the letter is

important to indicate that NVTC expects to receive the funding that the General Assembly allocated. The governance issue is being looked at by MWCOG. The letter should convey that NVTC is willing to look at the governance issue, but that it is important that the funding not be held up and be contingent on that issue. Mr. Foust requested that the analysis include the percentage of Metro costs that are being covered by Northern Virginia residents, which he believes is 80 percent.

Mr. Maller stated that he is always interested in strengthening the partnership with the commonwealth; although he understands the reaction to the letter, he noted that there is a new administration in Richmond. Mr. Maller stated that it is important that NVTC not be combative. Mrs. Bulova stated that she wants to make it clear that she was not suggesting that NVTC be combative. NVTC is willing to have the discussion but does not want the funding to be predicated on the governance change.

Delegate May stated that it is not unrealistic that if the state provides a substantial amount of funding to Metro, that it has a place at the table. The commonwealth is a major funding contributor.

Chairman Hudgins asked if there are any objections to the commission sending a letter to Secretary Connaughton. Mr. Cook stated that he would not support a letter unless he has an opportunity to review the letter before it is sent. Chairman Hudgins suggested that the commission direct staff to draft a letter for next month's meeting. There were no objections.

Draft Six-Year Program for State Transit Assistance

Chairman Hudgins announced that this agenda item will be held over to the next month's meeting. There were no objections.

Legislative Items

Mr. Taube stated that the tour itinerary has been refined for the June 30 and July 1, 2001 transit tour. All commissioners are invited to attend.

Regional Transportation Items

Tolls on I-95 at the North Carolina Border. Governor McDonnell has asked for federal permission to impose tolls on the southern reaches of I-95, which could raise \$30 - \$60 million annually. There has been no indication of whether any of the revenues generated would be allocated to transit.

BRAC Traffic Concerns. Congressman Moran has asked the Pentagon to halt the transfer of defense workers to the new office building at Mark Center in Alexandria (BRAC-133) until reassurance can be given about the impacts on commuting.

ITS Virginia Conference: Transit ITS Interactive Forum. The Intelligent Transportation Society of Virginia (ITSVA) is an industry-driven association where public and private organizations work together to advance ITS technology in the commonwealth. The ITSVA Annual Conference was held April 29-29 in Charlottesville, VA. The conference included a “Transit ITS Interactive Forum,” which was organized by Mr. McGavock and was an interactive discussion of issues related to transit ITS deployments.

Brookings Institution Demographic Report. The Brookings Institution has released a report: State of Metropolitan America—On the Front Lines of Demographic Transformation. Included in the findings are that of all U.S. metropolitan areas as of 2008, the Washington D.C. region has the fourth lowest share of driving alone to work (66.3 percent) and the region has the third greatest use of public transit commuting (13.4 percent).

NVTC Financial Items for April, 2010

Commissioners were provided with the financial items and there were no questions.

NVTC’s July Meeting

Chairman Hudgins stated that in the past NVTC has started its July meeting early to facilitate a quorum given proximity to the holiday weekend. Staff has proposed that the July meeting begin at 6:30 P.M. The Executive Committee will not meet. Chairman Hudgins asked commissioners to note the time change for the meeting.

Mr. Maller stated that he did not run for re-election and is concluding his term on the Falls Church City Council on June 30, 2010. The city will meet on July 1st to appoint a new NVTC representative.

Adjournment

Without objection, Chairman Hudgins adjourned the meeting at 10:17 P.M.

Approved this 1st day of July, 2010.

Catherine Hudgins
Chairman

Mary Hynes
Secretary-Treasurer

NVTC

Northern Virginia Transportation Commission

NVTC

AGENDA ITEM #2

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube
DATE: June 24, 2010
SUBJECT: VRE Items.

- A. Report from the VRE Operations Board and VRE Chief Executive Officer--Information Item.
- B. Extend Operating/Access Agreement with CSXT--Action Item/Resolution #2147.
- C. Extend Operating/Access Agreement with Norfolk Southern--Action Item/Resolution #2148.
- D. Modify Contract for New Locomotives--Action Item/ Resolution #2149.



4350 N. Fairfax Drive • Suite 720 • Arlington, Virginia 22203
Tel (703) 524-3322 • Fax (703) 524-1756 • TDD (800) 828-1120 • VA Relay Service
E-mail nvtdc.org • Website www.thinkoutsidethecar.org

Report from the VRE Operations Board and VRE Chief Executive Officer

Minutes of the VRE Operations Board meeting of June 18, 2010 will be provided. Performance data and the report from VRE's CEO are attached. Several letters are also attached for your information. The status of the transition to Keolis Rail Services, Inc. from Amtrak as VRE's contract operator will be reviewed in detail.



V50

V50



ELAINE McCONNELL

Power

Registered Company

2



CHIEF EXECUTIVE OFFICER'S REPORT

May 2010

MONTHLY DELAY SUMMARY

	January	February	March	April
System wide				
Total delays	52	64	61	94
Average length of delay (mins.)	13	16	17	26
Number over 30 minutes	1	5	6	15
Days with Heat Restrictions/Total days	0/19	0/15	0/23	0/22
On-Time Performance	90.6%	84.8%	90.8%	85.3%
Fredericksburg Line				
Total delays	21	34	35	39
Average length of delay (mins.)	16	18	17	31
Number over 30 minutes	1	4	4	7
On-Time Performance	91.5%	82.1%	88.3%	86.4%
Manassas Line				
Total delays	31	30	26	55
Average length of delay (mins.)	12	14	17	23
Number over 30 minutes	0	1	2	8
On-Time Performance	89.8%	87.1%	92.9%	84.4%

SYSTEM RIDERSHIP

Average daily ridership for the month of April was 17,209, which marks the fourth consecutive month where the average daily ridership was above 17,000. Cumulative ridership compared to last year is up 3.6 %, with approximately 800 more riders than last April. Although the one day total trip record was not broken this month, daily trip totals consistently approached that record with five days over 18,000.

ON-TIME PERFORMANCE

System-wide on-time performance was 85.3%. On-time performance on the Fredericksburg Line for the month of April was 86.4% and the Manassas Line was 84.4%. A hostage situation in Alexandria on April 2nd caused service on Norfolk Southern and CSX to be halted for over three hours, causing 17% of the delays for the month. In addition, surfacing track work by both CSX and Norfolk Southern during the month caused 11% and 24% of the delays, respectively, for the month. In total, these events caused 55% of the delays for the month of April. All are considered one-time events and should not occur in future months. There were only 4 mechanical failures in April.

WOODBIDGE STATION UPDATE

Construction of the Woodbridge Station Expansion and Temporary Kiss & Ride is essentially complete. The current focus is on obtaining County approval to open the facility. Once the last few County inspections are performed, a Certificate of Occupancy will be issued. This is expected to occur in early June. A ribbon-cutting ceremony was held on May 12, 2010 and was attended by over 45 people.

SPOTSYLVANIA COUNTY STATION LOCATION UPDATE

As requested by Spotsylvania County, VRE has initiated a station location study. This process is the first step of a project that will result in a VRE Station to the south of the existing end point on the Fredericksburg line in Spotsylvania County. This is also the same stretch of rail where VRE and CSX are planning a 3rd track. In the coming months, Spotsylvania County and VRE will select site alternatives and progress into the environmental phase. Spotsylvania will pursue grant funding for construction of the project as part of the next state funding cycle. Local funds are being used to complete the location study.

VRE CUSTOMER SERVICE SURVEY

On Wednesday, May 12th, VRE performed its annual Customer Service Survey. This survey gauges the overall customer satisfaction of our riders and compares it to previous years. Staff was on board each morning train on May 12th and helped distribute and collect the surveys. Results will be tabulated and posted later this summer.

BROAD RUN SERVICE & INSPECTION BUILDING

Construction of the Service and Inspection Building at Broad Run is nearing completion. All utilities, including the new electrical service for the building, have been installed and are being prepared for occupancy. The building framing has been substantially completed and punch list work is on-going. Installation and testing of the major equipment within the building (i.e., the bridge crane, compressed air system and HVAC system) are currently being finalized and the equipment should be fully operational by late May 2010. Extension of the tracks is substantially complete and will be ready for use by the end of the month. The project is currently on track to be completed in June 2010.

UPDATE ON DELIVERY OF FIRST MOTIVE POWER LOCOMOTIVE

The first new Motive Power locomotive is receiving final detail work. Performance testing is next, followed by conditional acceptance by VRE. The V50 is currently on schedule to arrive at VRE on July 1, 2010.

FREDERICKSBURG STATION INFRASTRUCTURE REPAIRS

Three bids were received for the project on May 6, 2010. The bids are currently being evaluated by VRE staff and a recommendation for award will be presented at the June Board meeting. Coordination with the City of Fredericksburg, Amtrak and CSX Transportation is currently underway. It is anticipated that the notice to proceed will be issued by the end of June 2010.

MEET THE MANAGEMENT

Below please find the remaining Meet the Management schedule:

May 19	Fredericksburg, all morning trains
May 26	Broad Run, all morning trains
June 2	Leeland Road, all morning trains
June 9	Manassas, all morning trains
June 16	Brooke, all morning trains
June 23	Manassas Park, all morning trains
June 30	Quantico, all morning trains
July 7	Burke Centre, all morning trains
July 14	Rippon, all morning trains
July 21	Rolling Road, all morning trains
July 28	Woodbridge, all morning trains
August 4	Backlick, all morning trains
August 11	Lorton, all morning trains

MONTHLY PERFORMANCE MEASURES – APRIL 2010

MONTHLY ON-TIME PERFORMANCE	ON-TIME PERCENTAGE
April Fredericksburg OTP Average	86.4%
April Manassas OTP Average	84.4%
VRE APRIL OVERALL OTP AVERAGE	85.3%

RIDERSHIP YEAR TO DATE	RIDERSHIP
VRE FY 2010 Passenger Totals	3,314,062
VRE FY 2009 Passenger Totals	3,199,780
PERCENTAGE CHANGE	3.6%

RIDERSHIP MONTH TO MONTH COMPARISON	
DESCRIPTION	MONTHLY RIDERSHIP
APRIL 2010	372,232
APRIL 2009	343,696
PERCENTAGE CHANGE	8.3%
SERVICE DAYS (CURRENT/PRIOR)	22/22

Monthly Ridership and OTP: May 2010

Date	Manassas AM	Manassas PM	Total Manassas	Actual OTP TD	Fredburg AM	Fredburg PM	Fredburg Total	Actual OTP TD	Total Trips	Actual OTP TD
1										
2										
3	4,101	4,161	8,262	88%	4,264	4,843	8,907	92%	17,169	90%
4	4,467	4,630	9,097	100%	4,236	4,735	8,971	100%	18,068	100%
5	4,386	4,317	8,703	81%	4,161	4,541	8,722	85%	17,425	83%
6	4,322	4,470	8,792	63%	4,267	4,104	8,371	38%	17,163	52%
7	3,483	3,241	6,724	100%	3,625	3,734	7,359	92%	14,083	97%
8										
9										
10	4,168	4,290	8,458	94%	4,145	4,372	8,517	100%	16,975	97%
11	4,423	4,466	8,889	94%	4,482	4,846	9,328	69%	18,217	83%
12	4,449	4,709	9,158	88%	4,395	4,606	9,001	92%	18,159	90%
13	4,298	4,346	8,644	94%	4,333	4,997	9,330	85%	17,974	90%
14	3,440	3,513	6,953	88%	3,638	4,216	7,854	92%	14,807	90%
15										
16										
17	4,111	4,334	8,445	100%	4,093	4,447	8,540	92%	16,985	97%
18	3,935	4,361	8,296	94%	4,353	4,842	9,195	85%	17,491	90%
19	4,477	4,410	8,887	100%	4,411	4,736	9,147	100%	18,034	100%
20	4,331	4,436	8,767	100%	4,346	4,472	8,818	92%	17,585	97%
21	3,470	3,416	6,886	50%	3,895	3,817	7,712	85%	14,598	66%
22										
23										
24	4,343	4,479	8,822	81%	3,818	4,269	8,087	62%	16,909	72%
25	4,427	4,415	8,842	100%	4,487	4,584	9,071	92%	17,913	97%
26	4,494	4,403	8,897	88%	4,376	4,449	8,827	92%	17,724	90%
27	4,491	4,331	8,822	88%	4,292	4,622	8,914	92%	17,736	90%
28	3,197	3,363	6,560	81%	3,483	4,232	7,715	100%	14,275	90%
29										
30										
31	82,813	84,091	166,904	88%	83,122	89,264	172,386	87%	339,290	88%
	Adjusted total:		167,071		Adjusted Total:		174,015	Adjusted Total:	341,086	

# of Service Days:	20	Total Trips This Month:	341,086	Adjusted Total:	341,086
Manassas Daily Avg. Trips:	8,345	Prior Total FY-2010:	3,314,062		
Fredburg Daily Avg. Trips:	8,619	Total Trips FY-2010:	3,655,148		
Total Avg. Daily Trips:	15,965	Total Prior Years:	44,455,982		
		Grand Total:	48,111,130		

Note: Adjusted Averages & Totals include all VRE trips taken on Amtrak trains, but do not include "S" schedule days.
 * designates "S" schedule day

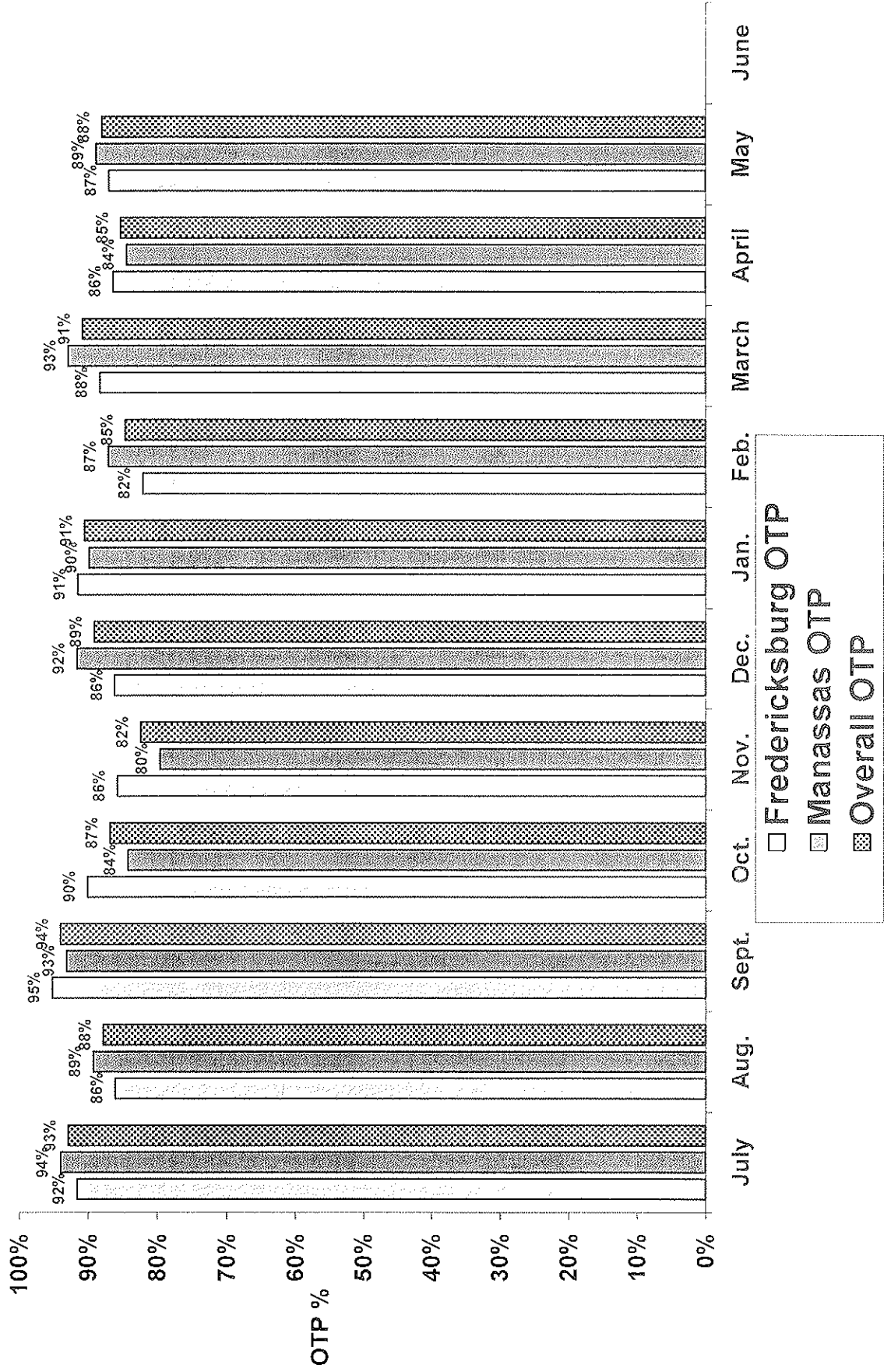
Monthly Ridership Changes: FY 2009 v. FY 2010

Current Month	MANASSAS			FREDERICKSBURG				
	Cumulative FY2009	Cumulative FY2010	% change	Cumulative FY2009	Cumulative FY2010	% change	Current Total	% change
July	154,066	163,100	5.9%	184,525	179,830	-2.5%	342,930	1.3%
August	298,659	317,944	6.5%	359,154	351,580	-2.1%	669,524	1.8%
September	456,054	479,425	5.1%	542,275	528,890	-2.5%	1,008,315	1.0%
October	620,865	646,968	4.2%	730,116	707,230	-3.1%	1,354,198	0.2%
November	746,905	795,248	6.5%	875,201	861,321	-1.6%	1,656,569	2.1%
December	883,468	945,530	7.0%	1,035,994	1,017,358	-1.8%	1,962,888	2.3%
January	1,021,679	1,110,585	8.7%	1,192,914	1,185,171	-0.6%	2,295,756	3.7%
February	1,165,667	1,234,347	5.9%	1,352,042	1,307,174	-3.3%	2,541,521	0.9%
March	1,328,811	1,430,590	7.7%	1,527,273	1,511,240	-1.0%	2,941,830	3.0%
April	1,492,195	1,611,255	8.0%	1,707,585	1,702,807	-0.3%	3,314,062	3.6%
May	1,640,938	1,778,326	8.4%	1,867,882	1,876,822	0.5%	3,655,148	4.2%
June	1,808,366			2,049,280				

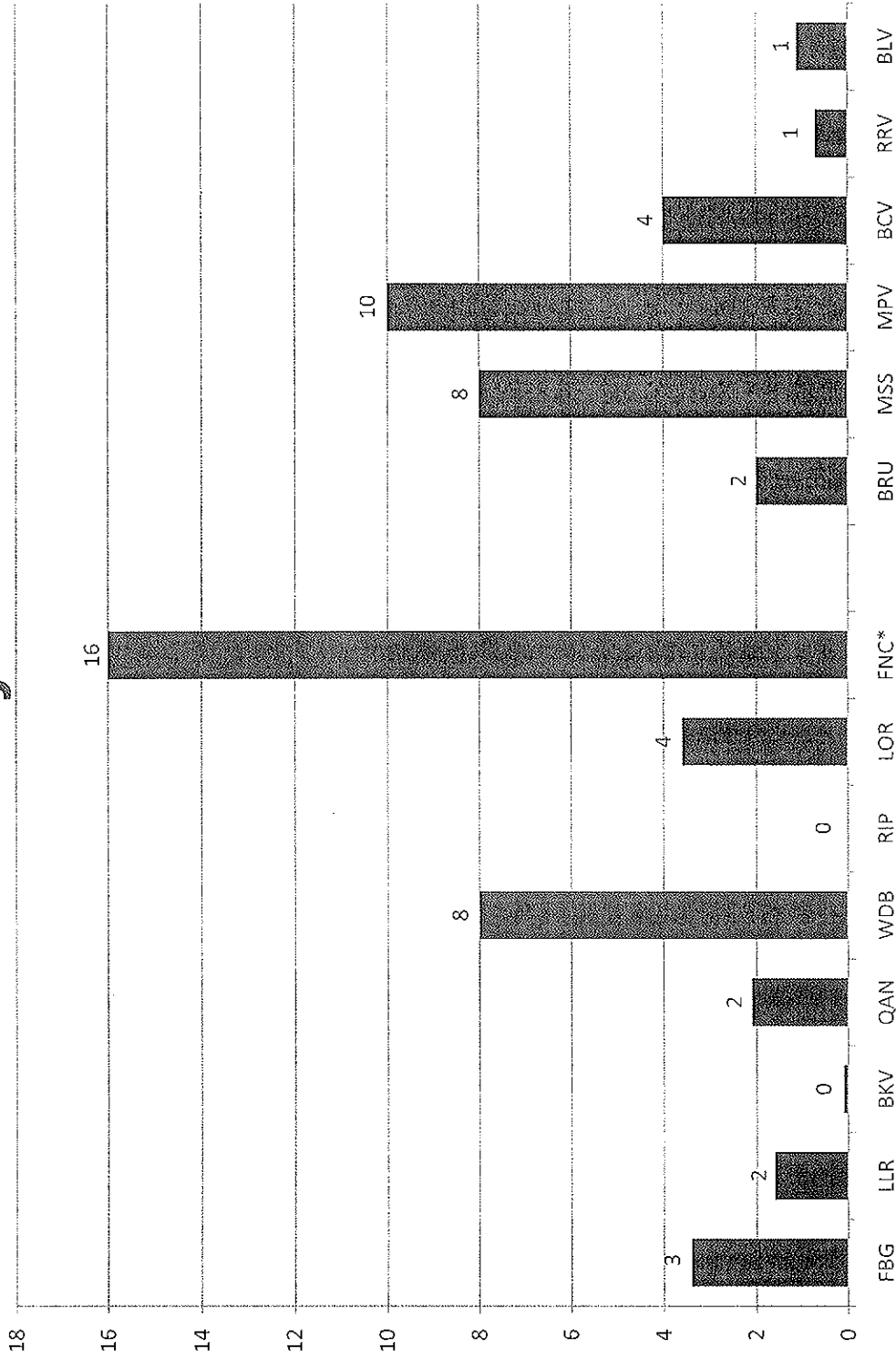
*Ridership figures are shown in passenger trips. Includes Amtrak cross honor train riders.

Average On-Time Performance

FY-2010



Average Bicycle Counts Per Station May 2010



* Joint use facility - riders of VRE and Metro cannot be differentiated

FINANCIAL STATISTICS FOR MAY 2010

Copies of the May 2010 Operating Budget Report are attached.

Fare income for the month of May 2010 was \$430,869 above the budget – a favorable variance of 20.09%. The cumulative variance for the year is 12.04% or \$2,955,694 above the adopted budget. Revenue in the first eleven months of FY 2010 is up 17.3% over FY 2009. This positive variance is the result of higher than anticipated ridership and the January and July 2009 fare increases.

A summary of the financial results (unaudited) as of May 2010 follows. Detail on the major revenue and expense categories are provided in the attached Operating Budget Report. These figures reflect the Amended FY10 Budget.

Measures		Goal	Actual
Operating Ratio		55%	83%
Budgeted Revenue	72,109,066		
Budgeted Revenue YTD	65,307,072		
Actual Revenue YTD	67,498,174		
Cumulative Variance	2,191,102		2,191,102
Percent Collected FY 07 YTD		90.57%	93.61%
Budgeted Expenses	72,109,066		
Budgeted Expenses YTD	60,196,164		
Operating Expenses YTD	57,694,379		
Cumulative Variance	2,501,785		2,501,785
Percent Collected FY 07 YTD		83.48%	80.01%
Net Income (Loss) from Operations			4,692,887

These figures are preliminary and unaudited.

VIRGINIA RAILWAY EXPRESS

1500 King Street, Suite 202

Alexandria, VA 22314

P: (703) 684-1001

F: (703) 684-1313

www.vre.org

May 28, 2010

Mr. Joseph H. Boardman
President and Chief Executive Officer
National Railroad Passenger Corporation
60 Massachusetts Avenue, NE
Washington, DC 20002

Dear Mr. Boardman:

Thank you for your letter of May 26th offering to assist Virginia Railway Express (VRE) by providing continued operations and mechanical services for a limited period after June 28, 2010, in the event Keolis is unable to assume operating control of all VRE trains by that date. While I only previously sought your cooperation in relation to the hiring and qualification process, your offer is appreciated and will be considered as a part of the contingency plan being developed by VRE.

At this time, I do not anticipate needing Amtrak's assistance. I expect that Keolis will be prepared to assume VRE operations and mechanical services on June 28th, barring any unforeseen problems in qualifying Keolis employees in Washington Union Terminal. I will continue to assess the situation and discuss it with VRE's parent commissions on June 3rd. Thereafter, if VRE were to find it necessary to include Amtrak services in its contingency plan, we can then arrange a time to discuss what this might involve as well as applicable terms.

With respect to the Washington Union Terminal access agreement, I will provide your negotiation team with final comments by close of business, May 28th. I sincerely appreciate all the hard work and cooperation by the Amtrak staff involved.

Thank you again for your offer to assist VRE in its transition to Keolis contract operations and mechanical services.

Sincerely,



Dale Zehner
Chief Executive Officer



cc: The Honorable Joseph Szabo, FRA
The Honorable Sean T. Connaughton
The Honorable Paul V. Milde, III, VRE Operations Board
Richard K. Taube, NVTC
Alfred H. Harf, PRTC
Wick Moorman, NS
Michael Ward, CSX
Roger Lenfest, UTU General Chairman
Miles Cunningham, Jr., UTU Local Chairman
Mark Kenny, BLET General Chairman
Keith Wood, BLET Local Chairman
Gregg Baxter, Keolis Rail Services, Virginia
Steve Townsend, Keolis Rail Services, Virginia

Joseph H. Boardman
President and Chief Executive Officer



RECEIVED
MAY 27 2010

May 26, 2010

Mr. Dale Zehner
Chief Executive Officer
Virginia Railway Express
1500 King Street
Suite 202
Alexandria, VA 22314

Mr. Gregg Baxter
General Manager
Keolis Rail Services
10660 Wakeman Court
Manassas, VA 20110

Dear Dale and Greg:

On May 25, the Federal Railroad Administration (FRA) hosted the most recent regularly-scheduled meeting among all rail operators to discuss Virginia Railway Express (VRE) transition issues, including reports from Keolis on the status of the hiring, testing, training and qualifying of its locomotive engineers and train conductors. At this meeting, the FRA requested that VRE submit an operating contingency plan by May 28 detailing how VRE will continue operations should Keolis not be able to fully assume operating control of all VRE trains on the scheduled June 28 transition date.

This letter is meant to assist VRE in the development of its operating contingency plan and to clarify Amtrak's commitment to Virginia Department of Transportation (VDOT) Secretary Connaughton to help make sure VRE passengers do not suffer a loss of service should Keolis not be ready. If requested in writing by VRE, Keolis, or VDOT, Amtrak is prepared to provide continuation of operating and mechanical services of VRE trains for a short period of time past the June 28 transition date. This cannot be an open-ended request because we are in the process of reassigning our crews.

On another important subject, VRE has not yet formally responded to Amtrak's April 29 revised draft of the Washington Union Station access agreement. While we do not foresee any problems to reaching an agreement, it is important that this be concluded without further delay. We had hoped that this agreement

Mr. Dale Zehner
Mr. Gregg Baxter
May 26, 2010
Page 2



would have been signed by now. It is important that final negotiations be concluded within the next week to allow for adequate time for final contract review, approval and signature by both parties.

Amtrak is committed to continuing our cooperative efforts to ensure a smooth transition.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph H. Boardman". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Joseph H. Boardman
President and Chief Executive Officer

cc: The Honorable Joseph Szabo, FRA
The Honorable Sean T. Connaughton
The Honorable Paul V. Milde, III, VRE Operations Board
Richard K. Taube, Northern Virginia Transportation Commission
Alfred H. Harf, Potomac and Rappahannock Transportation Commission
Wick Moorman, Norfolk Southern Corporation
Michael Ward, CSX Corporation
Roger Lenfest, UTU General Chairman
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VIRGINIA RAILWAY EXPRESS

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Alexandria, VA 22314

P: (703) 684-1001

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June 18, 2010

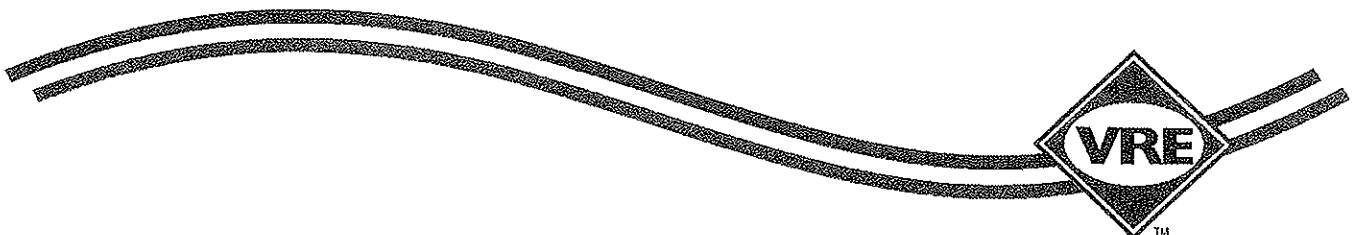
Ms. Jo Strang
Associate Administrator for Railroad Safety/
Chief Safety Officer
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Ms. Strang:

As the Chief Executive Officer of the Virginia Railway Express (VRE), I am responding on behalf of the Northern Virginia and Potomac and Rappahannock Transportation Commissions to your June 2, 2010 letter regarding the transition of VRE operations from Amtrak to Keolis Rail Services Virginia.

I appreciate FRA's continued assistance in the on-going operation of the VRE service, as well as the current transition effort. Your letter conveys a clear warning that the FRA will not permit VRE trains to be operated by Keolis until you are assured that such operations will be conducted safely. Let me assure you that I will not permit VRE trains to be operated by Keolis if I feel that such operations cannot be conducted safely. Over the past eighteen years of operations, VRE has placed safety as its first and highest priority, and its record of safe operations demonstrates this. Since the inception of service, VRE has worked closely with the FRA to ensure strict compliance with all applicable Federal regulations and has exceeded them in a number of instances for the benefit of the passengers and operations generally. I would in no way jeopardize VRE's exceptional safety record, and there is no reason to suggest that VRE would conduct itself otherwise.

As you know, VRE was required under both state and federal law to competitively procure a contractor for train operations and maintenance. A carefully executed procurement process was completed late in 2009 and Keolis was unequivocally the highest ranked responsive and responsible competitor, irrespective of price. Safety and compliance with all regulations applicable to train operations and maintenance were among the qualifications required in VRE's solicitation, as was experience in railroad operations. Keolis has assembled a team of highly qualified, experienced railroad operators to manage the VRE service and is in the process of assembling train and engine crew members with similar experience and qualifications. Keolis is required to deliver, and is committed to delivering, a high quality commuter rail service for VRE.



Ms. Jo Strang
June 18, 2010
Page Two

The FRA should have no reservations that with Keolis as the operator, VRE service will not only be safe, but will also improve beyond the service level of the current operator. Since award of the VRE contract to Keolis, Keolis and VRE have been engaged in meeting all pre-operation requirements, including those based on the VRE contract and others based on Federal regulations. As you note in your letter, this has been successful and is expected to be completed before June 28. Keolis has also established an effective working relationship with both freight railroads, and has received full cooperation from them in the transition. There is little reason to doubt all Keolis employees will be readily qualified on the freight lines. Both freight railroads have commented on the professionalism and quality of the Keolis workforce, and I expect this will be evident in the communication and coordination of train operations by Keolis on freight territory. Unfortunately, Keolis and VRE have faced significant challenges with Amtrak in both recruiting employees and qualifying them in Washington Terminal.

As you know, Amtrak finished a distant third in VRE's competitive procurement. It has become evident to VRE and Keolis that Amtrak is deliberately being uncooperative in an effort to frustrate the transition. On May 20, 2010, I personally met with Joe Boardman to ask him to cooperate in good faith in the transition. He told me that he would not because Keolis is his competitor and went on to say that, while he knew Amtrak did poorly in the VRE procurement process, he wanted VRE to cancel the Keolis contract so Amtrak could have another chance at the VRE contract.

Your letter suggests that VRE's past assurances that Keolis' recruitment process was on target were misleading. Keolis' recruitment plan was scrutinized during the procurement process and was determined to be sound and consistent with industry standards. Similar plans have been successfully used in transitions involving Amtrak by individuals now working for Keolis. VRE shared the plan with the FRA staff who supported the plan and confirmed its achievability. Nonetheless, some elements of the plan have not been realized as expected, particularly those involving Amtrak. Based on similar transitions, it is unprecedented for so few of the incumbent contractor's employees to seek employment with the new contractor. It is also equally unprecedented for the incumbent operator to work so hard, and at taxpayer expense, to retain and recruit employees that Keolis was attempting to hire. Nevertheless, Keolis has adjusted its hiring efforts and has been successfully recruiting a highly qualified work force.

Ms. Jo Strang
June 18, 2010
Page Three

VRE has developed and implemented a contingency plan that affords Keolis additional time to prepare for taking over VRE service. Your letter suggests that VRE was resistant to providing such a plan. This is not so and VRE agrees that it makes good practical sense. The fact that I could not provide a plan in a few days, as FRA requested, should not be regarded as resistance. I simply needed authority from the Commissions before I could commit to such a plan. I do regret that VRE has been forced to commit to a contingency plan at an unjustifiably early date, set by Amtrak, and with a requirement only offering full VRE service by Amtrak. I believe a more viable solution could have been a staggered start by Keolis on the Fredericksburg Line, while Amtrak continued service on the Manassas Line for another 30 days. However, Amtrak would not agree to a staggered approach. The approach provided significant advantages including the ability for VRE, the freight railroads and FRA to provide better oversight of the individual line implementations, and lowering the risk of a potential disruption in passenger service. However, Keolis is now committed to assuming the VRE service on July 12th and we are scheduling a full "dress rehearsal" on July 5th with Keolis running the full VRE schedule. The dress rehearsal provides an opportunity for FRA, the freight railroads, and VRE to ensure the readiness of Keolis to assume full VRE service one week later.

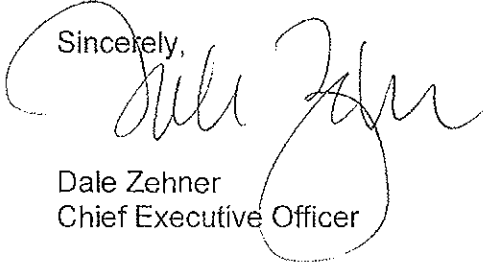
Despite what has been a good working relationship over the years, your letter states that the FRA does not understand VRE's attitude as displayed in recent correspondence, and that VRE seems more interested in interpreting FRA's regulatory requirements than working towards safe and efficient transition. It is unfortunate if you have misinterpreted me; nothing could be further from the truth. VRE and Keolis are absolutely committed to safe operations. However, given VRE's experience of late, I have become sensitive to what is required and what can be construed as yet another hurdle to a safe and efficient transition. For example, the terminal to terminal qualification has merit, as I have indicated. The freight railroads have pledged their assistance, and I have already requested Amtrak's cooperation. However, since it is not a regulatory requirement, it should not become a bar to Keolis' timely assumption of VRE service.

You have asked that VRE consider the factors in FRA's November 4, 2009 letter. This has been done. In fact, the factors were requirements in VRE's solicitation for a contract operator, and were confirmed with the selection of Keolis. It is now time to stop identifying reasons why Keolis should not operate VRE service and, instead, focus on making the transition happen successfully and at the earliest possible date. With the cooperation of the FRA, VRE will transition to Keolis operations and proceed to a higher level of commuter rail service.

Ms. Jo Strang
June 18, 2010
Page Four

I look forward to the FRA's continued assistance as we move towards realizing our mutual goal of promptly achieving a smooth transition to Keolis and assuring safe operation of the VRE commuter rail service.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale Zehner". The signature is written in a cursive style with a large, looping initial "D".

Dale Zehner
Chief Executive Officer

cc: VRE Operations Board Members
PRTC Commissioners
NVTC Commissioners



U.S. Department
of Transportation
Federal Railroad
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

JUN 2 2010

Mr. Richard K. Taube
Executive Director
Northern Virginia Transportation Commission
4350 North Fairfax Drive, Suite 720
Arlington, VA 22203

Mr. Alfred H. Harf
Executive Director
Potomac and Rappahannock Transportation Commission
14700 Potomac Mills Road
Woodbridge, VA 22192

Dear Mr. Taube and Mr. Harf:

In November 2009, Keolis Rail Services America (Keolis) was under consideration to replace the National Railroad Passenger Corporation (Amtrak) as the new contract operator for Virginia Railway Express (VRE) commuter service. On November 4, 2009, the Federal Railroad Administration (FRA) wrote to the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission (Commissions) to point out FRA's concerns regarding the safe operation of the VRE commuter service. A copy of the November 4 letter is enclosed. In its letter, FRA asked that the Commissions consider the following points as they move forward with the selection of a new contract operator:

- Safety must be maintained in the complex environment that VRE operates.
- The contract operator selected must be able to effectively communicate and coordinate train operations with Norfolk Southern Railway (NS), CSX Transportation (CSX), and Amtrak.
- The contract operator must have full knowledge of and experience with the Code of Federal Regulations (CFR) that apply to passenger train operations.
- The contract operator must have the ability to recruit and maintain a qualified workforce.

FRA also stated in the same letter that:

A pool of qualified operating, maintenance, and supervisory personnel is needed to safely operate the VRE commuter rail service. Qualified employees and supervisors must also be sustained by a well-crafted support system that includes training programs, engineering systems, management networks, and other aids to help employees perform at a high level.

As you know, on November 5, 2009, the Commissions selected Keolis to replace Amtrak as the contract operator for the VRE commuter service. Immediately after the Keolis selection, the FRA Regional Administrator for the Washington, DC, area and the FRA headquarters' Passenger Rail Division reached out to Keolis and VRE to assist with the transition to the new contract operator. Keolis and VRE accepted FRA's assistance, and an initial meeting was held on December 15, 2010, at FRA headquarters. At that meeting, FRA, Keolis, and VRE agreed to establish a transition team. The primary objective of the transition team was to establish the required regulatory compliance programs, to expedite review and approval of regulatory programs, to oversee employee training and qualification, and to work with all stakeholders to facilitate a safe and timely transition. The transition team included representatives from FRA, NS, CSX, Amtrak, Keolis, and VRE.

The transition team has met monthly for the past 6 months. The work of the transition team has, for the most part, been successful. The required regulatory programs have been developed and submitted to FRA for review and approval. The process is still ongoing, but most programs have been approved and the rest are scheduled for approval before the June 28, 2010, startup/transition date. Unfortunately, recruitment of engineers, conductors, and other qualified staff has not gone as smoothly. Keolis has not been entirely successful in recruiting engineers, conductors, or managers.

Early in the transition process, FRA requested that Keolis and VRE provide regular recruitment updates. Keolis and VRE consistently said they were on target and that recruitment was not an issue. Both organizations were confident that they had put together a generous salary and benefits package, and would be successful in recruiting a majority of the engineers and conductors needed to operate the service from Amtrak employees currently working VRE trains. Keolis spent considerable time at VRE terminals recruiting Amtrak employees; however, in late April, Keolis reported they had recruited only one Amtrak engineer and that engineer was not fully qualified in the Amtrak/VRE service area.

FRA was concerned about the failure to recruit current Amtrak VRE service employees and again requested detailed information about recruitment. Keolis and VRE again said that recruitment was not a problem, as they were now recruiting from "large pools" of NS and CSX engineers and conductors, and another pool of furloughed New Jersey Transit engineers and conductors. Keolis and VRE were firm in their conviction that recruitment was not an issue.

Keolis requires 17 engineers and 29 conductors/assistant conductors to meet VRE service requirements on June 28, 2010. During our last meeting on Tuesday, May 26, Keolis and VRE again presented a plan to recruit, qualify, and certify adequate numbers of engineers and conductors to support train service on June 28. FRA asked Keolis to provide names and qualification dates for all train and engine service employees so that we could monitor progress towards operational readiness. FRA also asked VRE to provide a contingency plan in the event that Keolis was not ready to operate on June 28. VRE agreed to provide these documents to FRA by Friday, May 29, 2010. The afternoon of the day the plan was due, VRE informed FRA that the contingency plan would not be provided until June 3, after approval by the VRE's parent Commissions.

FRA had also requested that Keolis engineers be provided the opportunity to operate a train from end to end on their perspective territories before June 19. Again, this was agreed to by VRE. June 19 is when simulated train service will begin for the 2 weekends prior to the Keolis startup. Today, Mr. Zehner advised us that:

“I am not opposed to this idea as a goal. However, as I don't believe this is a current FRA requirement, this goal cannot interfere with Keolis assuming full VRE operation on June 28th.”

FRA has dedicated time and resources to assist Keolis and VRE to transition and does not understand the attitude displayed by VRE in recent correspondence. VRE seems to be more interested in interpreting FRA's regulatory requirements than working towards a safe and efficient transition to Keolis operations. Frankly, FRA is losing confidence that the transition can be safely accomplished in the time remaining.

FRA believes that Keolis is falling far short of meeting the targets for conductors and engineers needed to support service on June 28, 2010. FRA has advised Keolis and VRE that to meet the startup date, all employees must be fully trained and qualified by June 19. The June 19 date is important because it provides Keolis a week to allow the employees an opportunity to operate training trains simulating the actual VRE train schedules.

FRA once again requests that the Commissions consider all of the factors presented in their November 4, 2009, letter and take immediate action to ensure VRE trains continue to operate safely on and after June 28, 2010. FRA will only allow VRE trains to operate when we are assured that such operations will be conducted safely. Thus, we will not allow Keolis to operate VRE trains unless we are assured that they can be operated in a safe manner. Trained and qualified operating crews are a critical component of safe operation.

It is clear that VRE will have to make very difficult choices if Keolis does not have adequate numbers of fully trained and qualified crewmembers. I believe those choices include limiting operations, curtailing operations completely, or obtaining the services of another service

provider. In any event, please be assured that this agency will not permit operations to commence on June 28, 2010, if we deem such services to be unsafe.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Strang". The signature is written in a cursive style with a large, sweeping initial "J".

Jo Strang
Associate Administrator for Railroad Safety/Chief Safety Officer

Enclosure



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

NOV 4 2009

Mr. Richard K. Taube
Executive Director
Northern Virginia Transportation Commission
4350 North Fairfax Drive, Suite 720
Arlington, VA 22203

Mr. Alfred H. Harf
Executive Director
Potomac and Rappahannock Transportation Commission
14700 Potomac Mills Road
Woodbridge, VA 22192

Dear Mr. Taube and Mr. Harf:

The Federal Railroad Administration (FRA) is aware that the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission are scheduled to meet on Thursday, November 5, 2009, to address Keolis Rail Services America's (Keolis) potential role as the contract operator for the Virginia Railway Express (VRE) commuter rail service. As you know, the VRE service is defined as a commuter rail operation and is therefore covered under FRA's authority and jurisdiction. FRA has no opinion on the suitability of Keolis or any other organization to provide contract operator services to VRE. Our only interest is in maintaining the safety of VRE operations. Therefore, as your commissions move forward with the selection of a contract operator for VRE, FRA is compelled to point out some concerns that we ask you to consider as part of your deliberations.

The FRA's first concern is that safety be maintained in the complex environment in which the VRE operates. The VRE operating environment is one of the more complex railroad environments in the United States. VRE passenger trains operate over lines owned by Norfolk Southern Railway (NS) and CSX Transportation (CSXT). These two Class I freight railroads are among the biggest and busiest in the Nation. The VRE relies on NS and CSXT for most of its mainline train dispatching and relies on Amtrak to provide dispatching into and out of Washington's Union Station and the Ivy City maintenance and storage facility.

The contract operator selected must be able to effectively communicate and coordinate train operations with all three railroads. Failure to establish efficient communications and coordination protocols can lead to performance problems including train delays, delays in responding to passenger train emergencies, and service delays to Amtrak and the Maryland Area Regional Commuter (MARC) trains that share the Washington's Union Station and Ivy

City maintenance facility. The commission should be deliberate in determining if the contract operator has the experience and ability to adequately communicate and coordinate train operations with the Washington metropolitan area stakeholders.

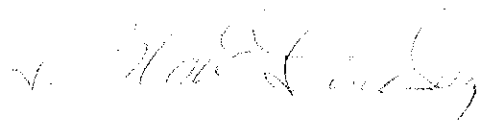
The FRA is also interested in ensuring that the contract operator has full knowledge of and experience with the Code of Federal Regulations (CFR) that apply to passenger train operations. These regulations are administered by FRA and contain many requirements and programs that must be in place before a contract operator can begin operating trains. The CFR sets minimum safety standards for track and signals, rail car equipment and motive power, engineer certification, passenger train emergency preparedness, and other rail-related areas. Beyond the Federal requirements, railroads must also operate under a complex set of operating rules, with variations from railroad to railroad. Therefore, the contract operator must also have experience and expertise in railroad operating rules. The safety of all Washington metropolitan area rail passengers and employees of VRE, Amtrak, and MARC passenger trains, as well as the safety of the freight railroad operating crews, demands that the contract operator demonstrate leadership and experience in the administration of operating rules.

The final concern that FRA would like the commissions to take into account is the contract operator's ability to recruit and maintain a qualified workforce. A pool of qualified operating, maintenance, and supervisory personnel is needed to safely operate the VRE commuter rail service. Qualified employees and supervisors must also be sustained by a well-crafted support system that includes training programs, engineering systems, management networks, and other aids to help employees perform at a high level.

The FRA requests that the commissions consider all of the factors presented in this letter when selecting a contract operator for the VRE system. Once that selection is made, FRA will be ready to assist VRE and the contract operator in understanding the Federal requirements and in implementing the required programs. However, FRA must insist that all Federal requirements be satisfied before the contract operator initiates passenger service. FRA will only allow the contract operator to take over operations when we are assured that it can be done safely, because both FRA and VRE have an obligation to provide safe passenger rail transportation service throughout the region.

Thank you for taking these concerns into consideration. We look forward to working with you.

Sincerely,



S. Mark Lindsey
Chief Counsel

cc: The Honorable Michael C. May, Chairman, Potomac and Rappahannock Transportation Commission (PRTC)

The Honorable Jonathan L. Way, Vice Chairman, PRTC
 The Honorable Matthew J. Kelly, Secretary, PRTC
 The Honorable Paul V. Milde III, Treasurer, PRTC
 The Honorable Frances C. Jones, Immediate Past Chairman, PRTC
 The Honorable Maureen S. Caddigan, Prince William County, PRTC
 The Honorable John D. Jenkins, Prince William County, PRTC
 The Honorable W.S. Covington III, Prince William County, PRTC
 The Honorable Martin E. Nohe, Prince William County, PRTC
 The Honorable Frank J. Principi, Prince William County, PRTC
 The Honorable Corey Stewart, Prince William County Alternate, PRTC
 Ms. Lorraine Lasch, Prince William County Alternate, PRTC
 Ms. Sorine Preli, Prince William County Alternate, PRTC
 The Honorable John T. Stirrup, Prince William County Alternate, PRTC
 Mr. Brian Potvin, Prince William County Alternate, PRTC
 The Honorable George H. Schwartz, Stafford County, PRTC
 The Honorable L. Harry E. Crisp II, Stafford County Alternate, PRTC
 The Honorable Jonathan L. Way, Stafford County, PRTC
 Mr. Harry J. Parrish II, Manassas Alternate, PRTC
 Mr. William R. Wren, Manassas Park Alternate, PRTC
 The Honorable Suhas Naddoni, Manassas Park Alternate, PRTC
 Mr. Brad Ellis, Fredericksburg Alternate, PRTC
 Ms. Jean Benson, Fredericksburg Alternate, PRTC
 Mr. Peter LaMarea, Fredericksburg Alternate, PRTC
 The Honorable L. Scott Lingamfelter, Virginia House of Delegates, PRTC
 The Honorable Jackson H. Miller, Virginia House of Delegates, PRTC
 The Honorable Linda T. Puller, Virginia State Senate, PRTC
 Mr. Corey W. Hill, Department of Rail and Public Transportation (DRPT), PRTC
 Mr. Charles M. Badger, DRPT Alternate, PRTC
 Mr. David Awbrey, DRPT Alternate, PRTC
 The Honorable William D. Euille, City of Alexandria, Northern Virginia Transportation
 Commission (NVTC)
 The Honorable Paul Smedberg, City of Alexandria, NVTC
 The Honorable Timothy Lovain, City of Alexandria, NVTC
 The Honorable Mary Hynes, Arlington County, NVTC
 The Honorable Jay Fisette, Arlington County, NVTC
 The Honorable Christopher Zimmerman, Arlington County, NVTC
 The Honorable Sharon Bulova, Fairfax County, NVTC
 The Honorable Gerald E. Connolly, Fairfax County, NVTC
 The Honorable Catherine Hudgins, Fairfax County, NVTC
 The Honorable Pat Herrity, Fairfax County, NVTC
 The Honorable Jeffrey McKay, Fairfax County, NVTC
 The Honorable Jeffrey Greenfield, City of Fairfax, NVTC
 The Honorable Steven Stombres, City of Fairfax, NVTC
 The Honorable David F. Snyder, City of Falls Church, NVTC
 The Honorable Daniel Maller, City of Falls Church, NVTC
 The Honorable Kelly Burk, Loudoun County, NVTC
 Mr. Charles Badger, Virginia Department of Rail and Public Transportation (VRDPT),
 NVTC

Mr. Matthew Tucker, VRPDT, NVTC Alternate

The Honorable Mark R. Herring, Virginia General Assembly, NVTC

The Honorable Mary Margaret Whipple, Virginia General Assembly, NVTC

The Honorable David B. Albo, Virginia General Assembly, NVTC

The Honorable Adam Ebbin, Virginia General Assembly, NVTC

The Honorable Joe T. May, Virginia General Assembly, NVTC

The Honorable Thomas D. Rust, Virginia General Assembly, NVTC

Extend Operating/Access Agreement with CSXT

VRE's Operations Board recommends approval of Resolution #2147. The resolution extends the current agreement with CSXT through January 31, 2011. The current extension expires July 31, 2010.



RESOLUTION #2147

SUBJECT: Extend Operating/Access Agreement with CSXT.

WHEREAS: The commissions currently have an amended operating/access agreement with CSXT relating to VRE operations in the Fredericksburg to Washington corridor, with said agreement extension ending on July 31, 2010;

WHEREAS: Staff is currently engaged in discussions with CSXT concerning a new agreement and does not anticipate conclusion of these discussions prior to the expiration of the amended operating/access agreement;

WHEREAS: A proposal to extend the existing agreement to January 31, 2011, without any changes, is expected from CSXT;

WHEREAS: Necessary funding has been incorporated into the FY 2011 budget to allow VRE to continue its operations over CSXT tracks via this contract extension.

NOW, THEREFORE BE IT RESOLVED that the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to execute an extension of the existing amended operating/access agreement with CSXT to January 31, 2011.

Approved this 1st day of July, 2010.

Catherine M. Hudgins
Chairman

Mary Hynes
Secretary-Treasurer



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AGENDA ITEM 10-D
ACTION ITEM

TO: CHAIRMAN MILDE AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: JUNE 18, 2010

SUBJECT: AUTHORIZATION TO EXTEND AMENDED OPERATING/ACCESS AGREEMENT WITH CSXT

RECOMMENDATION:

The VRE Operations Board is being asked to recommend that the Commissions authorize the Chief Executive Officer to execute an extension of the existing Amended Operating/Access Agreement with CSXT to January 31, 2011.

BACKGROUND:

The VRE has an Operating/Access Agreement with CSXT related to VRE operations in the Fredericksburg to Washington corridor. That agreement, entered into in 1994, has been amended and extended several times, most recently this past December, with an agreed upon extension to July 31, 2010. A further extension is being requested at this time to provide sufficient time to complete negotiation of a new agreement.

Since December 2005, numerous negotiation sessions have been held with CSXT representatives on the terms of a new, long-term agreement. Preliminary agreement was achieved in a number of areas to include:

- Term of the agreement
- Change in method of calculating the annual escalation
- Incentive agreement for improved on time performance
- Additional CSXT supervision in the VRE operating territory
- Approval of infrastructure improvements at VRE facilities

Progress has slowed, however, due to a failure to reach an agreement on the level of liability coverage. CSXT continues to insist on including a higher level of liability and terrorism coverage in the new agreement. Although we were able to cap commuter rail liability at the state level, the legislation does not provide protection from gross negligence claims or claims of third parties, i.e. nonpassengers. Therefore, CSXT and Norfolk Southern continue to press for higher liability insurance coverage. Currently, VRE has \$250 million in coverage. An extension of the current agreement is needed while this issue is resolved.

FISCAL IMPACT:

Funding for the CSX track access fee has been included in the FY 2011 budget, including an escalation of 4%.

Extend Operating/Access Agreement with Norfolk Southern

VRE's Operation Board recommends approval of Resolution #2148. The resolution extends the current agreement with Norfolk Southern through January 31, 2011. The current extension expires July 31, 2010.



RESOLUTION #2148

SUBJECT: Extend Operating/Access Agreement with Norfolk Southern.

WHEREAS: The commissions currently have an operating/access agreement with Norfolk Southern related to VRE operations in the Manassas to Washington corridor, with said agreement ending on July 31, 2010;

WHEREAS: Staff has reached an agreement in principle on many substantive items relating to a new agreement following detailed negotiating sessions with Norfolk Southern representatives;

WHEREAS: A proposal to extend the existing agreement to January 31, 2011, without any changes to the existing agreement is expected from NS;

WHEREAS: The purpose of this extension is to allow time to negotiate and resolve the outstanding insurance issues relating to a new agreement; and

WHEREAS: Necessary funding has been incorporated into the FY 2011 budget to allow VRE to continue its operations over Norfolk Southern tracks via this contract extension.

NOW, THEREFORE BE IT RESOLVED that the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to execute an extension of the existing amended operating/access agreement with Norfolk Southern to January 31, 2011.

Approved this 1st day of July, 2010.

Catherine M. Hudgins
Chairman

Mary Hynes
Secretary-Treasurer



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AGENDA ITEM 10-E
ACTION ITEM

TO: CHAIRMAN MILDE AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: JUNE 18, 2010

SUBJECT: AUTHORIZATION TO EXTEND AMENDED OPERATING/ACCESS AGREEMENT WITH NORFOLK SOUTHERN

RECOMMENDATION:

The VRE Operations Board is being asked to recommend that the Commissions authorize the Chief Executive Officer to execute an extension of the existing Amended Operating/Access Agreement with Norfolk Southern to January 31, 2011.

BACKGROUND:

VRE has an Operating/Access Agreement with Norfolk Southern (NS) relating to VRE operations in the Manassas to Washington corridor. That agreement, entered into in 1999, has been amended and extended several times, most recently this past December, with an agreed upon extension to July 31, 2010. A further extension is being requested at this time to provide sufficient time to complete negotiations of a new agreement.

Following detailed negotiation sessions with Norfolk Southern representatives, an agreement in principle was reached on all contract items with the exception of liability coverage. The Operations Board and Commissions approved these terms at their June and July, 2005 meetings respectively, and authorized execution of a new agreement that conformed to each of those items.

Subsequent to the Commissions' action, however, it became clear that an agreement on the level of liability coverage could not be reached and the contract could not be executed. Norfolk Southern insists on including \$500 million in liability and terrorism coverage in the new agreement. Currently, VRE has \$250 million in coverage. An extension of the current agreement is needed while staff continues to attempt to resolve the insurance issue.

FISCAL IMPACT:

Funding for the Norfolk Southern track access fee has been budgeted in the FY 2011 budget, including an escalation of 4%.

Modify Contract for New Locomotives

The VRE Operations Board recommends approval of Resolution #2149. The resolution authorizes VRE's Chief Executive Officer to modify the contract with MotivePower, Inc. to increase the base order of locomotives to 19 from 15. This increases the contract value by \$13,218,128 to a total of \$73,789,120.

Three of the new locomotives will be purchased with federal formula funds for FY 2011 and prior years. The fourth will be paid for with transfers of federal funds from other FY 2011 projects, by reducing the contingency for this project and by using funds from VRE's capital reserve. Locomotives ordered after July 5, 2010 will cost \$500,000 more per unit.

To date DRPT has not agreed to allow VRE to reprogram state matching funds for the federal dollars to be used for this purchase. Accordingly, VRE will have to complete the purchase using other resources to cover the non-federal match.



RESOLUTION #2149

SUBJECT: Modify Contract for New Locomotives.

WHEREAS: In January of 2008, the VRE Operations Board approved the award of a contract to MotivePower, Inc. for the manufacture of two new locomotives;

WHEREAS: Since that time, additional approvals have been granted allowing the purchase of 15 total units for a contract total of \$60.6 million; and

WHEREAS: Authorization is now being sought for up to four additional units.

NOW, THEREFORE BE IT RESOLVED that the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to modify the contract with MotivePower, Inc. for the purchase of locomotives so that the base order is increased from 15 to 19 locomotives, increasing the contract value by \$13,218,128, for a total amount not to exceed \$73,798,120.

Approved this 1st day of July, 2010.

Catherine M. Hudgins
Chairman

Mary Hynes
Secretary-Treasurer



AGENDA ITEM 10-F
ACTION ITEM

TO: CHAIRMAN MILDE AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: JUNE 18, 2010

**RE: AUTHORIZATION TO MODIFY THE CONTRACT FOR NEW
LOCOMOTIVE PURCHASE**

RECOMMENDATION:

The VRE Operations Board is being asked to recommend that the Commissions authorize the Chief Executive Officer to modify the contract with MotivePower, Inc., for the purchase of locomotives so that the base order is increased from fifteen to nineteen locomotives, increasing the contract value by \$13,218,128, for a total amount not to exceed \$73,798,120.

BACKGROUND:

In January of 2008, the Operations Board authorized VRE staff to enter into a contract with MotivePower, Inc. of Boise, Idaho for the manufacture of two new locomotives in an amount not to exceed \$9.6 million. Since that time, additional approvals have been sought and received as follows:

- October 2008 - three additional units (five total) for a contract total of \$20.3 million.
- March 2009 - four additional units (nine total) for a contract total of \$36.4 million.
- June 2009 - three additional units (twelve total) for a contract total of \$48.4 million.
- October 2009 – three additional units (fifteen total) for a contract total of \$60.6 million.

Authorization is now being sought for up to four additional units. The first three units will be purchased using federal formula funds for FY 2011 and prior years. The fourth unit will be purchased by transferring federal formula funds from other projects in FY 2011, reducing the contingency amount needed for the project, based on costs to date, and using up to \$1.5 million of VRE's capital reserve of \$2.4 million. The capital program reallocation is described in detail in the FY 2012 budget item found earlier on the agenda.

MotivePower has offered a price of \$3,604,532 per locomotive for all orders placed by July 5, 2010. This price reflects the supplier discount they receive for bulk purchasing, since the supplies for these locomotives will be combined with some of VRE's prior orders. Locomotives ordered after that date will cost approximately \$500,000 more per unit, in accordance with the contract provisions. As such, VRE is making every effort to order as many units as possible at the lower price, including using a portion of the capital reserve. In addition, although the option contract extends until 2013, locomotives ordered after December 31, 2010 will be a different model which requires additional inventory and training, resulting in significantly higher lifecycle costs.

In January 2008, the Operations Board authorized up to \$4,145,920, including contingency, to STV, Inc. for construction engineering and inspection services for the purchase of all twenty locomotives. Similar to the locomotive contract, this contract was structured to allow incremental notices to proceed, such that authorization will be issued concurrently and proportionately with locomotive option orders. As such, no additional Board authorization is needed for the oversight work.

FISCAL IMPACT:

Funding is available from the locomotive acquisition line item of the VRE capital budget. The first three units will be purchased using federal formula funds for FY 2011 and prior years. The fourth unit will be purchased by transferring federal formula funds from other projects in FY 2011, reducing the contingency amount needed for the project based on costs to date, and using up to \$1.5 million of VRE's capital reserve of \$2.4 million.



AGENDA ITEM #3

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube
DATE: June 24, 2010
SUBJECT: Selection of Consulting Team for NVTA's TransAction 2040 Plan Update

NVTC issued a Request for Proposals for the TransAction 2040 Plan update on behalf of the Northern Virginia Transportation Authority. Two responsive and responsible proposals were carefully evaluated by a NVTA committee consisting of local, regional and state agency staff. The committee has ranked the proposals.

The commission is asked to authorize its staff to negotiate with the top-ranked firm and if successful, to execute a contract after a review by NVTA's Council of Counsels. There is currently up to \$1.1 million in funding available. If negotiations are not successful, negotiations and contract execution should occur with the second-ranked firm.

Before negotiations begin, NVTA must also act at its July 8, 2010 meeting. The negotiations and subsequent contract execution will be dependent on the wishes of NVTA. NVTC staff will administer the contract and NVTA-selected jurisdiction staff will serve as project managers.



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RESOLUTION #2151

SUBJECT: Contract for consultant services to update NVTA's Long-Range Transportation Plan (TransAction 2040)

WHEREAS: The Northern Virginia Transportation Authority (NVTA), by statute, is required to update its long range transportation plan every five years;

WHEREAS: NVTA approved the scope of work for the long range plan update on January 14, 2010;

WHEREAS: The Northern Virginia Transportation Commission (NVTC) requested proposals on March 5, 2010 from qualified firms to assist NVTA in updating the region's long range transportation plan;

WHEREAS: Two responsive and responsible proposals were received;

WHEREAS: An evaluation committee, approved by NVTA, evaluated the proposals using the criteria appearing in the RFP, interviewed the firms and ranked them;

WHEREAS: The final price of the contract will be determined following contract negotiations; and

WHEREAS: The budget for the project up to \$1.1 million is available to cover the cost of this contract including basic and optional services.

NOW, THEREFORE BE IT RESOLVED that the Northern Virginia Transportation Commission authorizes its Executive Director, following confirming action by NVTA, to negotiate with the top-ranked firm and, if successful, to execute a contract not to exceed \$1.1 million that is acceptable to NVTA's Council of Counsels.



BE IT FURTHER RESOLVED that if the negotiations are not successful with the top-ranked firm, NVTC authorizes its Executive Director, following confirming action by NVTA, to negotiate with the second-ranked firm and, if successful, to execute a contract not to exceed \$1.1 million that is acceptable to NVTA's Council of Counsels.

Approved this 1st day of July, 2010.

Catherine M. Hudgins
Chairman

Mary Hynes
Secretary-Treasurer

TransAction 2030 Recap

The effort included the following activities

- Updated the Northern Virginia 2020 Transportation Plan project list to delete projects that were completed between 1999 and 2005;
- Updated cost estimates for the remaining projects in the 2020 Plan;
- Updated project scopes, based on studies undertaken between 1999 and 2025;
- Extended the planning period from 2020 to 2030;
- Modeled the impact of constructing/implementing projects in the TransAction 2030 Plan in the region's highway network and comparing these impacts to the Washington region's CLRP;
- Calculated the funding required to fully implement the TransAction 2030 Plan

TransAction 2030 efforts that were not included as part of the Northern Virginia 2020 Transportation Plan

- Conducted a statistically valid public opinion poll to assess the public's view of the most important transportation improvements for the region and the funding sources they found most acceptable to pay for them;
- Conducted public outreach at large jurisdictional fairs, as well as through a traditional public meeting;
- Developed five different transit level of service maps based on passenger loads, service coverage, travel time, frequency and hours of service;
- Developed park-and-ride lot level of service maps;
- Developed multi-modal level of service information for eight corridors;
- Prioritized projects within each of the eight corridors in the region using objective criteria; and
- Compared the TransAction 2030 Plan network to the CLRP's 2030 network using objective criteria.

What TransAction 2030 Accomplished

- Doubled the number of Metrorail stations in Northern Virginia as a result of Metrorail extensions in the I-66, I-95 and Dulles corridors;
- Added light rail transit and/or bus rapid transit to the Route 7, Route 28, Crystal City-Potomac Yards and Columbia Pike corridors;
- Added 600 miles of on-road and off-road trails; and
- Increased highway capacity by eight percent above what is already planned in the region's Constrained Long Range Plan.

What TransAction 2040 Would Do

The proposed TransAction 2040 scope of work involves:

- Reviewing and revising projects included in TransAction 2030 to reflect planning study work and construction that has been done since FY 2007.
- Removing completed projects and including them in the baseline.
- Recalculating cost estimates for all projects from scratch (rather than inflating old estimates).
- Updating highway and transit levels of service.
- Resolving minor inconsistencies between the projects in TransAction 2030 and current construction projects and other planning documents.
- Testing the impact of an alternative land use option on the transportation network.
- Including of a “Feedback Loop” to add new projects to address any failing segments/facilities identified at the end of the initial analysis.
- Holding two sets of four public workshops with Tasks 2 and 4 (we should say what these two tasks are).
- Incorporating input from NVTAs Planning Coordination Advisory Committee and Technical Advisory Committee (individuals with transportation expertise).

New analyses being proposed for TransAction 2040 include:

- Extending the planning horizon extended from 2030 to 2040 to match TPB travel demand modeling and TPB’s upcoming Constrained Long Range Plan.
- Opening up the project list to include new projects (e.g., HOT lanes, BRAC projects, Dulles Loop, I-66 and I-95/395 transit and TDM recommendations, Metro long-range planning projects, etc.).
- Incorporating cost-benefit calculations as part of the prioritization process, possibly using a methodology developed for U.S. Department of Transportation’s TIGER discretionary grant program.
- Testing individual highway and transit projects to determine their impact on vehicle miles traveled and delay across the entire Northern Virginia network. This information will also be used in the project prioritization.

Other Important Information

Cost of Past Studies:

- Northern Virginia 2020 Transportation Plan (December 1999) - \$600,000??
- TransAction 2030 (September 2006) - \$1.1 million ??
- Proposed TransAction 2040 (June 2010) - \$1.2 million

Revenues

Over the past five years, NVTA has received approximately, \$307 million in CMAQ and RSTP funds.

The proposed study represents .3% of the funding available over the period

Other proposed, but unfunded, FY 2011 CMAQ/RSTP Projects in the \$50,000 to \$1,000,000 range).

- Remaining Virginia share of MATOC - \$300,000
- Transportation Demand Management Advancement (Alexandria) - \$300,000
- Alternative Fuel Vehicles for Town Fleet (Herndon) - \$150,000
- Purchase Hybrid/Alternative Fuel Vehicles (Manassas) - \$120,000
- PRTC OmniRide Buses at \$450,000 each
- Remaining Funding for VRE Broad Run Station Parking Expansion - \$280,000
- Remaining Funding Old Bridge Road Sidewalk Project - \$500,000
- Sidewalks for Town Arterial Streets Initiative (Vienna) - \$300,000
- Bike Racks on DASH buses - \$280,000
- Holmes Run Pedestrian/Bicycle Tunnel Phase II - \$500,000
- Bike Sharing Initiative (Alexandria) - \$500,000
- Eisenhower Avenue Metrorail Station Platform Extension - \$500,000
- Braddock Road Metrorail Station Multimodal Connections - \$250,000
- Bicycle Parking at Major Transit Stops (Alexandria) - \$380,000
- Transportation System Management Project (Arlington) - \$1,000,000
- Traffic Signal Optimization (Arlington) - \$400,000
- Bus Shelters (Arlington) - \$50,000
- Herndon Parkway Intersection Improvements - \$500,000
- East Eldon Street Improvements (Herndon) - \$500,000
- Remaining Funding for Route 28 Widening (Manassas) - \$760,000
- Remaining Funding for Manassas Drive/Euclid Avenue Improvements - \$300,000
- Increase bike capacity at Vienna Metrorail Station - \$200,000
- WMATA buses at \$250k (standard) to \$500k (hybrid) each

What State Law Says:

§ 15.2-4838. Responsibilities of Authority for long-range transportation planning.

A. The Authority shall be responsible for long-range transportation planning for regional transportation projects in Northern Virginia. In carrying out this responsibility, the Authority shall, on the basis of a regional consensus, whenever possible, set regional transportation policies and priorities for regional transportation projects. The policies and priorities shall be guided by performance-based criteria such as the ability to improve travel times, reduce delays, connect regional activity centers, improve safety, improve air quality, and move the most people in the most cost-effective manner.

What NVTA's Bylaws Say:

ARTICLE VI

NVTA TRANSPORTATION PLAN

A. **NVTA Regional Transportation Plan.** The Authority shall adopt a NVTA Regional Transportation Plan for Northern Virginia. The Plan shall consist of the NVTA Long Range Transportation Plan and the NVTA Six Year Program.

(1) **NVTA Long Range Transportation Plan.** The Authority shall adopt an unconstrained NVTA Long Range Transportation Plan (*TransAction 2030* or its successor) for Northern Virginia. In carrying out this responsibility, the Authority shall, on the basis of regional consensus, set regional transportation policies and priorities for regional transportation projects. In support of regional consensus, it is desirable that NVTA secure the formal approval of each of its member jurisdictions before adoption of the plan. The policies and priorities shall be guided by performance-based criteria such as the ability to improve travel times, reduce delays, connect regional activity centers, improve safety, improve air quality, and move the most people in the most cost-effective manner.

What the TransAction 2030 Resolution Says:

NOW, THEREFORE, BE IT RESOLVED that NVTA does hereby adopt the TransAction 2030 Plan, and that this resolution shall be appended to the TransAction 2030 Plan;

BE IT FURTHER RESOLVED that where significant differences exist among jurisdictional resolutions or comprehensive plans and the TransAction 2030 Plan, the NVTA should facilitate discussions that assure open and complete deliberation of these issues and their appropriate and timely resolution.

BE IT FURTHER RESOLVED that the following procedural stipulations shall be followed as the NVTA works to implement the transportation strategies contained in the TransAction 2030 Plan:

- The adopted resolution of each member jurisdiction shall be appended to the TransAction 2030 Plan.
- The NVTA shall continue to evaluate any highway corridor that is still projected to experience one hour or more of stop-and-go traffic in 2030, even after the implementation of the TransAction 2030 Plan in order to find ways to further reduce this congestion.
- The NVTA shall continue to evaluate Metrorail and Virginia Railway Express lines into Washington, D.C., in order to understand capacity constraints and further identify improvements that will support additional ridership growth.
- The TransAction 2030 Plan provides a balance of future investment in highway and transit projects and enhances mobility throughout the region, and retaining this balance should be a goal as the TransAction 2030 Plan is implemented.
- The TransAction 2030 Plan shall be updated and presented to the member jurisdictions at least every five years.
- Since TransAction 2030 Plan did not add or delete projects from the Northern Virginia 2020 Transportation Plan adopted by the Transportation Coordinating Council of Northern Virginia in December 1999, the next update of the Plan should include a complete review of the project list to determine if changes are necessary.

BE IT FURTHER RESOLVED that the NVTA should continue to review the interdependence of transportation and land use and recommend future measures for improving this linkage.

BE IT FURTHER RESOLVED that the project-based criteria and modal-rankings adopted by NVTA, as included in Attachment A and B, should be considered by local jurisdictions and regional agencies when placing projects in the region's Constrained Long Range Plan.

BE IT FURTHER RESOLVED that since the data regarding the Base Relocation and Closure Commission's recommendations were not available for consideration in TransAction 2030, these recommendations should be incorporated into the regional planning process as soon as more details are available.



AGENDA ITEM #4

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube and Scott Kalkwarf
DATE: June 24, 2010
SUBJECT: NVTC Office Lease

NVTC's lease expires at its current location at the end of 2010. The commission has retained a tenant's agent and has evaluated possible office locations. Criteria used in the evaluation included: affordability (rent per usable space, escalation factors, initial rent abatement), disruption to office routine during the transition (moving expenses and on-site construction during office hours), location (convenient to Metrorail and major highway connections), restaurants and amenities for employees and visitors, configuration of interior space (windowed offices, attractive reception area), parking availability, conference room space (shared if possible to economize on rental space), flexibility (space to expand, ability to easily sub-lease the space if NVTC's needs change dramatically), building amenities (as a tie-breaker, items such as concierge in lobby, gym, attractive public restrooms, views from office, absence of distracting noises, sights and smells) and reputation for responsive and responsible building management.

After evaluating many potential locations over the past year, currently there are two primary office locations under consideration. One is NVTC's current location in the Ellipse in Ballston and the other is in the Navy League Building at 2300 Clarendon Boulevard in the Court House area of Arlington. An economic evaluation of the two properties is attached as is a comparison using the factors listed above. It shows that both locations are approximately equal economically over the 10-year term of the lease. However, the Court House location offers a better opportunity to sublease space if NVTC's needs change. Further, that location provides access to an excellent shared conference facility with large catering kitchen and reception area for NVTC's monthly board meetings. In addition, the available office space is a perfect rectangle without columns, allowing very efficient office design. This permits NVTC to lease less space than it would otherwise need while also allowing an in-office conference room with sufficient size for staff and commission meetings. Also, the space will be newly finished in a configuration suitable to NVTC's needs and three months of initial rent abatement will allow NVTC to pay for the move and some suitable replacement furniture within the approved FY 2011 budget.

Accordingly, NVTC staff recommends that the commission authorize its executive director to negotiate a final lease agreement for the space in the Navy League Building. That final agreement would be provided to NVTC's Board and local jurisdiction attorneys for review prior to NVTC's September 2nd meeting at which the commission would be asked to authorize execution of the lease.



COMPARISON OF NVTC RELOCATION CRITERIA

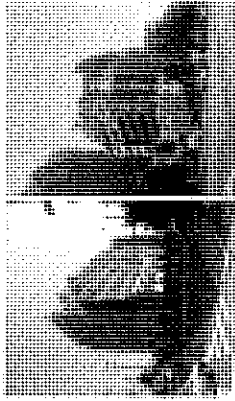
	Court House: 2300 Wilson Blvd.	Ballston: 4350 N. Fairfax Dr.
Affordability		
Rent per usable space	○	○
Escalation factors	○	○
Rent Abatement	○	○
Disruption to Routine During Transition		
Moving expenses		+
One site construction	+	
Location		
Convenience to Metrorail	○	○
Major highway connections		+
Restaurants/shopping	○	○
Configuration of Interior Space		
Windowed offices	○	○
Attractive reception area	+	
Conference Rooms		
Interior	+	
Shared	+	
Parking		
Visitors	○	○
Employees	○	○
Flexibility		
Space to expand number of offices	+	
Ability to sub-lease	+	
Responsiveness of Building Management		
Janitor Services	○	○
Concierge	○	○
Management	○	○
Building Amenities		
Class A building	+	
Employee gym	+	
Public restrooms	+	
Views from offices	○	○
No distracting noises/smells		+

NVTC

Currency Type = \$

Assumptions & totals

Date: 6/23/2010



2300 Wilson Blvd 4350 N. Fairfax Dr.

Assumptions

Commence	1/1/2011	10/1/2010
Expiration	4/30/2021	12/31/2020
Term	10 Yrs 4 Mos	10 Yrs 3 Mos
Floor	6th	720
Rentable Sq Feet	4,158	4,516
Initial base rent	\$40.00	\$37.00
# mos of free rent	3.00	3.00
Value of free rent	\$10.00	\$9.25
LL cash contribution	As-is	\$30.00
Operating & Taxes	\$13.00	\$13.00
Operating & Taxes Base Yr	2011	2011
Fixed % Escalation	3.00%	3.00%

Totals

	Tenant rep (Pre) Discount Rate = 4.00%	Tenant rep (Pre) Discount Rate = 4.00%
Total Amount	\$2,024,924	\$2,001,464
Present value	\$1,632,158	\$1,615,960
Average per annum	\$195,960	\$195,265
Net effective per annum	\$192,454	\$191,795
RSF - Average	\$47.13	\$43.24
RSF - Net effctv rate p/a	\$46.29	\$42.47

The Net Effective Rate Per Annum = The present value amortized over the term at the discount rate shown for each deal.

Comments:

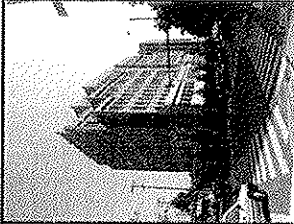
Although all information furnished regarding property for sale, rental or financing is from sources deemed reliable, such information has not been verified and no express representation is made nor is any to be implied as to the accuracy thereof, and it is subject to errors, omissions, change of price or other conditions prior sale, lease or financing, or withdrawal notice.

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NVTC / 2300 Wilson Blvd

Projected costs for leasing space / Billing period is January - December

Assumptions		Date: 5/17/2010	
Commence	1/1/2011		
Expire	4/30/2021		
Term (124 Months)	10 Years		
	4 Month(s)		
Discount rate	4.00%		
Floor/Suite #	6th		
Rentable SF	4,158		



	1	2	3	4	5	6	7	8	9	10	11	Totals
Bill Period	12/31/2011	12/31/2012	12/31/2013	12/31/2014	12/31/2015	12/31/2016	12/31/2017	12/31/2018	12/31/2019	12/31/2020	4/30/2021	
BS Rent Pre Free Rent	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$13.33	\$1,718,640
Free Rent Months	3.00											3.00
BS Rent Post Free Rent	\$30.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00	\$13.33	\$1,677,060
3.00% Base Rent Increase	\$1.20	\$1.20	\$2.44	\$3.71	\$5.02	\$6.37	\$7.76	\$9.19	\$10.67	\$12.19	\$4.59	\$262,539
Operating & Taxes	\$0.38	\$0.38	\$0.79	\$1.21	\$1.63	\$2.07	\$2.52	\$2.99	\$3.47	\$3.96	\$1.49	\$85,325
Per SF Total	\$30.00	\$41.59	\$43.23	\$44.91	\$46.65	\$48.44	\$50.28	\$52.18	\$54.14	\$56.15	\$19.41	\$2,024,924
Monthly Average	\$10,395	\$14,411	\$14,978	\$15,563	\$16,165	\$16,785	\$17,424	\$18,082	\$18,759	\$19,457	\$20,176	
Per Annum Total	\$124,740	\$172,931	\$179,741	\$186,755	\$193,979	\$201,420	\$209,084	\$216,978	\$225,109	\$233,484	\$80,703	
Cumulative Total		\$297,671	\$477,412	\$664,167	\$858,145	\$1,059,565	\$1,268,649	\$1,485,628	\$1,710,737	\$1,944,221	\$2,024,924	

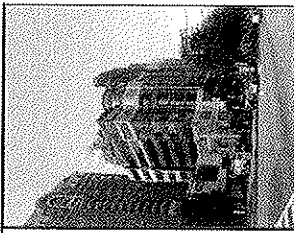
Totals	Comments
Total Rent	
Present Value @ 4.00%	
Average Cost Per Annum	
Net Effective Rate Per Annum @ 4.00%*	
RSF - Average Cost Per Annum	
RSF - Net Effective Rate Per Annum @ 4.00%*	

PV and Amortization is calculated monthly assuming a beginning of month payment
 *The Net Effective Rate = The present value amortized over 124 months @ 4.00%

Although all information furnished regarding property for sale, rental or financing is from sources deemed reliable, such information has not been verified and no express representations made nor is any to be implied as to the accuracy thereof, and it is submitted subject to errors, omissions, change of price, rental or other conditions prior sale, lease or financing, or withdrawal notice.
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NVTC / 4350 N. Fairfax Drive

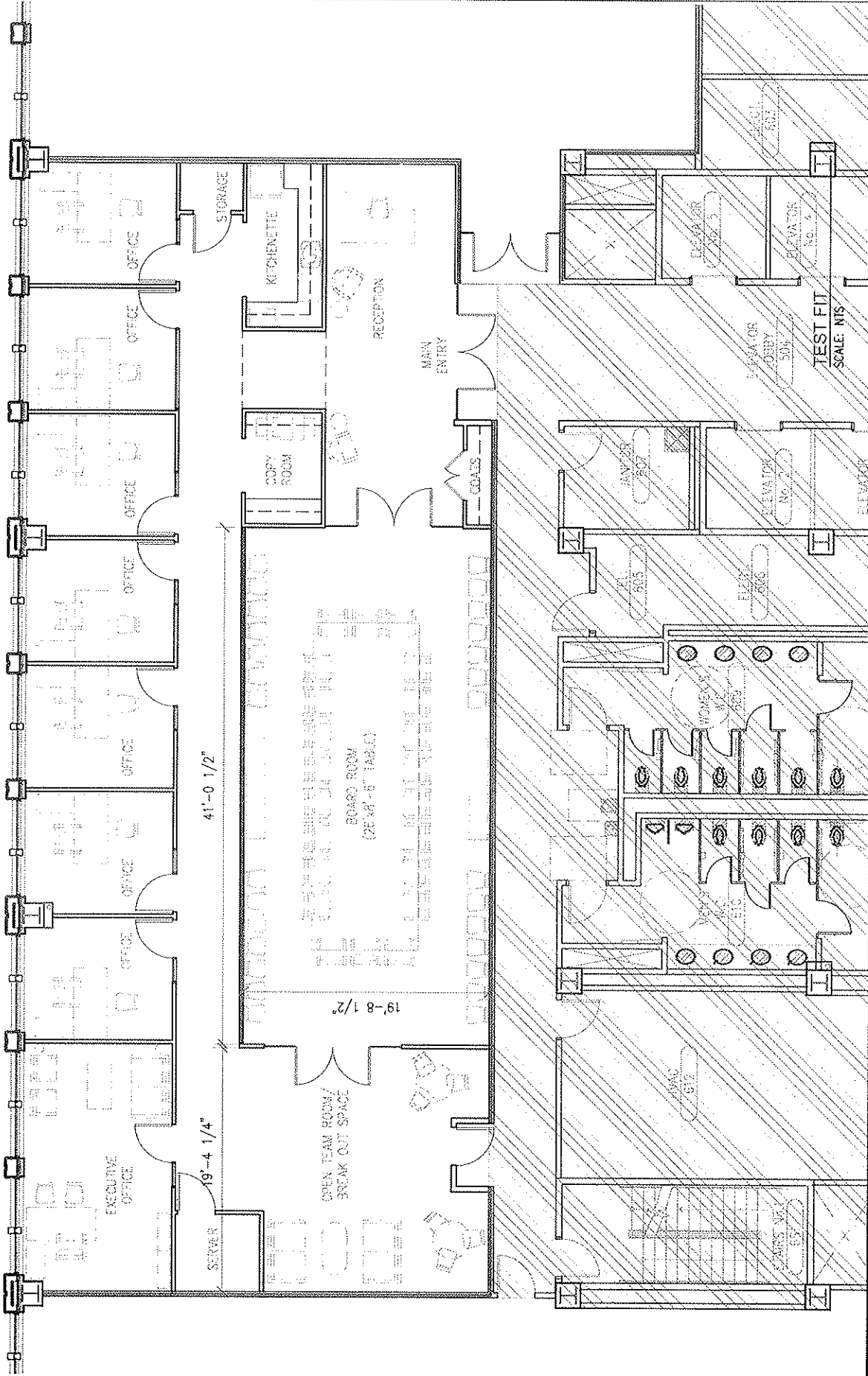
Projected costs for leasing space / Billing period is October - September

Assumptions		Date: 6/23/2010			
Commence	10/1/2010	Operating & Taxes	3.00% Base Rent Increase		
Expire	12/31/2020	Base Year	2011		
Term (123 Months)	10 Years	Base Amt	\$13.00		
	3 Month(s)	Incr %	3.00%		
Discount rate	4.00%	Incr Begins	1/1/2012		
Floor/Suite #	720	Multiple	100%		
Rentable SF	4,516	Gross Escalation	Chg Pmt Every 12 mos		
		All costs in year 1 abated			

Bill Period	1	2	3	4	5	6	7	8	9	10	11	Totals
Year Ending	9/30/2011	9/30/2012	9/30/2013	9/30/2014	9/30/2015	9/30/2016	9/30/2017	9/30/2018	9/30/2019	9/30/2020	12/31/2020	
BS Rent Pre Free Rent	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$9.25	\$1,712,693
Free Rent Months	3.00											3.00
BS Rent Post Free Rent	\$27.75	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$37.00	\$9.25	\$1,670,920
3.00% Base Rent Increase	\$0.83	\$0.29	\$0.69	\$3.14	\$4.34	\$5.58	\$6.86	\$8.17	\$9.53	\$10.93	\$2.82	\$244,603
Operating & Taxes				\$1.10	\$1.53	\$1.96	\$2.41	\$2.87	\$3.35	\$3.84	\$0.99	\$85,941
Per SF Total	\$27.75	\$38.13	\$39.66	\$41.24	\$42.87	\$44.54	\$46.27	\$48.05	\$49.88	\$51.76	\$13.06	\$2,001,464
Monthly Average	\$10,443	\$14,348	\$14,925	\$15,519	\$16,132	\$16,763	\$17,412	\$18,081	\$18,770	\$19,480	\$19,659	
Per Annum Total	\$125,319	\$172,173	\$179,099	\$186,233	\$193,581	\$201,150	\$208,946	\$216,975	\$225,246	\$233,765	\$56,977	
Cumulative Total		\$297,492	\$476,590	\$662,824	\$856,405	\$1,057,555	\$1,266,501	\$1,483,476	\$1,708,722	\$1,942,487	\$2,001,464	

Totals	Comments
Total Rent	
Present Value @ 4.00%	
Average Cost Per Annum	
Net Effective Rate Per Annum @ 4.00%*	
RSF - Average Cost Per Annum	
RSF - Net Effective Rate Per Annum @ 4.00%*	

PV and Amortization is calculated monthly assuming a beginning of month payment
 *The Net Effective Rate = The present value amortized over 123 months @ 4.00%



Date: 06-11-2010

Ref: TEST FIT REVISION

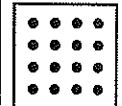
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NAVY LEAGUE BUILDING - SUITE 620

2300 WILSON BOULEVARD
ARLINGTON, VA 22201

M T F A
architecture inc.
2311 Wilson Blvd, Arlington, VA 22201
Tel: 703-524-5616 Fax: 703-524-5618



TEST FIT
SCALE: NIS



2300



WILSON
BOULEVARD
THE NAVY LEAGUE BUILDING



TRANSWESTERN
CORPORATION



TKC
TRADING COMPANY

View of **Wilson Boulevard** The Navy League Building





2300



WILSON
BOULEVARD
THE NAVY LEASER BUILDING

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View of Clarendon Boulevard Retail Streetscape





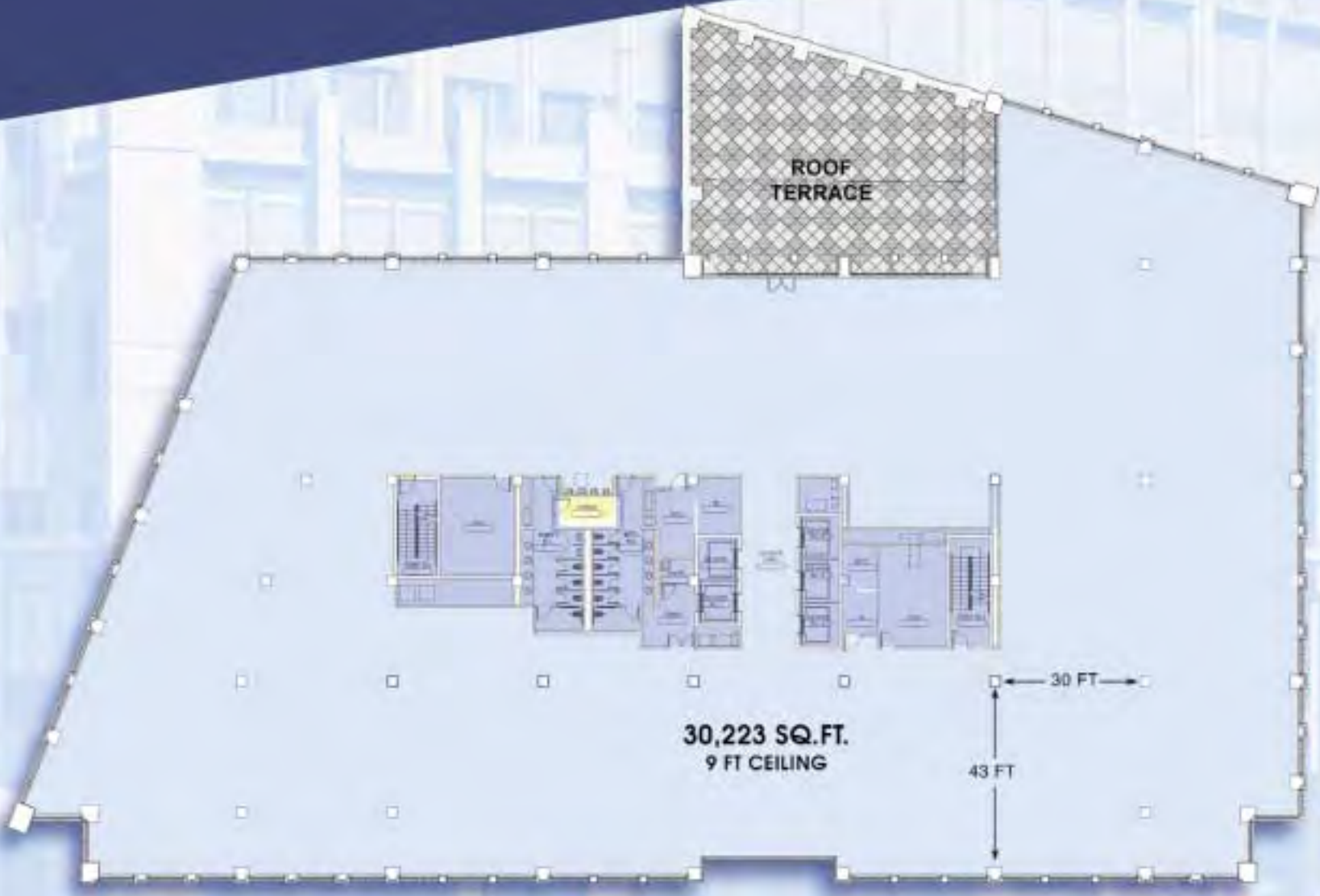
View of **Retail Lobby** Floor plan



2300



WILSON BOULEVARD
THE NAVY LEASE BUILDING



30,223 SQ. FT.
9 FT CEILING

30 FT
43 FT



TRANSWESTERN
COMMERCIAL REAL ESTATE



TKC
THE KAY COMPANY

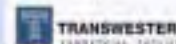
View of **Typical Floor Plan**



2300



WILSON
BOULEVARD
THE NAVY LEASES BUILDING



View of **Multiple Tenant** Floor Plan



2300



WILSON BOULEVARD
THE NAVY LEASE BUILDING



View of **2300 Wilson Boulevard**





AGENDA ITEM #5

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube
DATE: June 24, 2010
SUBJECT: Endorsement of TIGER II Applications

The second round of federal "TIGER" grants is pending, with \$600 million of funding available nationwide. Pre-applications are due by July 16, 2010 and final applications are due on August 23, 2010.

Fairfax County intends to apply for funding to complete a new ramp at the Vienna Metrorail station on I-66 that was included in TPB's TIGER I application but not funded. The ramp will serve transit and HOV and cost \$22 million. Currently buses have to weave across three general purpose lanes on I-66 to exit at the Vienna Metrorail station. This project would allow direct transit access to and from the HOV lanes to the ring road serving the station and encourage bus ridership from satellite park-and-ride lots.

Other NVTC jurisdictions are also seeking funding as part of regional efforts to expand bike sharing and improve bicycle access to Metrorail stations. Materials describing the projects are attached.

Fairfax County has asked that NVTC be a partner for its application for the I-66 ramp. Resolution #2150 acts on that request and includes an endorsement for the bicycle projects as well.





RESOLUTION #2150

SUBJECT: Endorsement of TIGER II Grants.

WHEREAS: A federal grant program known as TIGER II is available to provide funding for worthwhile projects meeting the program's criteria;

WHEREAS: NVTC's jurisdictions are cooperating with the Transportation Planning Board of the National Capital Area to produce an application that would fund such worthwhile projects as expanding bicycle sharing and enhancing bike access to Metrorail stations;

WHEREAS: Fairfax County is applying for federal funding to complete a new ramp on I-66 that would serve public transit and HOV; and

WHEREAS: Fairfax County is asking NVTC to be a partner for its application for the I-66 ramp.

NOW, THEREFORE BE IT RESOLVED that the Northern Virginia Transportation Commission hereby endorses TPB's application for TIGER II funding for an expanded bicycle sharing program and improved bicycle access to Metrorail stations.

BE IT FURTHER RESOLVED that NVTC endorses and agrees to be a partner with Fairfax County in its request for TIGER II funds to complete a new ramp on I-66.

Approved this 1st day of July, 2010.

Catherine M. Hudgins
Chairman

Mary Hynes
Secretary-Treasurer



4350 N. Fairfax Drive • Suite 720 • Arlington, Virginia 22203
Tel (703) 524-3322 • Fax (703) 524-1756 • TDD (800) 828-1120 • VA Relay Service
E-mail nvtdc.org • Website www.thinkoutsidethecar.org

ITEM 9 – Action

June 16, 2010

Approval of Submission of a “TIGER II” Pre-Application for a Regional Bike Sharing Project

Staff Recommendation: Adopt Resolution R25-2010 to approve the submission of a regional bike sharing pre-application under the TIGER II program by the due date of July 16.

Issues: None

Background: On June 1, USDOT released in the Federal Register the Final Notice of Funding Availability (NOFA) for \$600 million under the TIGER II program in discretionary surface transportation grant funding for projects with pre-applications due on July 16 and final applications due on August 23, 2010. The Board will be briefed on the project components of a regional bike sharing project as described in the enclosed materials, and asked to approve the submission of a regional bike sharing pre-application under the TIGER II program by the due date of July 16.

NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002

RESOLUTION APPROVING THE SUBMISSION OF A NATIONAL CAPITAL REGION
REGIONAL BIKE SHARING PRE-APPLICATION FOR FUNDING UNDER THE US
DEPARTMENT OF TRANSPORTATION (USDOT) TIGER II COMPETITIVE GRANT
PROGRAM

WHEREAS, the National Capital Region Transportation Planning Board (TPB), which is the metropolitan planning organization (MPO) for the Washington Region, has the responsibility under the provisions of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) of 2005 for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the Washington Metropolitan Area; and

WHEREAS, on February 17, 2010, USDOT announced that the National Capital Region will receive \$58 million in TIGER funding for portions of the Regional Priority Bus Project that was submitted by the TPB in September 2009; and

WHEREAS, On June 1, 2010, U.S. DOT released the final notice of funding availability for the TIGER II discretionary grant program, which is so named because of its similarity in scope and administration to the TIGER grant program, such as a shared focus on long-term goals like livability and sustainability and a multimodal scope; and

WHEREAS, the TIGER II program is a competitive discretionary grant program administered through the US DOT Office of the Secretary funded with \$600 million appropriated through the FY2010 Appropriations Act, \$425 million of which is available for capital projects in urban areas; and

WHEREAS, TIGER II is similar to the original TIGER program in that it focuses on five primary criteria: state of good repair, safety, sustainability, livability, and economic competitiveness; and two secondary criteria: innovation and partnership; and

WHEREAS, USDOT staff has indicated that several projects submitted under the first TIGER program were competitive and would be competitive if resubmitted under TIGER II, and there were compelling elements of the TPB TIGER application that were not funded under the \$58 million grant, such as a regional bike-sharing system; and

WHEREAS, the TIGER II program provides the TPB with a good opportunity to resubmit a bike-sharing system for funding, and a bike-sharing system addresses many of USDOT's long-term goals and objectives, such as providing regional benefits and strengthening regional partnerships, promoting multimodal travel by increasing connectivity and feasibility of using transit throughout the region, and increasing affordable transportation options; and

WHEREAS, at the May 19 TPB meeting, the idea of resubmitting the bike-sharing project and including a bicycle infrastructure component for TIGER II funding was discussed, and the Board approved TPB staff working with WMATA staff to develop a regional application that would center on bike-sharing, and would also include bike

infrastructure projects to improve connectivity between bike-sharing locations and transit stations, bike paths, and activity centers; and

WHEREAS, the TIGER II application timeframe requires a pre-application to be submitted by July 16 with a final application due by August 23; and

WHEREAS, TPB staff has been working with WMATA staff and the Bicycle and Pedestrian Subcommittee of the TPB Technical Committee, as well as the bike-sharing partners from the TIGER process to develop a project for the TIGER II pre-application; and

WHEREAS, the proposed regional system would expand the current and planned systems in the District of Columbia and Arlington County and would connect to the extensive transit and bicycle networks throughout the region; and

WHEREAS, as a complement to the bike-sharing and to facilitate more bicycle connections throughout the region, the proposed project could also include bicycle infrastructure to improve connections between the bike-sharing locations and transit (bus, rail, and commuter rail), existing bicycle paths, and activity centers; and

WHEREAS, on June 9, staff from TPB member agencies who are potential project partners met to identify potential bike-sharing locations and regional coordination, infrastructure projects that tie into bike-sharing, local match sources and required assurances, operating funding sources, and alternative financing opportunities, such as corporate sponsorship; and

WHEREAS, the TPB member agencies who are project partners will provide the required details and budget information for their project components to TPB staff by July 1 for incorporation into the regional project grant pre-application;

NOW, THEREFORE BE IT RESOLVED THAT THE NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD approves the submission of a pre-application for regional bike sharing with complementary bike infrastructure that facilitates connections between bike-sharing stations and transit, the bike network, and activity centers under the federal TIGER II program by the due date of July 16, 2010 as described in the attached memorandum, with review and approval of the pre-grant application by the TPB Steering Committee at its July 9th meeting.

National Capital Region Transportation Planning Board

777 North Capitol Street, N.E., Suite 300, Washington, D.C. 20002-4290 (202) 962-3310 Fax: (202) 962-3202 TDD: (202) 962-3213

MEMORANDUM

TO: Transportation Planning Board

FROM: Monica Bansal
Rex Hodgson
Department of Transportation Planning

SUBJECT: TIGER II Regional Bicycle-Sharing and Access Improvements Project Proposal

DATE: June 10, 2010

At the TPB's May 19th meeting, the Board was briefed on the TIGER II grant Notice of Funding Availability, released in final form on June 1, and a general proposal to submit a regional bike-sharing and access improvement project. There was widespread support expressed, enabling TPB staff to work with regional and local partners to develop a preliminary proposal, which is summarized in this memorandum.

A regional bike-sharing proposal was included in the region's original application for funding under the TIGER I grant program, but was not funded. General feedback from U.S. DOT indicated that the project was viewed favorably by reviewers and would be competitive if resubmitted under the new and substantively similar TIGER II program. Like TIGER I, DOT has placed importance on "projects that will have a significant impact on the Nation, a metropolitan area or a region." The bike-sharing proposal demonstrates widespread regional coordination and provides the federal government with an opportunity to fund an innovative project that is regional in scope, meets long-term sustainability and livability criteria, and expands affordable transportation options across the region.

TPB staff has been working with points of contact in interested local jurisdictions and WMATA to further develop the TIGER II proposal.

The bike-sharing and access improvements proposal

The TIGER II proposal consists of a regional bike-sharing system, as well as access and safety improvements specifically related to bike access to transit and major points of activity.

A bike-sharing system works similar to a car-sharing system, such as ZipCar, where a user becomes a member by paying a fee and has access to any available bike throughout the region by paying a small, additional per-hour fee. A user is able to take a bike from any bike-sharing station in the region and return it to any other location in the regional system. Not only does bike-sharing allow users to access more destinations via a healthy, non-polluting, and affordable mode, but it also allows a user to ride between a transit station and his/her destination, effectively extending the reach of the current transit system and solving the "last mile problem".

The proposed regional system would expand the current and planned systems in DC and Arlington County and would connect to the extensive transit and bicycle networks throughout the region. The planned DC and Arlington bike-sharing systems have already gone forward with

a joint decision to use Montreal's Bixi system and have contracts that include opportunities for regional expansion. This joint planning effort strengthens our ability to formulate and implement a regional bike-sharing system.

The proposal also includes access and safety improvements, such as bike lanes, paths, and signage to facilitate connections from bike-sharing stations to transit, commuter rail, and activity centers. These improvements would greatly enhance the attractiveness of bike-sharing and biking in general to potential users by making biking safer and more convenient.

Project partners

On June 9, potential project partners met to discuss project details, regional coordination, local match sources, operating cost issues, alternative financing possibilities, and application development deadlines. Based on estimated availability of 20% match and 100% operating funding for the bike-sharing system the following jurisdictions have expressed interest in participating:

1. District of Columbia, 1000 additional bikes for their already planned 1000 bike system
2. Arlington County, 750 additional bikes for their already planned 117 bike system.
3. Fairfax County, 100 bikes for a new system
4. City of Alexandria, 60 bikes for a new system
5. Montgomery County, 200 bikes for a new system
6. City of College Park, number of bikes to be determined

The total number of bikes for the system is currently estimated at 3,227. The grant request at this stage in application development will be 2,227, which includes Arlington's already planned system of 117 bikes as match, but not DC's planned system of 1000 bikes. DC's planned system is funded with federal funds and therefore cannot be used as local match.

The current bike-sharing proposal is thus estimated at 2,227 bikes and \$10 million; however, this does not include bike-sharing in the City of College Park or access improvements in any of the jurisdictions.

Specific access and safety improvements are still being determined, but will tie directly into the bike-sharing locations and system. For instance, WMATA is currently determining possible bike access improvements at Metrorail stations that could be matched and included in this proposal.

Some level of private sector contribution through corporate sponsorships is expected to be secured before the application deadline; however, regardless of the availability of corporate sponsorships, the above jurisdictions have estimated that local match and operating expenses can be supplied to fully meet federal requirements. Since it is understood that projects with greater than 20% local match will be more competitive, every effort will be made to increase the local match for the final application.

TIGER II funds have a minimum grant request of \$10 million and a stronger requirement to achieve equitable distribution of funds across regions and modes than TIGER I, meaning each grant award will likely be smaller than under TIGER I. Therefore, the TPB application is likely to be most competitive with a small overall request.

Next steps

The deadline for the application is August 23rd, 2010. There is a pre-application deadline of July 16th, which is intended to serve as an eligibility screen for applicants specifically regarding local

match sources and NEPA assurances. Since the TPB will not be meeting again in advance of the July 16 deadline, it is recommended that the TPB adopt the enclosed resolution R25-2010, approving the submission of a pre-application for regional bike-sharing with complementary bike infrastructure and authorizing the TPB Steering Committee to review and approve the final pre-application at its July 9 meeting. (A similar procedure was followed for the first TIGER application). As with the TIGER I application, the COG Board of Directors will be asked to authorize the Executive Director of COG to apply for and administer grant funding from the USDOT's TIGER II Competitive Grant Program for the regional bike-sharing project at its July 14 meeting.

In order to meet the July 9 deadline, a hard deadline of July 1 will be in place for all necessary project documentation, including match and NEPA assurances. TPB staff will be working with local partners to collect relevant information to meet the July 1 deadline.

National Capital Region Transportation Planning Board

777 North Capitol Street, N.E., Suite 300, Washington, D.C. 20002-4290 (202) 962-3310 Fax: (202) 962-3202 TDD: (202) 962-3213

MEMORANDUM

TECHNICAL COMMITTEE
ITEM #7

TO: TPB Technical Committee

FROM: Monica Bansal
Department of Transportation Planning

SUBJECT: Status Update on the TIGER II Grant Application Development Process

DATE: May 28, 2010

On April 26, 2010, U.S. DOT released an interim notice of funding availability for the TIGER II discretionary grant program. The TIGER II program is so named because of its similarity in scope and administration to the TIGER grant program, such as a shared focus on long-term goals like livability and sustainability and a multimodal scope. U.S. DOT staff has indicated that several projects submitted under the first TIGER program were competitive and would be competitive if resubmitted under TIGER II. The region was very successful under TIGER I, with a \$60 million award for a network of priority bus improvements. However, there were compelling elements of the application that were not funded, such as a regional bike-sharing system. Therefore, this new round of TIGER grants provides the region with a good opportunity to resubmit bike-sharing in a regional application. This program addresses many of DOT's long-term goals and objectives, such as providing regional benefits and strengthening regional partnerships, promoting multimodal travel by increasing connectivity and feasibility of using transit throughout the region, and increasing affordable transportation options.

The idea of resubmitting the bike-sharing proposal and including a bicycle infrastructure component for TIGER II funding was discussed at the May 19 TPB meeting and generated positive interest. The TPB gave staff a green light to proceed in developing a regional application that would center on bike-sharing, but would also include bike infrastructure projects to improve connectivity between bike-sharing locations and transit stations, bike paths, and activity centers. These latter components are being developed in partnership with WMATA.

What is TIGER II?

The TIGER II program is a competitive discretionary grant program administered through the U.S. DOT Office of the Secretary. The program is funded with \$600 million appropriated through the FY2010 Appropriations Act, \$425 million of which is available for capital projects in urban areas. The grant program is similar to the original TIGER program in that it focuses on five primary criteria: state of good repair, safety, sustainability, livability, and economic competitiveness; and two secondary criteria: innovation and partnership. Like TIGER, TIGER II will be administered out of the U.S. DOT Office of the Secretary rather than a specific modal administration in order to encourage applications across all modes. Additionally, TIGER II also retains TIGER's emphasis on comprehensive benefit-cost analysis as a method of comparing projects across various modes.

TIGER II differs from TIGER in four major areas. First, the funding is not stimulus-related and as such TIGER II grants require a 20% local match. Second, the overall funding amount is

much less than TIGER and as such the minimum grant requirement is less, at \$10 million. Third, all projects are required to submit a benefit-cost analysis regardless of grant request amount. Lastly, because the funding is not stimulus-related, less emphasis has been placed on completing projects within a two year timeframe.

The TIGER II application timeframe is extremely tight, with pre-applications due on July 16 and final applications on August 23.

The general proposal

The TPB is proposing to submit a regional application for bike sharing and, in partnership with WMATA, complementary bike infrastructure that facilitates connections between bike-sharing stations and transit, the bike network, and activity centers.

A bike-sharing system works similar to a car-sharing system, such as ZipCar, where a user becomes a member by paying a fee and has access to any available bike throughout the region by paying a small, additional per-hour fee. A user is able to take a bike from any bike-sharing station in the region and return it to any other location in the regional system. Not only does bike-sharing allow users to access more destinations via a healthy and non-polluting mode, but it also allows users to ride between a transit station and his/her destination, effectively extending the reach of the current transit system and solving the "last mile problem".

The proposed regional system would expand the current and planned systems in DC and Arlington County and would connect to the extensive transit and bicycle networks throughout the region. The planned DC and Arlington bike-sharing systems have already gone forward with a joint decision to use Montreal's Bixi system. This joint planning effort strengthens our ability to formulate and implement a regional bike-sharing system.

As a complement to the bike-sharing and to facilitate more bicycle connections throughout the region, the proposal also includes bicycle infrastructure to improve connections between the bike-sharing locations and transit (bus, rail, and commuter rail), existing bicycle paths, and activity centers. This can include a variety of access and safety improvements, such as bike lanes, paths, and signage, among others. These improvements would greatly enhance the attractiveness of bike-sharing and biking in general to potential users by making biking safer and more convenient.

What's our status?

TPB staff has been working with the TPB Bicycle and Pedestrian Subcommittee (BPS), as well as the bike-sharing partners from the TIGER process to begin developing a TIGER II application. The proposal above was discussed at the May 18th BPS meeting and a deadline of May 26th was set for members to express interest in participating in the regional grant application.

To date, the following jurisdictions have expressed interest in participating:

1. District of Columbia, for 1000 additional bikes in their bike-sharing scheme
2. Arlington County, for 750 additional bikes in their planned bike-sharing scheme
3. City of Fairfax
4. City of Alexandria
5. Montgomery County (100-200 bikes in an initial bike-sharing scheme)
6. City of College Park (bike-sharing and possible cycle-tracks or side paths)
7. Prince George's County

Additional expressions of interest are still welcome. If TPB staff is not currently reaching out to a jurisdiction adequately, an appropriate point of contact should be given to staff.

What are the issues?

The two major obstacles to participation expressed by jurisdictions are both financial: (1) local match and (2) operating expenses for bike-sharing.

For a majority of the interested parties, the local match is proposed to be met by leveraging programmed projects that can be included in this grant request, such as already planned bike-sharing and bicycle infrastructure within bike-sharing locations. Other sources include developer contributions and tax-increment financing. Although many jurisdictions have potential sources of match, meeting the full 20% requirement is still difficult for most. The possibility for jurisdictions with a considerable amount of planned bike-sharing or bike infrastructure, such as DC, to leverage programmed money as match and share with jurisdictions that cannot meet the match requirement on their own was posed at the May 19th TPB meeting.

The other major issue is the ability to provide operating costs for the bike-sharing system. Many jurisdictions expressed an inability to find operating dollars in their budgets, despite the relatively low associated costs. It is possible that additional information on operating costs and projections would assist jurisdictions in making this determination. For instance, bike-sharing operating costs are estimated at \$155 per bike per month. Some cost-recovery is expected, with an expectation that revenues would equal costs after four or five years. In Arlington County, it is estimated that cost recovery from subscription and user fees will rise from 19% in the first year to 65% in the fourth year, with eventual full cost recovery. These percentages will vary based on the size and density of the system and should thus be used only as a guideline. Additionally, partnerships with the business community and possible sponsorships should be explored as sources for ongoing funding.

A related issue may be meeting the \$10 million minimum grant request, because of these two financial obstacles to participation.

The timeline for next steps

The deadline for the application is August 23rd, 2010. There is a pre-application deadline of July 16th, at which point some major details must be determined, such as match amounts and sources. In anticipation of this deadline, a more detailed proposal will be presented to the TPB at their June 16th meeting for approval.

In the coming days, TPB staff will hold a meeting of bike-sharing partners and points of contact to date to determine project details. This proposal is regional in nature where the project proposal in one jurisdiction impacts what could/should be considered in another jurisdiction. This meeting is intended to work through some of these questions, as well as the aforementioned financial issues.



AGENDA ITEM #6

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube
DATE: June 24, 2010
SUBJECT: Comments on Draft List of State Governmental Reforms

The commission is asked to approve the attached set of comments on an initial list of suggested governmental reforms. The comments would be provided to Governor McDonnell's Government Reform Commission. Of the 129 ideas on the initial list, NVTC's comments would address 15 that pertain to public transit and ridesharing. Among the most relevant proposals to NVTC are two that call for: consolidation of NVTC, PRTC and NVTA; and ownership and operation of VRE by the Commonwealth. Also, NVTC's own request to permit equal per diem payments for its board members is on the list.

NVTC's draft comments have been reviewed by local and regional staff. Additional ideas are expected to be considered by the Reform Commission with future opportunities to comment on those. For example, Fairfax County staff has now submitted several comments that were not included in the initial list for review.



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NVTC Comments on Transportation Government Reform Initiatives

June 24, 2010



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<u>Item #</u>	<u>Page #</u>	<u>Description</u>
9	3	Allow price to be considered as a factor in awarding architectural and engineering services contracts.
		<u>Comment:</u> These federal and state changes should apply to all procurements made by agencies following the FHWA, FTA and Virginia Procurement Act rules, not only DRPT and VDOT. Also, pending federal action, the changes should apply to contracts not using federal funds.
32	13	Allow tax credits to employers for expenses incurred in allowing employees to telework, with a percentage reserved for telework in areas with higher unemployment rates.
		<u>Comment:</u> NVTC strongly supports the use of tax credits, but questions reserving some for higher unemployment areas. The greatest benefits from telework are in heavily congested commuting areas which likely have lower unemployment rates. Easing congestion there via telework would create more value (and state tax revenues to offset the costs of tax credits).
33	14	Allow sections of railroad track slated for abandonment to be preserved with tax exemptions for future use for passenger service.
		<u>Comment:</u> This is very worthwhile, but only if DRPT actually negotiates real concessions from the railroads in exchange for the tax breaks. Encouraging freight railroads to retain such assets but allowing them to extract exorbitant prices from public agencies wishing to acquire or use those assets in the future is not wise.
92	44	Broaden powers of the Commissioner of Transportation to include public transportation and other modes.
		<u>Comment:</u> While a multi-modal perspective is important, care must be exercised to avoid conflicts with the responsibilities of the Director of the Department of Rail and Public Transportation and other modal administrators.

<u>Item #</u>	<u>Page #</u>	<u>Description</u>
93	44	Alter the state transportation plan to emphasize operating and maintenance outcomes in addition to the current emphasis on projects. Further, all elements of local, district, regional and modal plans should be accounted for and prioritized. Also, financial restraints should be recognized with constrained and unconstrained elements to the plan.
		<u>Comment:</u> NVTC concurs with this recommendation but urges caution about the process used to incorporate and prioritize local/regional elements. Local/regional plans are established with great care and for good reasons and should not be superceded with arbitrary state declarations. Only a careful, inclusive and non-partisan approach should be employed to achieve such integration and prioritization.
101	49	Amend §15.2-4500 <u>et seq.</u> to give NVTC the discretion to provide to board members who are local elected officials per diem payments equal to those provided to board members who are state elected officials.
		<u>Comment:</u> This is NVTC's suggestion and it has been a legislative goal of the commission ever since the General Assembly's action created the current disparity of \$50 versus \$200 per meeting.
102	50	Revamp the Rail Advisory Board to give it greater authority to develop and prioritize projects and formulate the state rail plan.
		<u>Comment:</u> How the Board would be revamped, what its greater authority would be and what benefits would result must be clarified before it is possible to determine if this is worthwhile.
103	52	Allow the 30% match for the Rail Enhancement Fund (REF) to be reduced or waived and REF funds used to match federal funds and to leverage bonds.
		<u>Comment:</u> Budget language added such enhancements for FY 2011 as well as allowing the REF to be used to fund intercity passenger rail operations. While these changes should be made permanent, new sources of funding should be identified (e.g. rental car tax increase) to provide long term operating funding for intercity passenger rail service without diverting funds from transit programs. Also freight rail beneficiaries should be required to cooperate with publicly funded passenger rail services.

<u>Item #</u>	<u>Page #</u>	<u>Description</u>
104	52	Require CTB to evaluate a complete range of alternatives to major new highway construction and reconstruction projects and to give preference to those alternatives.
		<u>Comment:</u> It is worthwhile to consider alternatives using a methodology that considers relative benefits and costs, including environmental, livability and sustainability factors. However, once such an objective methodology is applied there would be no need to give preference to one mode over another.
105	53	Require the CTB's six-year plan to emphasize road and bridge repair.
		<u>Comment:</u> The Code reference requires an assessment of all modes of transportation. The plan should not emphasize roads and bridges over other modal investments. Instead, an objective analysis should be applied that determines which investments are warranted (see comments on item #104 above).
107	55	Grant all public bodies the same design-build authority granted to the Commonwealth.
		<u>Comment:</u> "All public bodies" seems overly broad. Only those public bodies that could benefit from the enhanced powers should qualify.
108	56	The Commonwealth should own and operate commuter rail services which span different regions.
		<u>Comment:</u> Currently the Commonwealth has statutory authority to pay for up to 95% of the net eligible costs of operating and investing in commuter rail services (only the Virginia Railway Express meets the definition of "commuter rail"). The Commonwealth falls short of this target every year. In the meantime, local sponsors and customers have provided most of the funds needed to build VRE into a successful \$300 million enterprise with close to 18,000 daily passenger trips. VRE is regarded by its riders as devoted to customer service and local control ensures continuation of those customer-friendly policies. Another local government recently has joined VRE and further expansion plans are underway. Until the Commonwealth is able to meet its current funding obligations to VRE it should not consider expanding its ownership and operation responsibilities.
		On the other hand, the Commonwealth should be the driving force behind expansion of intercity passenger rail service.

<u>Item #</u>	<u>Page #</u>	<u>Description</u>
121	59	Consolidate the number of transportation districts to five or seven. Appoint one member from each to the CTB with the rest appointed by the Governor representing specific modes.
		<u>Comment:</u> This proposal trades modal interest for geographic interest on the CTB. The proposal offers no apparent benefits. The Governor has the ability now to select individuals with a balanced transportation perspective. Consolidating districts should only be accomplished if it can be demonstrated that it would create a more effective and efficient structure, while retaining responsiveness to local needs.
125	61	Establish one board to address all transportation issues in Virginia.
		<u>Comment:</u> Individual boards develop expertise in the details of their areas of specialization. As long as effective communication and coordination is established between them, there is no per se benefit to consolidation. Consolidation should only occur after detailed and objective analysis of the benefits and costs.
127	62	Consolidate NVTC, PRTC and NVTA in Northern Virginia.
		<u>Comment:</u> This proposal was studied in detail in the past in an exhaustive consulting study and soundly rejected by the local end regional entities familiar with the work of these agencies. They each have their special areas of expertise and geographic focus which would be impaired by arbitrary consolidation. They are currently performing well with the close cooperation of the region's local governments. Further, their administrative budgets are far from extravagant (e.g. NVTA's is zero), especially in comparison to services rendered. Finally, it is incorrect to imply the approach to transportation issues in Northern Virginia is not unified. As one example, all agencies cooperate to produce a unified transportation plan (i.e. TransAction 2030 is completed and TransAction 2040 will soon get underway) and to prioritize transportation investments each year.



AGENDA ITEM #7

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube and Scott Kalkwarf
DATE: June 24, 2010
SUBJECT: Comments on Funding Intercity Passenger Rail Operations.

The commission is asked to authorize staff to submit comments to DRPT on an intercity passenger rail operations funding study. SJ63 was approved in the 2010 General Assembly session. It requires DRPT to evaluate potential sources of state funding for intercity passenger rail service and report prior to the start of the 2011 General Assembly session. DRPT has requested comments by July 2, 2010 on the best way to provide funding. The comments "...will help guide development of the draft study document." The draft will be completed in fall, 2010 and another public comment period will be announced.

NVTC's Management Advisory Committee discussed this subject on June 15th. NVTC staff offers the following comments:

With the resounding popularity of DRPT's initial demonstration of enhanced intercity passenger rail service, plans to extend new service in additional corridors, and the federal emphasis on developing high-speed rail, identifying sources of state funding for operations is important (and in these trying economic conditions, also difficult). For example, future competitive awards of federal high speed rail capital funding will likely give preference to states with designated sources of operating funds.

Currently two state sources of funds are used to support the Commonwealth's rail programs via the Rail Enhancement Fund: 1) Car rental tax; and 2) Bonds authorized by HB3202 of 2007. The FY 2010 budget allows for the first time a small portion of the fund to be used to support intercity passenger rail operating expenses with no match required. Accordingly, to provide more funding for this purpose, the rental car tax could be increased and the Virginia Code changed to permit permanent use of the Rail Enhancement Fund.



NVTC's and the Virginia Transit Association's legislative agendas support establishing such an enhanced funding source for the Rail Enhancement Fund to fully match federal grants, integrate service with existing local and regional transit, and ensure that existing funds for transit are not diverted (including the federal funds allocated each year by the CTB to VRE's track leases).

The Commonwealth falls far short (close to \$200 million annually) in meeting its statutory 95 percent target of eligible net transit subsidies, so clearly adding new intercity rail services to those existing transit funding programs would be unwise. Further, new sources of state funding for intercity passenger rail should not take precedence over or preempt additional funding for public transit until these significant shortfalls are eliminated. This is a matter of equity because the burden of funding public transit falls most heavily on local tax payers while at the same time the Commonwealth retains the sole power to employ most new revenue sources.

Where freight railroads are the beneficiaries of these public investments, they should be required to cooperate with publicly provided passenger rail services on equitable terms.

Finally, the Commonwealth should specify what it believes constitutes success for its intercity passenger rail program. Neither the state's rail plan nor its new surface transportation plan provide such measures (e.g. acceptable levels of state subsidy per passenger).



AGENDA ITEM #8

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube
DATE: June 24, 2010
SUBJECT: Comments on Virginia's Surface Transportation Plan for 2035

After discussion, the commission is asked to authorize its staff to submit comments on the draft plan. Comments are due by July 30, 2010.

NVTC and local jurisdiction staff reviewed draft inputs for a statewide transit plan over a period of many months in 2009 before the data were combined into this draft surface transportation plan. Many of NVTC's proposed comments echo those made previously to DRPT staff. For example, the current plan does not seriously address funding. It advocates boosting transit services in less densely populated areas without demonstrating the benefits from investments in those areas compared to Northern Virginia. Also, while it does acknowledge Transportation Demand Management's positive role, the plan in general does not provide sufficient emphasis on moving people versus vehicles.



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2035 VIRGINIA SURFACE TRANSPORTATION PLAN AVAILABLE FOR PUBLIC COMMENT

The 45-day review process begins June 16, 2010, and ends July 30, 2010

RELEASE: IMMEDIATE
June, 16, 2010

CONTACT: Shannon N. Marshall 804-371-6844 (office)
804-517-2686 (cell)
Shannon.Marshall@VDOT.Virginia.Gov

Jennifer Pickett 804-786-7432 (office)
804-221-1853 (cell)
Jennifer.Pickett@drpt.virginia.gov

RICHMOND – The Virginia Department of Transportation (VDOT) and Virginia Department of Rail and Public Transportation (DRPT) have developed the 2035 Virginia Surface Transportation Plan, which provides long-term multimodal transportation suggestions for the commonwealth. The draft plan is available for public review and comment beginning June 16, 2010, and concluding July 30, 2010.

The 2035 Virginia Surface Transportation Plan represents the first time VDOT and DRPT have organized multimodal proposals in a single plan.

The plan provides information for potential long-term project development and investment based on the goals identified in VTrans2035, Virginia's statewide multimodal transportation policy plan. The draft plan includes possible improvements to transit, rail, freight, highway and intelligent transportation systems. Transportation needs identified in the plan are used to help determine highway projects for the Six-Year Improvement Plan.

The 2035 Virginia Surface Transportation Plan, including a summary map and plan report can be found at www.vtrans.org. Comments can be submitted via e-mail to statewideplan@VDOT.Virginia.Gov between June 16, 2010, and July 30, 2010.

(END)



Comments on the March 2010 Draft of the Virginia Surface Transportation Plan

DRAFT: June 24, 2010



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1. Staff of NVTC and its jurisdictions reviewed draft inputs for DRPT's Public Transportation Plan for many months with DRPT staff and consultants before the data were combined into this draft surface transportation plan. We appreciated that opportunity to explain why Northern Virginia's integrated transit system is unique and effective and deserves more state funding.
2. The primary goal of Virginia's transportation system should be to move people and goods, not vehicles. The report compares daily vehicle miles traveled by region and highway segment and does not give enough emphasis to moving people and goods.
3. Including references (however brief) to Transportation Demand Management approaches is a step in the right direction.
4. A very serious shortcoming is a failure to address where funds will be obtained to meet the goals and strategies outlined in the plan. What funding principles should be employed? Variable pricing? General tax increases? Public-private partnerships? Funding gaps are tallied but no useful suggestions on how to fill the shortfalls are made.
5. (p. 5-7) Recommendation #1: Provide state operating support at a minimum of 20% of total transit expense.

This is poorly defined because it is unclear whether "total expense" excludes fare revenues and funding assistance from various levels of government. Further, state law defines only certain expenses as eligible to receive state aid (bus driver and mechanics wages, for example, that comprise up to 60% of transit operating costs are specifically excluded). Does the 20% minimum remove such exclusions?

The most serious problem with the recommendation is the failure to acknowledge that current state statutes allow the commonwealth to cover up to 95% of net eligible transit capital and operating costs. The failure to do so currently amounts to a shortfall of about \$200 million annually. The 95% target is designed to level the playing field for transit with state investments in highways.

The state's inability to meet its own statutory target is the issue, not changing the target to be easier. Without identifying new funding sources, establishing a statutory minimum, even if clearly defined, is a hollow exercise.

6. (p. 5-7) Table 6 should acknowledge that fares and parking fees are an integral component of local effort.
7. (p. 5-7) The text on this page references a funding gap of \$1.5 billion to reach a minimum of 20% of total operating expenses, but Table 7 shows the gap to be \$1.8 billion. As stated previously, using the 20% minimum artificially narrows the funding gap.
8. (p. 5-8) The text refers to a \$3.5 billion funding gap but Table 8 shows \$3.2 billion.
9. (p. 5-8) The text refers to total cost of \$8.5 billion but Table 9 shows the cost to be \$8.7 billion.
10. (p. 5-9) In describing as “modest” the subsidy cost for improving “lifeline” transit service to small jurisdictions, the report dismisses the \$200 million cost. That amount would allow DRPT to eliminate its current shortfall and reach the 95% statutory target for the entire Commonwealth for a year.
11. (p. 5-10) The same comment applies to the \$162 million recommended for lifeline transit services to upgrade insufficient service in small urban and rural areas. This illustrates the fact that performance targets should be established (e.g. subsidy per trip or per capita; economic return to the Commonwealth per dollar of state investment; etc.) to quantify potential returns on investment and to prioritize the recommendations in the plan. Are there new funding sources that are well suited for these lifeline efforts that would not divert resources from established transit providers in congested urban areas?
12. (p. 5-11) Recommendation #6: Establish a Transit Enhancement Fund of \$52 million annually (2009 dollars) or \$20 billion between FY 2010 and 2035 to study, plan and construct major rapid transit capital projects.

The current DRPT formula program is seriously underfunded. This proposal simply provides DRPT more discretion to pick and choose capital projects it favors. New funding sources should instead be devoted to DRPT’s existing formula programs until the existing 95% statutory target for state assistance is consistently achieved.

13. (p. 7-26) The GEORGE bus system in Falls Church should be listed in the table. The table should list Loudoun County Transit (not Loudoun County Commuter).
14. (p. 7-27) “I-66 reverses direction between the A.M. and P.M. peak period.”

In fact, the I-95/395 HOV lanes are reversible. Those on I-66 do not reverse but the HOV restrictions change direction.

15. (p. 7-27) Another important corridor to mention that parallels Metrorail is Route 1.
16. (p. 7-27) Loudoun County Transit should be mentioned among the several bus systems listed.
17. (p. 7-31) The recommendations for public transit, TDM, ITS and rail are likely worthwhile, but with no performance targets, prioritization, cost estimates and potential sources of funding, what is the point?
18. (p. 7-34) In pursuing the Commonwealth's ambitious plans for passenger rail expansion, care must be taken not to divert financial resources from existing public transit programs and to identify new funding sources; to avoid competing with VRE service for scarce slots to operate on freight rail rights of way; and to insist that freight railroads accept binding agreements to offer access on fair and equitable terms in exchange for public investments benefitting their own freight operations.



AGENDA ITEM #9

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube
DATE: June 24, 2010
SUBJECT: WMATA Items

WMATA's FY 2011 budget is expected to be approved today by the WMATA Board. The new multi-year capital funding agreement to be effective July 1, 2010, has been sent to the jurisdictions for approval and several have acted already.

At NVTC's last meeting the commission discussed Virginia Transportation Secretary Sean Connaughton's May 26th letter in detail. Secretary Connaughton asked NVTC to sign the new multi-year funding agreement on behalf of the Commonwealth. He also asked that NVTC agree to appoint two state representatives to the WMATA Board. The commission did not act on the Secretary's request, but did ask staff to develop the following items for consideration at NVTC's July 1st meeting:

1. Complete an analysis of the legal issues;
2. Prepare exhibits showing relative financial commitments to WMATA of the Commonwealth and NVTC's localities; and
3. Write a draft response to Secretary Connaughton.

Several attachments show that this subject has generated substantial public interest during the past month. All of the requested items are attached with the exception of the legal analysis. The Arlington and Fairfax County attorneys offices are cooperating to prepare that item.



DRAFT July 1, 2010

The Honorable Sean Connaughton
Secretary of Transportation
P.O. Box 1475
Richmond, VA 23218

Dear Secretary Connaughton:

At its meeting of July 1, 2010, the Northern Virginia Transportation Commission authorized this response to your letter to me dated May 26, 2010 regarding \$50 million annually of state matching funds for WMATA's new multi-year funding agreement.

As I emphasized in presenting NVTC's testimony to you and the Commonwealth Transportation Board on May 26th, NVTC greatly appreciates the substantial assistance provided by the Commonwealth for WMATA, VRE and our local transit systems. The focus you mentioned in your letter on strengthening our partnership and increasing support for WMATA is one that we share.

The commission initially reviewed your letter at NVTC's June 3rd meeting. As you know, we did not act on your proposal to authorize NVTC to sign the Metro Matters II multi-year funding agreement because, to the extent any further assurances may be needed by WMATA, those should come from the Commonwealth. Letters from Secretary of Transportation Pierce Homer (September 25, 2008 and October 23, 2009) clearly state the legally binding commitment of the Commonwealth to provide the \$50 million annually in matching funds and make no mention of any preconditions. Accordingly, your request that NVTC appoint two state representatives to the WMATA Board should not be connected in any way to the provision of funds for WMATA.

While commissioners may have different views on the advisability of adding state representatives to the WMATA Board from Virginia, current discussion must be about funding the safety needs of Metro, which provide for a state-of-good-repair for the system. Certainly, we all can agree that the legislation passed by the Congress, Maryland, District of Columbia and Virginia was for that purpose and no other.

As an example of our varying perspectives, while some of our commissioners emphasize the significant contributions from the Commonwealth, most commissioners and our staffs question your

depiction of the relative amounts of funding contributed to support WMATA by NVTC and the Commonwealth. The table you included in your letter ignored fares and parking revenues paid by residents of NVTC's jurisdictions, which are part of our local effort. Your presentation of only the most recent year also ignores the many decades in which local effort consistently far exceeded that of the Commonwealth.

Commissioners also note that regardless of relative funding levels, local representatives are best equipped to understand and respond to WMATA's customers' needs. The state of Maryland (which appoints two voting members of the WMATA Board) recently demonstrated how state funding priorities may be inconsistent with WMATA's needs. Maryland's threat to withhold WMATA funding placed the continued success of this vital regional partnership in jeopardy and led to such a sharp public reaction that Maryland was compelled to change its position.

We are certainly willing to engage in dialogue with you and others on the subject of Metro governance. However, WMATA is in desperate need of immediate, sustainable capital funding and NVTC is unwilling to participate in any activity that will delay or jeopardize the provision of Virginia's matching funds. In a matter of weeks, WMATA must execute a contract for the purchase of rail cars for the Dulles MetroRail project and the needed replacement of the 1000 series cars. A delay in executing the contract as planned in the Proposed Capital Agreement will generate extra cost to the contract and all funders.

We trust you share our view that the Commonwealth must fulfill its legally binding commitments made to WMATA, its customers and the U.S. Congress. To do so will be a positive step to strengthening the Commonwealth's partnership with our local governments and our constituents who rely on WMATA.

Thank you for bringing to our attention your desire that NVTC should act to replace two local representatives on the WMATA Board with two NVTC members representing the Commonwealth. We look forward to sharing our detailed views on that subject with you in the near future.

Sincerely,

Catherine Hudgins
Chairman



COMMONWEALTH of VIRGINIA

Office of the Governor

Sean T. Connaughton
Secretary of Transportation

May 26, 2010

The Honorable Catherine M. Hudgins
Chairman, Northern Virginia Transportation Commission
4350 North Fairfax Drive, Suite 720
Arlington, Virginia 22203

Dear Chairman Hudgins:

As you are aware, the Washington Metropolitan Area Transit Authority (WMATA) is working with its funding partners to develop a six year capital funding agreement for Fiscal Years 2011-2016. Following up on your conversation last week with DRPT Director Thelma Drake, I would like to describe the Commonwealth's proposal for participating in the funding for the agreement.

Currently, the Commonwealth provides a total of \$75-\$80 million annually to support capital and operating expenditures for WMATA. The Commonwealth's funds flow from the Department of Rail and Public Transportation (DRPT) through the Northern Virginia Transportation Commission and ultimately to WMATA. The capital funding is discretionary and the operating funds are provided through a formula. The Commonwealth's contribution helps reduce the amount of the local contribution that is required. The Commonwealth will continue to provide financial assistance through DRPT's programs to help the localities with their share of the new funding agreement. In addition, the Commonwealth will also provide Virginia's share of the local funding match requirement (\$50 million annually beginning in Fiscal Year 2011) for the \$1.5 billion of federal funds that WMATA will receive under the Passenger Rail Investment and Improvement Act (PRIIA) of 2008. The Commonwealth anticipates that all of the funding it provides under the new funding agreement would flow through NVTC as it typically does today.

There is, however, a significant change the Commonwealth is seeking from NVTC. The data below shows that with the increase in funding, the Commonwealth will be the largest contributor in terms of government subsidy among the Virginia jurisdictions.

Jurisdiction	FY 11 Contribution	% of Total
Commonwealth of Virginia	\$129.8 million	52.2 %
Fairfax County	\$63.7 million	25.6 %
Arlington County	\$33.6 million	13.5 %
City of Alexandria	\$19.1 million	7.7 %
City of Falls Church	\$1.4 million	0.6 %
City of Fairfax	\$1.0 million	0.4 %

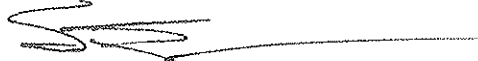
The Honorable Catherine M. Hudgins
May 26, 2010
Page Two

With the increase in funding, plus the recent commitment of additional resources to improve the performance of the federally mandated state safety oversight program, the Commonwealth believes that it is appropriate to request that NVTC provide two of its four appointments to the WMATA Board of Directors, one Principal Director and one Alternate Director, to DRPT. This will give the Commonwealth greater accountability for its financial contributions and safety oversight responsibilities, while strengthening its partnership with NVTC, Maryland and the District of Columbia. This request is also consistent with recent encouragement from stakeholders for greater involvement from DRPT in WMATA.

We can assure you of DRPT's active engagement if this proposal is accepted. Additionally, the Commonwealth would propose that NVTC sign the six year capital funding agreement since it will have a direct funding relationship with WMATA and that a separate agreement be entered into between DRPT and NVTC for the purposes of providing the funding and the appointments to the WMATA Board of Directors. The Commonwealth would expect the agreement with WMATA to hold NVTC and the local jurisdictions that are members of NVTC harmless if the Commonwealth failed to provide the local match to the PRIIA funds. The Commonwealth will be making the same commitment in its agreement with NVTC that Maryland and the District of Columbia will be making to WMATA regarding the match for the PRIIA funds, which is that funding will be made available subject to appropriation and allocation. NVTC would be making the same statement to WMATA as a signatory to the six year capital funding agreement.

I respectfully ask that you take the Commonwealth's request up at the June 3rd NVTC meeting. WMATA needs to move very quickly to secure all the necessary approvals for the agreement and the issue of NVTC being a signatory to the agreement needs to be resolved as soon as possible. I sincerely appreciate your consideration of the request and hope it is viewed positively with the focus on strengthening our partnership and increasing support for WMATA.

Sincerely,



Sean T. Connaughton

SC:ch

cc: Thelma Drake, DRPT
Rick Taube, NVTC



September 18, 2009

The Honorable Pierce R. Homer
Secretary of Transportation
Commonwealth of Virginia
1111E. Broad Street, Room 3054
Richmond, VA 23219

The Honorable Beverley K. Swaim-Staley
Secretary
Maryland Department of Transportation
7201 Corporate Center Drive, 4th Floor
Hanover, MD 21076

Mr. Gabe Klein
Director
District Department of Transportation
2000 14th Street, N.W., 6th Floor
Washington, DC 20009

Dear Secretary Homer, Secretary Swaim-Staley, and Director Klein:

This letter is to inform you about recent progress towards achieving dedicated funding for the Washington Metropolitan Area Transit Authority (Metro). As you are aware, Section 601 of the Passenger Rail Investment and Improvement Act of 2008 (P.L. 110-432), which passed last year, authorized \$1.5 billion of federal grants for Metro over ten years, to be matched with an equal contribution by local partners. It now appears likely that Metro will receive \$150 million during federal fiscal year 2010 pursuant to that authorization. As a result, we believe it is time to begin working together to finalize planning to assure that matching funds are available in a timely manner so that federal grants can be secured and obligated as soon as possible.

Earlier this year, Metro submitted a request for \$150 million in the FY2010 appropriations process to each member of the region's Congressional delegation. The delegation strongly supported this request. The House Transportation-HUD appropriations bill, which has passed the full House, includes \$150 million for Metro, to be used to address "the immediate safety shortfalls identified by the NTSB, including, but not limited to, the improved crashworthiness of the agency's rail car fleet and the maintenance and modernization of WMATA's overall signal and automatic train-control system." The Senate Transportation-HUD appropriations bill, which has passed the full Senate, also includes \$150 million in funding for Metro, along with more specific language directing its use than was included in the House bill. While final passage is not assured, the fact that \$150 million for Metro has been included in both the House and Senate appropriations bills strongly suggests that this funding could become available during FFY2010 for specific uses.

Washington
Metropolitan Area
Transit Authority

600 Fifth Street, NW
Washington, DC 20001
202/962-1234

By Metrorail:
Judiciary Square—Red Line
Gallery Place-Chinatown—
Red, Green and
Yellow Lines
By Metrobus:
Routes D1, D3, D6, P6,
70, 71, 80, X2

A District of Columbia,
Maryland and Virginia
Transit Partnership

Secretary Homer
Secretary Swaim-Staley
Director Klein
Page 2

We appreciate the action each of the Compact jurisdictions took to quickly pass legislation amending the Metro Compact as required by the federal authorizing legislation. On August 19, 2009, when President Obama signed S.J.Res. 19, a Joint Resolution of Congress consenting to the amendments, they became effective. One of those amendments requires that "[a]ll payments made by the local Signatory governments for the Authority for the purpose of matching federal funds appropriated in any given year as authorized under title VI, section 601, Public Law 110-432 regarding funding of capital and preventative maintenance projects of the Authority shall be made from amounts derived from dedicated funding sources." For purposes of that section, a "dedicated funding source" is defined as "any source of funding that is earmarked or required under State or local law to be used to match Federal appropriations authorized under title VI, section 601, Public Law 110-432 for payments to the Authority."

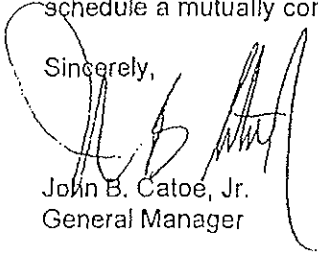
Each of the signatories has taken initial action to meet this requirement:

- In the District of Columbia, legislation has passed to create a WMATA Fund from which the match would be drawn.
- Maryland has passed legislation designating the Transportation Trust Fund as the source of the matching funds. The \$50 million local match is also included in the six-year Consolidated Transportation Program beginning in the state's FY2011.
- In Virginia, the FY2009-2010 budget for the Commonwealth authorizes the Virginia Secretary of Transportation to allocate the funds necessary to match federal funds that are appropriated for WMATA. The Commonwealth has also programmed the \$50 million local match in its six-year transportation program, starting in the Commonwealth's FY2011.

As you know, this funding comes at a critical time for Metro. Not considering the cost of financing, we have determined that our capital needs over the next ten years exceed \$11 billion. Most, or \$7.6 billion, will be required just to maintain Metro's aging bus and rail systems in a state of good repair. Many of those needs are safety-critical. We must replace our 300 oldest rail cars, for example, and upgrade rail systems with new safety-enhancing technologies as soon as possible.

I look forward to discussing our next steps toward making sure Metro can make use of this funding to address our urgent capital needs. Our staff will be contacting you or your staff to schedule a mutually convenient time for this conversation.

Sincerely,


John B. Catoe, Jr.
General Manager

cc: WMATA Board of Directors
Mr. James Hartmann, City Manager, City of Alexandria
Ms. Laura Triggs, Director of Finance, City of Alexandria
Mr. Ron Carlee, County Manager, Arlington County
Mr. Mark Schwartz, Director, Management/Finance, Arlington County
Mr. Neil Albert, City Administrator, District of Columbia
Mr. Freddie Fuller, Associate Director, District of Columbia
Ms. Leah Treat, Deputy Director, Resource Management, District of Columbia
Dr. Natwar Gandhi, Chief Financial Officer, District of Columbia
Mr. Robert Sisson, City Manager, Fairfax County
Mr. David Hodgkins, Assist. City Manager, Finance Director, City of Fairfax
Mr. Anthony Griffin, County Executive, Fairfax County
Mr. Edward Long, Jr., Deputy County Executive, Fairfax County
Mr. F. Wyatt Shields, City Manager, City of Falls Church
Mr. John Tuohy, Chief Financial Officer/General Manager, City of Falls Church
Mr. David Fleming, Chief Financial Officer, Maryland Department of
Transportation
Mr. Thomas Webster, Manager, WMATA Liaison Office, Maryland Department
of Transportation
Mr. Timothy Firestine, Chief Administrative Officer, Montgomery County
Ms. Jennifer Barrett, Director, Department of Finance, Montgomery County
Mr. Joseph Beach, Director, Management and Budget, Montgomery County
Dr. Jacqueline Brown, Chief Administrative Officer, Prince George's County
Mr. Michael Dougherty, Jr., Director of Finance, Prince George's County
Mr. Jonathan Seeman, Director of Management and Budget, Prince George's
County



COMMONWEALTH of VIRGINIA

Office of the Governor

Pierce R. Homer
Secretary of Transportation

P.O. Box 1475
Richmond, Virginia 23218

(804) 786-8037
Fax: (804) 786-6683
TTE: (800) 828-1120

September 25th, 2008

The Honorable John Warner
United States Senate
225 Russell Senate Office Building
Washington, DC 20510

The Honorable James Webb
United States Senate
144 Russell Senate Office Building
Washington, DC 20510

Dear Senator Warner and Senator Webb:

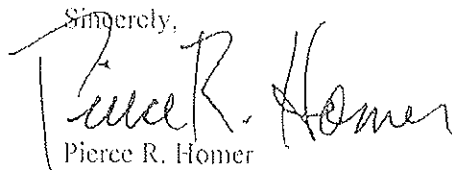
The Commonwealth of Virginia strongly supports passage of the package of rail bills currently before the Senate, H.R. 1492. The section addressing Washington Metropolitan Area Transit Authority (WMATA) funding is of particular importance for the region and the Commonwealth. Governor Kaine and I appreciate your joint support of this legislation, especially in light of the unique role that Metro Bus and Metro Rail play in serving our federal workforce.

Under Virginia statute, the Commonwealth has a longstanding requirement to maximize and fully match any and all federal transportation funds. This match must take place before Virginia transportation funds are allocated to any other transportation projects or programs. These funds are dedicated solely for transportation purposes, and may be committed to projects and programs over the succeeding six years. These funds, and this process, would address the requirements established in the WMATA funding proposal currently before the Senate.

With this in mind, you can rest assured that Virginia will provide the full match for its share of the proposed new WMATA funds, as well as any other federal transportation funds made available to the Commonwealth.

If you have any questions please do not hesitate to contact me at your convenience. Once again, thank you for your support of this legislation. We deeply appreciate your efforts on behalf of improved transportation in the Commonwealth.

Sincerely,


Pierce R. Homer

Cc: Northern Virginia Congressional Delegation
Wayne M. Turnage, Chief of Staff to Governor Kaine



Virginia



Maryland



District of Columbia

October 22, 2008

Mr. James S. Simpson
Administrator
Federal Transit Administration
1200 New Jersey Avenue, SE.
Washington, D.C. 20590

Dear Mr. Simpson:

As a follow up to our regional meeting on September 12th, we are writing to express our continued strong support for funding the state of good repair of the Metrorail system. The Washington Metropolitan Area Transit Authority (WMATA) Metrorail system is a key element of our transit systems in this region. Our ongoing commitment in this region has put us amongst the nation's leading jurisdictions in supporting transit. According to the 2007 AASHTO Survey of State Funding for Public Transportation, the District of Columbia, Maryland, and Virginia ranked first, third, and fourteenth respectively in FY 2006 transit funding per capita.

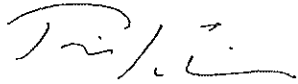
Our \$918 million state/local investment in the current Metro Matters FY 2005 – FY 2010 capital program clearly demonstrates the strength of our support.

We look forward to working closely with WMATA in defining and executing the next WMATA capital program, which will begin July 1, 2010. Our staff recently received the Authority's unconstrained capital needs assessment for FY 2010 – FY 2020. The assessment includes, but is not limited to, the Authority's inventory of projects necessary to maintain the transit system (Metrorail, Metrobus and MetroAccess) in a state of good repair.

As in years past, the Authority's inventory of capital needs will be prioritized and initial cost estimates will be refined. The Authority's next capital program will reflect a regional commitment to our state of good repair. We also anticipate the federal government will continue to fund our capital needs at a level consistent with recent history, which includes annual growth in federal investment in transit. In addition, H.R. 2095, the federal Rail Safety Improvement Act of 2008, authorizes \$1.5 billion over ten years for capital and preventative maintenance projects for the WMATA system. We have already committed the required dedicated funding mechanisms to draw upon this funding once appropriated by Congress.

We look forward to working with our federal partners to ensure that increased investment in public transportation continues in the years ahead.

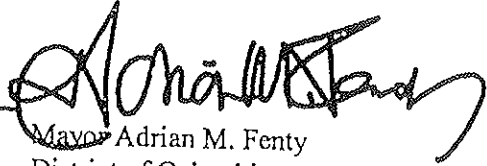
Sincerely,



Governor Timothy M. Kaine
Virginia



Governor Martin O'Malley
Maryland



Mayor Adrian M. Fenty
District of Columbia



COMMONWEALTH of VIRGINIA

Office of the Governor

Pierce R. Homer
Secretary of Transportation

P.O. Box 1475
Richmond, Virginia 23218

(804) 786-8032
Fax: (804) 786-6683
TTY: (800) 828-1120

October 23, 2009

Mr. John B. Catoe, Jr.
General Manager
WMATA
600 Fifth Street, Northwest
Washington, D.C., 20001

Dear Mr. Catoe:

Thank you for your letter regarding potential federal FY2010 appropriations for the Washington Metropolitan Transportation Authority (WMATA) and the Commonwealth's intentions to provide the matching funds necessary for WMATA's receipt this federal funding.

As you know, the Commonwealth of Virginia has a long and proven history of supporting WMATA and supported Metro funding through the 2008 Passenger and Rail Investment and Improvement Act, which authorized \$1.5 billion of federal funding over a ten year period for WMATA's state of good repair capital asset program.

The Commonwealth has committed to provide its share of matching funds as required by law, and has allocated \$50 million annually through the Revised FY 2009 – 2014 Six-Year Improvement Program, adopted by the Commonwealth Transportation Board in February of 2009, to provide Virginia's share of the match to the authorized federal funds. These annual allocations start in FY 2011 and are projected to continue for ten years. Due to the overlap of federal and state fiscal years, we will be able to meet the matching requirements of a federal FY2010 appropriation.

The Commonwealth understands the importance of planning for the financial processing of such large dollar transactions and we would welcome the opportunity to discuss the plan of expenditure and the timing of the drawdown of these funds with WMATA staff and Compact members. The Commonwealth will be represented in these discussions by Steve Pittard, the Chief Financial Officer at DRPT. Mr. Pittard may be contacted by telephone at (804) 786-5756 or by email at steve.pittard@drpt.virginia.gov to arrange a meeting.

Sincerely,


Pierce Homer

PRH:es

Copy: Mr. Charles M. Badger
Mr. David S. Ekern

Talking Points on Commonwealth's Request for Two Metro Board Seats

June 18, 2010

Background: On May 26, 2010, Virginia Secretary of Transportation Sean Connaughton wrote to the Northern Virginia Transportation Commission (NVTC) and implied that the Commonwealth would like two of Virginia's four seats on the Metro Board of Directors, in exchange for the state contributing \$50 million per year to match Federal funds for Metro. Currently, these four seats are held by local elected officials. In addition, the Virginia local government members of Metro, the Commonwealth, the District of Columbia and the State of Maryland have been working with Metro to implement a new capital funding agreement by July 1, 2010, when the current capital funding agreement expires. This new agreement is critical to numerous capital and safety projects, including the replacement of the 1000 series Metrorail cars which are more than 30 years old.

Talking Points


- NVTC and the four current Virginia Metro Board members have expressed a willingness to discuss the process of appointing Metro Board members, but do not believe that it is appropriate to attach conditions to previously-committed funding for Metro.
- Withholding critical capital and safety funding, because of a disagreement on Board representation will not improve the safety of the Metro system. Such actions will further delay the implementation of critical projects and increase those project costs.
- Virginia's commitment to match the Federal funds was made unconditionally. The Commonwealth's conditions were raised 36 days before the new capital agreement must be adopted.
- The Metropolitan Washington Council of Governments and the Board of Trade are currently studying Metro governance. This is an opportunity to discuss a variety of alternatives, including direct Commonwealth representation on the Metro Board.
- The dollar figures the Secretary used to argue that the Commonwealth pays more than 50% of the Virginia subsidy to Metro do not reflect all revenue sources. When the Northern Virginia regional gas tax, passenger fares and parking fees are included, the Commonwealth's share of Metro funding falls to 28.3%. This percentage is consistent with the Commonwealth's historic share of Virginia Metro funding.
- In Maryland, the state appoints all of the members of the Metro board, because the state provides 100% of Maryland's funding for Metro.
- The Commonwealth's funding for Metro since 1973 has been inconsistent and unreliable. During the years in which the Commonwealth's funding declined, the local governments and/or the passengers have generally had to pay more to balance the Metro budget.
- While the District and Maryland have expressed a willingness to continue to provide the \$50 million per year beyond the 10-year Federal authorization, the Commonwealth specifically declined to make that commitment.
- Every other funding partner to Metro's new capital agreement, including the five Northern Virginia members of Metro, the District of Columbia and Maryland, is expected to make their full capital contributions to Metro on July 1, 2010.

Virginia's current Metro Board Members

- The current Virginia members of the Metro Board are local elected officials who are directly accountable to their local governing bodies and their voters. (Three out of the four are up for re-election in 2011). Appointed State officials do not have the same accountability to voters and Metro riders/customers.
- The current Virginia members of the Metro Board are regular Metro users. They experience what Metro's riders experience. It is unlikely that an appointed person(s) from Richmond will have the same experience.
- Virginia's current Metro Board members have considerable transportation experience. Each has served on the Metro Board for multiple years. In addition, they are regularly involved in making transportation funding decisions at their local governing boards and are also routinely engaged in transportation issues as part of land use cases, transportation project implementation and citizen interaction. Each serves on other regional transportation policy boards, such as NVTC, at which they brief their fellow local and state elected officials on Metro issues each month and receive feedback.
- In January 2010, the Commonwealth's representative to NVTC supported the appointment of the current Metro Board members.

Other Points

- The Commonwealth's capital support for transit is technically handled on a reimbursement basis. The local governments pay the Metro bills first, and then the state provides a reimbursement. The reimbursement rate varies from year to year.
- Local governments use a variety of methods to pay Metro costs including: General Funds; General Obligation bonds; economic development authority bonds; special tax districts; supplemental tax rates and regional gas taxes.



Northern Virginia Transportation Commission


NVTC

Thinking Outside the Car Since 1964

STATE AND LOCAL EFFORT IN VIRGINIA
TO FUND THE WASHINGTON
METROPOLITAN AREA TRANSIT
AUTHORITY

June 24, 2010

1



WMATA Governance

- The Washington Metropolitan Area Transit Authority Compact states that Virginia's two voting members and their two alternates shall be appointed by NVTC from among its members (Article III, Section 5 (a)).
- From the beginning, NVTC has appointed a voting member and alternate from Fairfax County and a voting member from Arlington with an alternate from Alexandria.
- The Commonwealth of Virginia is represented on NVTC with the designee of the Secretary of Transportation (typically the Director of the Department of Rail and Public Transportation).

2



Secretary Connaughton's Request



- On May 26, 2010, Virginia Secretary of Transportation Sean Connaughton wrote to NVTC Chairman Cathy Hudgins requesting that NVTC appoint two representatives of the Commonwealth to serve on the WMATA Board of Directors.
- Secretary Connaughton included a table he stated shows that the Commonwealth is providing more funding for WMATA in FY 2011 than any individual NVTC jurisdiction. He states his belief that this increase in funding, plus a recent commitment of resources to improve the performance of a federally mandated state safety oversight program, justifies his request for state representation on the WMATA Board.
- In his letter Secretary Connaughton implies that unless NVTC awards the two requested WMATA Board seats to the Commonwealth, \$50 million annually in state matching funds for WMATA capital previously committed will not be provided.

3

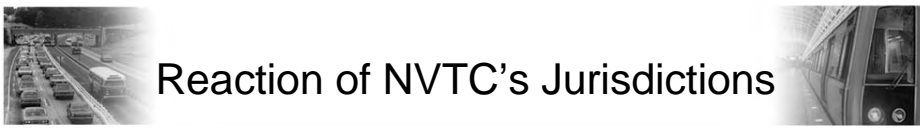


Reaction of NVTC's Jurisdictions



- Representatives of NVTC's local governments point out that there are several reasons not to act on the Secretary's request, including:
 - ◆ The \$50 million binding state commitment for WMATA capital was made without preconditions and a \$300 million annual multi-state/federal deal will collapse if Virginia does not comply.
 - ◆ If the capital funding program collapses, needed safety investments will not be possible and WMATA's customers will suffer.
 - ◆ The \$50 million should not be tied to discussion of state representation on the WMATA board.

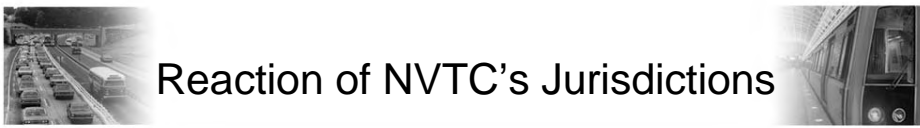
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Reaction of NVTC's Jurisdictions

- ◆ The two new state representatives would replace two of NVTC's four current WMATA Board members;
- ◆ Local representatives are best equipped to respond to the concerns of their constituents who use and pay for WMATA through their local and state taxes, regional gas tax and fares and parking charges;
- ◆ NVTC's current WMATA Board appointees are directly accountable to their constituents who ride Metro. Three of the four are up for reelection in 2011. State appointed officials would not have the same accountability;
- ◆ NVTC's current WMATA Board appointees are regular Metro riders, have lengthy experience on that Board, routinely make transportation funding decisions for their own local boards and are immersed in transportation and land use issues. Each serves on other regional transportation policy boards. At NVTC, they brief their fellow local and state elected officials on Metro issues each month and receive feedback;
- ◆ In January, 2010, the Commonwealth's representative to NVTC voted to confirm the appointments of NVTC's current four WMATA Board members;


5



Reaction of NVTC's Jurisdictions

- ◆ Local effort to fund WMATA has far exceeded that of the state from the beginning (the WMATA Compact was signed in 1967 and the first state aid for WMATA was received in FY 1973);
- ◆ Local effort to fund WMATA has totaled \$2.6 billion from FY 2001 through FY 2011 while state aid has been \$827.5 million;


6



Reaction of NVTC's Jurisdictions

- ◆ State aid, while significant, has fluctuated greatly making it difficult to plan and budget, and is dependent on appropriations by the General Assembly and allocations by the Commonwealth Transportation Board. These groups respond to statewide priorities, which often conflict with those of Northern Virginia;
- ◆ State transit aid is based primarily on formulas (like many other programs returning assistance from the state to the localities in which taxes are originally collected.)
- ◆ Maryland currently appoints two voting members of the WMATA Board while providing 100% of Maryland's funding share. State priorities have differed from WMATA's local Maryland jurisdictions and earlier this year the state withheld vital WMATA funding and only restored it after intense public pressure;


7



Reaction of NVTC's Jurisdictions

- ◆ In Virginia, the state controls all new funding sources and, with the exception of HB3202 which was later declared unconstitutional by the Virginia Supreme Court, the General Assembly has repeatedly denied local efforts to impose additional local and regional taxes to support WMATA;
- ◆ The Commonwealth has failed to meet its own statutory target of funding 95% of eligible net transit expenses. Since FY 2001 it has a shortfall of \$831.6 million which exceeds its actual contributions. Before the state claims funding supremacy for WMATA it should make up its cumulative shortfall;
- ◆ Secretary Connaughton's May 26th letter implied that NVTC would not receive the \$50 million annual match for new federal capital assistance for WMATA (PRIIA) unless it accepted his terms. This calls into question whether the state commitment is reliable. The previous Secretary of Transportation and Governor made written commitments, without preconditions, citing state statutes;


8



Reaction of NVTC's Jurisdictions

- ◆ Adding to doubt about Virginia's intentions is the fact that DRPT would not commit to its PRIIA match beyond the first 10 years, as regional staffs crafted the financial analysis for TPB's updated Constrained Long Range Plan. Maryland and D.C. representatives were prepared to make such a commitment;
- ◆ In allocating state transit assistance to NVTC for WMATA, staff of DRPT demonstrated in the past a lack of understanding of WMATA, especially regarding its multi-year capital funding programs. In FY 2008, DRPT staff unfairly provided a significantly lower matching ratio for WMATA's Metro Matters capital projects based on a misunderstanding of its purpose. This cost NVTC's local jurisdictions \$2.3 million;

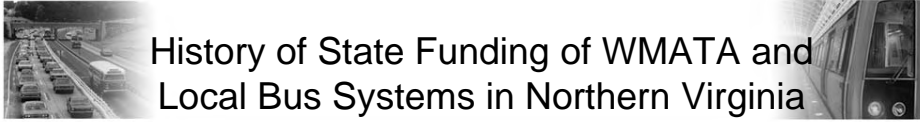
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Reaction of NVTC's Jurisdictions

- ◆ There is some question about how two state representatives could be appointed from NVTC's members to serve on the WMATA Board because the Commonwealth currently has only one member of NVTC. (This legal issue is being researched);
- ◆ The Greater Washington Board of Trade and the Metropolitan Washington Council of Governments are conducting a review of WMATA governance issues. Even if local governments supported the Secretary's request, it would be premature to act now.

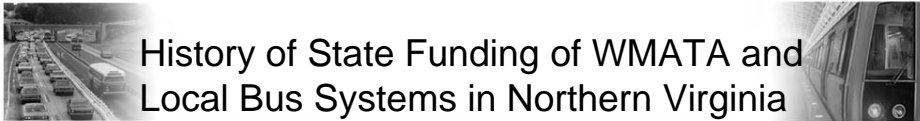
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History of State Funding of WMATA and Local Bus Systems in Northern Virginia

- Among all the reasons to reject Secretary Connaughton's request, the lack of a sustained funding effort by the Commonwealth, relative to the local effort of NVTC's local jurisdictions and WMATA customers, is paramount.
- Appendix Table 1 shows the history of state aid received by NVTC from the Commonwealth of Virginia through FY 2010, for all of Northern Virginia's public transit systems. WMATA comprises the vast majority, especially for operating assistance. Local bus systems did not begin to receive significant state assistance through NVTC until the late 1980's.
- It should be noted that the figures in Appendix Table 1 reflect aid actually received in each fiscal year by NVTC on a reimbursable basis, and will show timing differences from aid approved in the Commonwealth's six-year program.


11



History of State Funding of WMATA and Local Bus Systems in Northern Virginia


- Appendix Table 1 shows that state funding has grown substantially from a modest beginning of \$4.4 million in FY 1973 to reach an estimated \$112 million in FY 2010. Especially in recent years, however, state aid has fluctuated sharply, which makes it difficult for NVTC's local jurisdictions to plan and budget.
- In the 38 year history, there were 13 years in which state aid received by NVTC dropped from the previous year. Ten of those years displayed a double-digit percentage reduction, the most recent of which was a drop to an estimated \$112 million in FY 2010 from \$166 million in FY 2009 (33%).

12



State and Local Funding of WMATA

FY 2001-2011

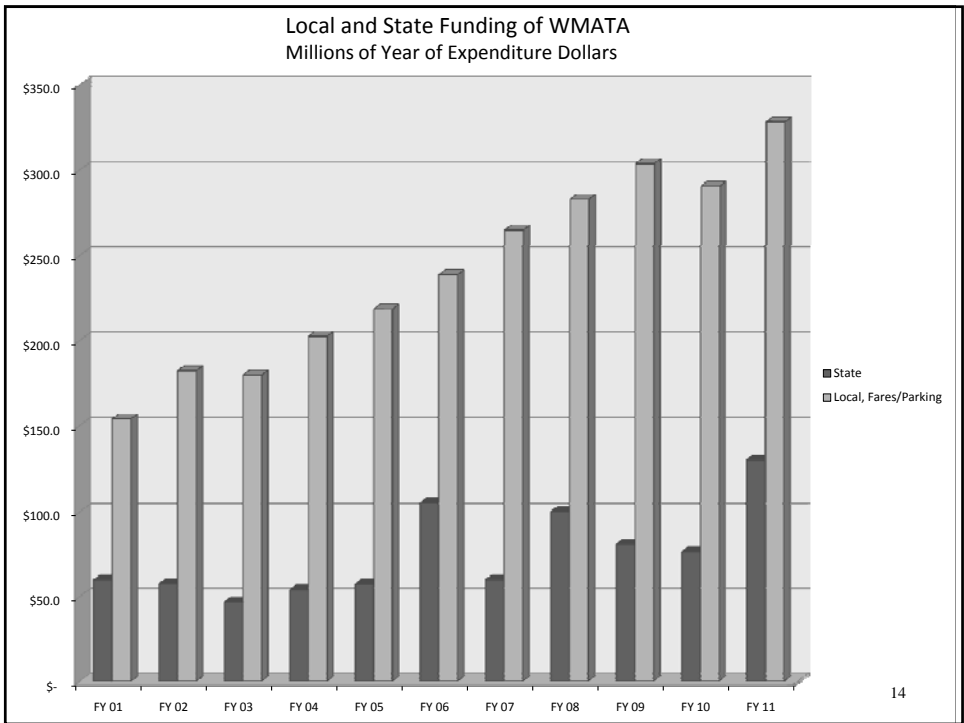


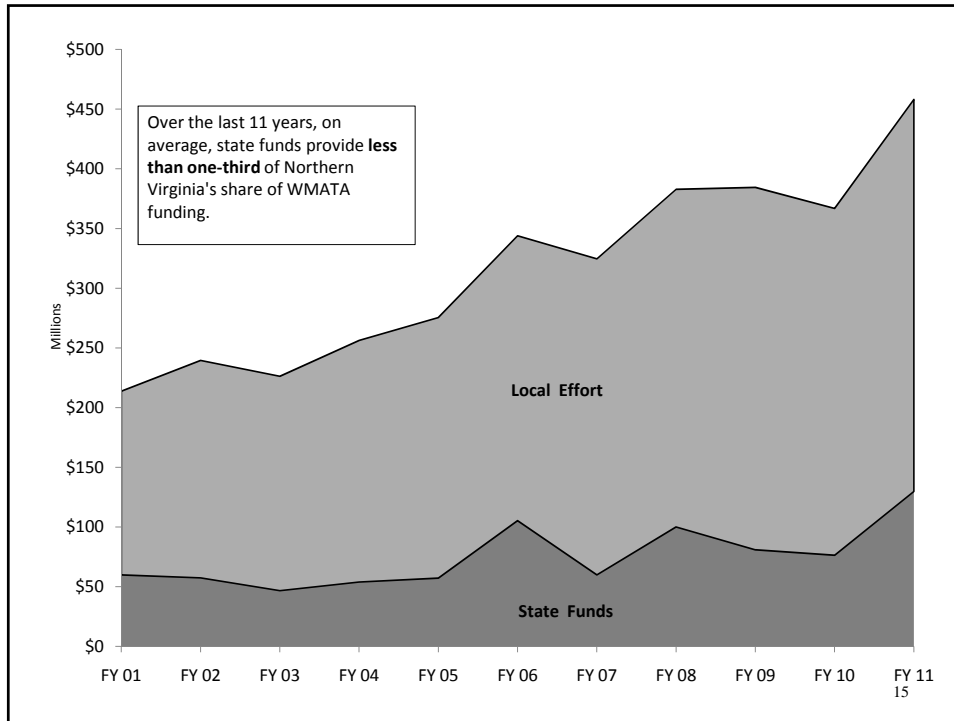
- The next two slides and Appendix Table 2 show for the past decade the assistance for WMATA as allocated by the Commonwealth Transportation Board in its six-year program, compared to local effort to fund WMATA.



- Local effort includes General Fund contributions of NVTC's local governments, NVTC's two percent regional gas tax (changed to 2.1% in FY 2011) and fares and parking revenue paid by WMATA's customers for their Northern Virginia trips.

- The next two slides show annual comparisons of state and local effort. Each year local effort far exceeds that of the state. For example, the difference is estimated to be \$130 million (153%) in FY 2011 and \$214 million (280%) in FY 2010 (280%).

13



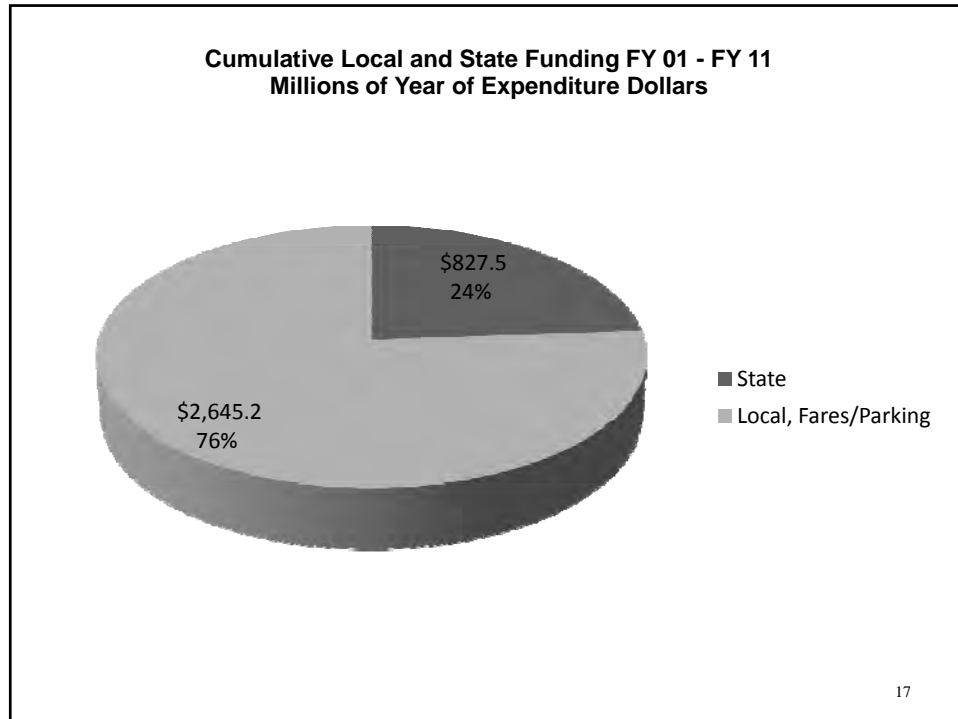






State and Local Funding of WMATA FY 2001-2011


- As can be seen in Appendix Table 2, even with the infusion of \$50 million in state contributions in FY 2011, to match new federal “PRIIA” funds, the anticipated share of combined state and local effort in FY 2011 is 28.3% compared to 71.7% for NVTC’s jurisdictions. In FY 2001, the Commonwealth also achieved a 28% share and reached 30.6% in FY 2006, but in the intervening years dropped as low as 18.5% (in FY 2007).
- Cumulatively, state funding shown in the six-year programs totals \$827.5 million (24%) and local effort totals \$2.6 billion (76%) from FY 2001 through FY 2011.

16



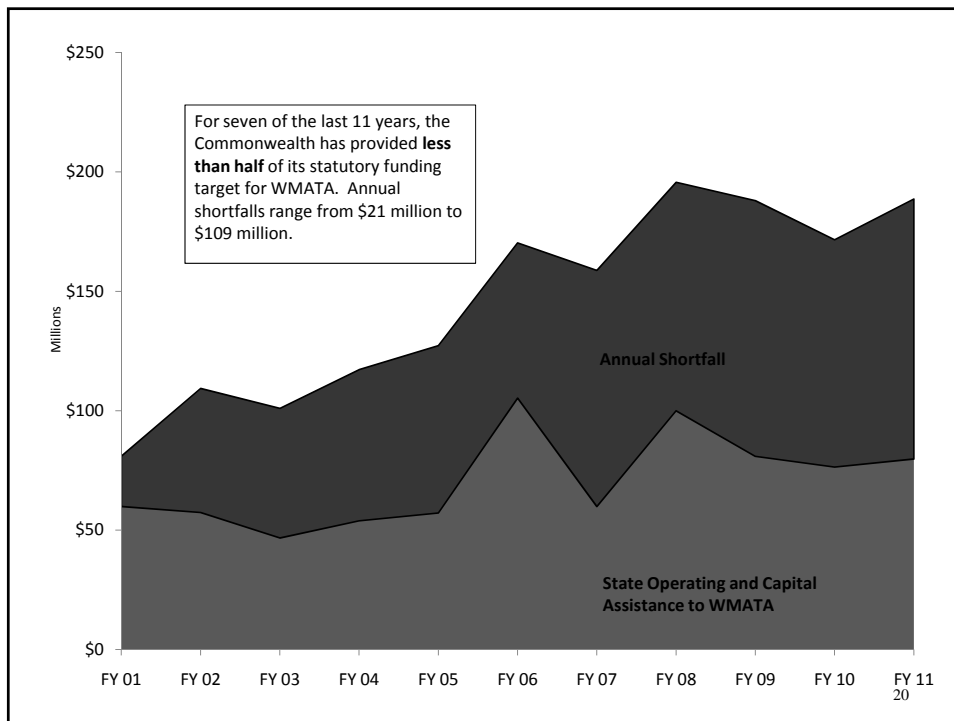
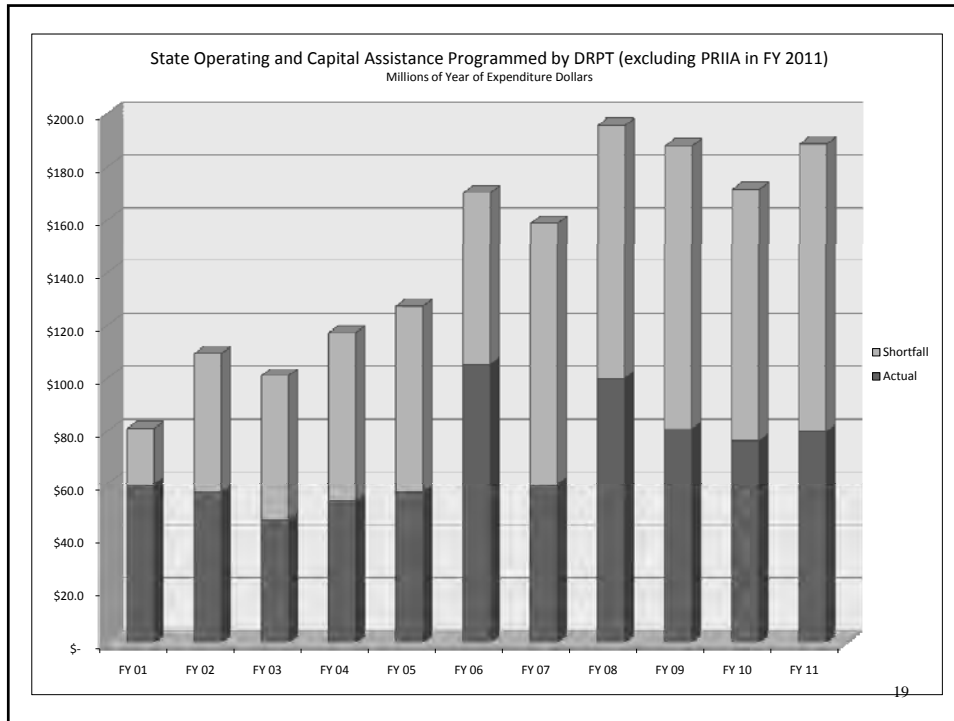



State Funding Shortfall FY 2001-2011




- For the past decade, the Commonwealth has failed to achieve its own statutory target for funding 95% of eligible net transit expenses of WMATA (and all other state transit systems). The target excludes wages and fringe benefits of transit operators, mechanics, maintenance workers and contract labor who comprise as much as 50 to 60% of WMATA's annual operating expenses. These operator wages are also ineligible for federal assistance so funding falls entirely on local governments and customers.
- Annual shortfalls varying from \$109 million in FY 2011 to \$21.1 million in FY 2001 are shown in the next two slides and in Appendix Table 3.
- Of the 11 years shown, state shortfalls exceeded state aid actually provided in seven years.

18



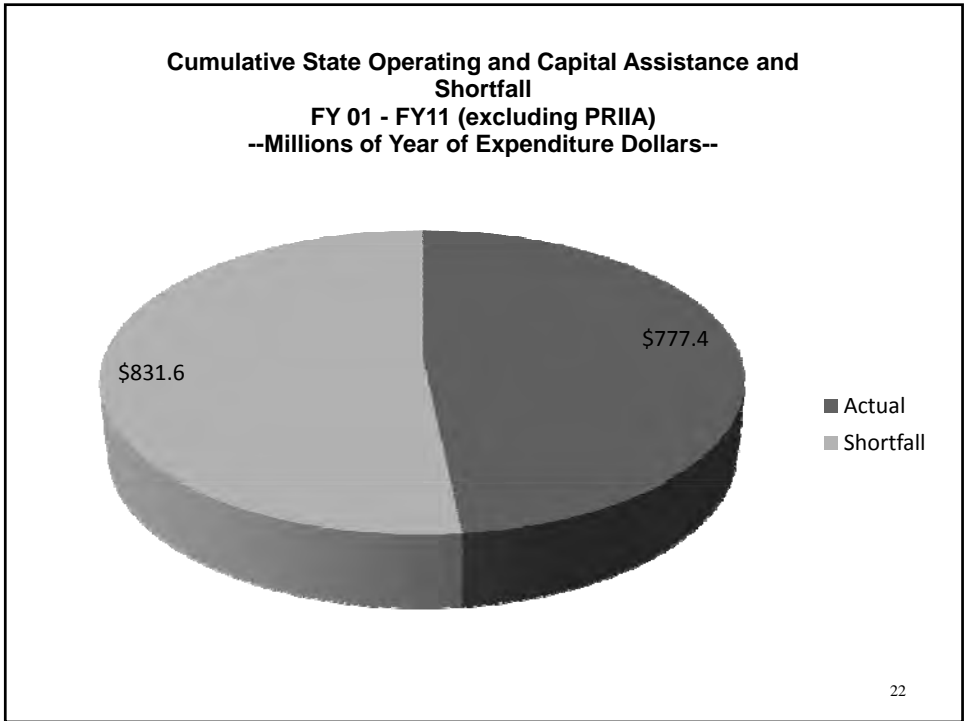


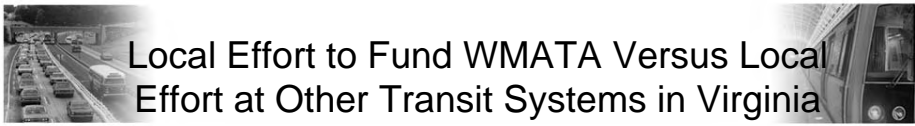
State Funding Shortfall FY 2001-2011



- Cumulatively, the state shortfalls total \$831.6 million and exceed the total amount of state aid for WMATA (\$777.4 million) during the period of FY 2001-2011, excluding the new \$50 million PRIIA match in FY 2011.
- To calculate the shortfall, the FY 2011 state PRIIA match of \$50 million was excluded, because the statutory target is 95% and those funds provide 100%. Consequently, they do not contribute to the shortfall.

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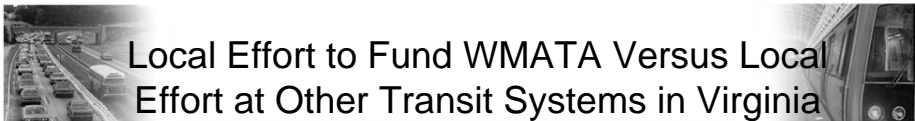




Local Effort to Fund WMATA Versus Local Effort at Other Transit Systems in Virginia

- Per capita local effort of NVTC's WMATA jurisdictions far exceeds that of any other transit system in Virginia (by a factor of almost 10).
 - ◆ Despite the ongoing challenges of the recession, for FY 2010 the Northern Virginia Transportation District has a local level of effort funding transit of \$211 per person. NVTC's five WMATA jurisdictions have a combined local effort of \$255 per person. The next largest effort is in the Richmond District at \$30 per person.
 - ◆ The statewide average excluding the Northern Virginia District is only \$19.56, so Northern Virginia's per capita level of local effort is more than 10 times greater than the rest of the Commonwealth.

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Local Effort to Fund WMATA Versus Local Effort at Other Transit Systems in Virginia

- ◆ If the state wishes to have half of Virginia's Board representation at WMATA based on a share of combined state and local funding effort of less than 30%, will it demand the same representation on all other transit systems outside of Northern Virginia?
- ◆ For example, the Commonwealth has one seat (of a total of 17) on the Board of Directors of Hampton Roads Transit, while providing 31.7% of the combined state and local effort as of FY 2011.

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Conclusion

- While state aid for WMATA is significant, especially with new PRIIA matching funds as of FY 2011, local effort has far exceeded that of the Commonwealth.
- Consequently, the Commonwealth is not justified in seeking two seats on the WMATA Board based on its funding effort.
- There are many other reasons for NVTC not to act on Secretary Connaughton's request to replace two NVTC members of the WMATA Board with representatives of the Commonwealth.
- For further information, contact Scott Kalkwarf, Director of Finance and Administration, at NVTC: scott@nvtdc.org
- Additional funding and transit performance data are available at www.thinkoutsidethecar.org

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APPENDIX

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APPENDIX TABLE 1---State Funds Received By NVTC to Support Transit in Northern Virginia
FY 1973-2010
(Millions of Year of Expenditure Dollars)

Fiscal Year	State Transit Assistance for NVTC Jurisdictions ¹	
	Amount	Year to Year % Change
2010 ²	\$112.4	(33%)
2009 ³	166.0	61
2008	103.4	37
2007	75.6	(24)
2006	99.7	47
2005	68.0	11
2004	61.3	(6)
2003	65.0	5
2002	62.2	(13)
2001	71.1	12
2000	63.5	7
1999	59.6	10
1998	54.3	(4)
1997	56.6	6
1996	53.5	2
1995	52.4	16
1994	45.0	4
1993	43.1	(17)
1992	51.9	23
1991	42.2	(16)
1990	50.2	15
1989	43.7	(14)
1988	51.1	77
1987	28.8	38
1986	20.9	2
1985	20.4	(2)
1984	20.9	1
1983	20.6	46
1982	14.1	156
1981	5.5	(62)
1980	14.5	202
1979	4.8	(68)
1978	15.0	317
1977	3.6	(72)
1976	13.0	117
1975	6.0	(43)
1974	10.6	141
1973	4.4	-

1. Excludes funds received for VRE.
2. Estimated.
3. Includes \$38.8 million special appropriations utilized in FY 2009 to opt out of Metro Matters Debt.

APPENDIX TABLE 2
State & Local Funding of WMATA According to DRPT Six-Year Improvement Programs
Millions of Year of Expenditure Dollars

	Operating		Capital		Total		PRIA Match	Total	
	State	Local	State	Local	State	Local		State	Local
Including Fare and Parking Revenue:									
FY11 Draft	\$ 51.2	\$ 304.1	\$ 28.6	\$ 24.3	\$ 79.8	\$ 328.4	\$ 50.0	\$ 129.8	\$ 328.4
					19.6%	80.4%		28.3%	71.7%
FY10 Revised	\$ 50.2	\$ 280.7	\$ 26.2	\$ 9.8	\$ 76.4	\$ 290.5	\$ -	\$ 76.4	\$ 290.5
					20.8%	79.2%		20.8%	79.2%
FY09 Revised	\$ 57.6	\$ 275.8	\$ 23.3	\$ 27.9	\$ 80.9	\$ 303.6	\$ -	\$ 80.9	\$ 303.6
					21.0%	79.0%		21.0%	79.0%
FY08 (a)	\$ 52.2	\$ 252.1	\$ 47.9	\$ 30.8	\$ 100.1	\$ 282.8	\$ -	\$ 100.1	\$ 282.8
					26.1%	73.9%		26.1%	73.9%
FY07	\$ 49.7	\$ 228.6	\$ 10.2	\$ 36.0	\$ 59.9	\$ 264.7	\$ -	\$ 59.9	\$ 264.7
					18.5%	81.5%		18.5%	81.5%
FY06 (b)	\$ 52.4	\$ 207.1	\$ 52.9	\$ 31.6	\$ 105.3	\$ 238.7	\$ -	\$ 105.3	\$ 238.7
					30.6%	69.4%		30.6%	69.4%
FY05	\$ 44.3	\$ 197.3	\$ 12.9	\$ 21.0	\$ 57.2	\$ 218.3	\$ -	\$ 57.2	\$ 218.3
					20.8%	79.2%		20.8%	79.2%
FY04	\$ 42.3	\$ 185.1	\$ 11.6	\$ 17.3	\$ 53.9	\$ 202.4	\$ -	\$ 53.9	\$ 202.4
					21.0%	79.0%		21.0%	79.0%
FY03	\$ 39.4	\$ 172.3	\$ 7.3	\$ 7.3	\$ 46.7	\$ 179.6	\$ -	\$ 46.7	\$ 179.6
					20.6%	79.4%		20.6%	79.4%
FY02	\$ 42.4	\$ 160.6	\$ 15.0	\$ 21.6	\$ 57.4	\$ 182.2	\$ -	\$ 57.4	\$ 182.2
					24.0%	76.0%		24.0%	76.0%
FY01	\$ 41.7	\$ 139.7	\$ 18.2	\$ 14.2	\$ 59.9	\$ 153.9	\$ -	\$ 59.9	\$ 153.9
					28.0%	72.0%		28.0%	72.0%

(a) includes \$20M special appropriation for rolling stock provided at 80%.
(b) includes \$40M special appropriation for railcars provided at 80%.

APPENDIX TABLE 3
State Funding Shortfalls for WMATA Capital and Operating Expenses
--Millions of Year of Expenditure Dollars--

	Capital			Operating			Total		
	Eligibility	Actual	Shortfall	Eligibility	Actual	Shortfall	Eligibility	Actual	Shortfall
FY 2011 (c)	50.2	28.6	(21.6)	138.5	51.2	(87.3)	188.7	79.8	(108.9)
FY 2010	34.2	26.2	(8.0)	137.4	50.2	(87.2)	171.6	76.4	(95.2)
FY 2009	48.6	23.3	(25.3)	139.4	57.6	(81.8)	188.0	80.9	(107.1)
FY 2008(a)	74.5	47.8	(26.7)	121.2	52.2	(69.0)	195.7	100.0	(95.7)
FY 2007	43.9	10.2	(33.7)	114.9	49.7	(65.2)	158.8	59.9	(98.9)
FY 2006(b)	66.9	52.9	(14.0)	103.4	52.4	(51.0)	170.3	105.3	(65.0)
FY 2005	32.2	12.9	(19.3)	95.1	44.3	(50.8)	127.3	57.2	(70.1)
FY 2004	27.5	11.6	(15.9)	89.7	42.3	(47.4)	117.2	53.9	(63.3)
FY 2003	13.9	7.3	(6.6)	87.1	39.4	(47.7)	101.0	46.7	(54.3)
FY 2002	34.8	15.0	(19.8)	74.6	42.4	(32.2)	109.4	57.4	(52.0)
FY 2001	30.8	18.2	(12.6)	50.2	41.7	(8.5)	81.0	59.9	(21.1)

(a) includes \$20M special appropriation for rolling stock provided at 80%.

(b) includes \$40M special appropriation for railcars provided at 80%.

(c) Excludes \$50M PRIIA match provided at 100%.

PLEASE JOIN US FOR AN OPEN MEETING & FORUM OF
THE WMATA GOVERNANCE REVIEW TASK FORCE

The Joint WMATA Governance Review Task Force was formed by COG and the Board of Trade to recommend to Metro improvements in the transit agency's governance to ensure the highest performing and sustainable transportation system for our region. **Metro's governance matters.** It determines how and when D.C., Maryland, Virginia, and the federal government pay for Metro's equipment and operations and who is responsible for its safety and management.

The Task Force wants your input on how Metro is governed. For more information, please visit www.mwcog.org

Location:

*Council of Governments
777 North Capitol St., NE
Third Floor Board Room
Washington, DC 20002*

**Thursday, July 1, 2010
9:00—11:30 a.m.**

For more information, contact:
Steve Kania

Phone: 202-962-3249

Persons wishing to speak at the forum are encouraged to sign-in on the COG website or call 202-962-3220.

GREATER WASHINGTON BOARD OF TRADE
METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
Joint WMATA Governance Review Task Force

Mission Statement

To encourage and assist the Washington Metropolitan Area Transit Authority (WMATA) Board of Directors and its local, state and federal funding partners in undertaking a comprehensive review of the agency's governance in order to:

- Benchmark against proven best practices
- Identify critical opportunities for improvement
- Ensure regional approaches to decision-making
- Determine the most effective and appropriate governance/management relationships which
 - Improve accountability
 - Enhance public communication
 - Establish clear lines of authority through the general manager

Background

The Greater Washington Board of Trade (BOT) and the Metropolitan Washington Council of Governments (COG) have agreed to jointly engage in a review of the WMATA governance structure. Governance issues have been identified by some public officials and business and civic leaders as areas of concerns. Governance review may also aid in building stronger support among funding partners and the public for long-term solutions to WMATA's revenue needs. A public-private examination of governance structures successfully employed by other transit agencies could provide WMATA with useful options and recommendations. COG partnered with the BOT in 2004-2005 to lead and support a special Metro dedicated funding panel that successfully recommended new federal-regional funding for WMATA.

Membership

The BOT and COG will jointly sponsor and support public-private task force to examine WMATA governance options and recommendations. The BOT and COG have jointly identified and invited several area leaders to serve on the task force (*see attached roster*). Task Force members were chosen for their past or current regional leadership roles in the public and private sectors. Task Force members will serve in a voluntary capacity with professional and administrative support provided by BOT and COG staff.

Schedule

The task force is anticipated to meet several times during the months of June and July. Similar to the Metro dedicated funding panel support by the BOT and COG in 2004-2005, the task force is expected to have an aggressive schedule to advance its work scope and prepare its findings and recommendations for consideration by the WMATA Board of Directors and WMATA local, state and federal funding partners. Task force will be held at BOT and/or COG offices or other locations as proposed by staff. The task force will approve the work scope, schedule and appropriate rules or procedures to guide its activities at its first meeting, including opportunities for input by the other stakeholders, organizations or public.

Work Scope (Proposed)

1. Review of studies or research on transit governance models
2. Input from other transit organizations on governance models
3. Input from past and current WMATA Board members, management, funding partners, employee groups, transit advocacy groups and other stakeholders.
4. Review of governance models or best practices
5. Assessment of governance models or best practices and applicability to the National Capital Region
6. Task force findings and recommendation(s)
7. Review of how governance recommendation(s) should be released for review and consideration by WMATA Board, funding partners, local, state and federal officials, and business and civic stakeholders and the public
8. Final approval of task force findings and recommendation(s)

Stakeholder and Public Engagement

In inviting private and public sector leaders to participate on the Joint WMATA Governance Review Task Force, the BOT and COG sought individuals who have demonstrated strong regional leadership. Individuals were not selected to represent a particular jurisdiction or business sector. The BOT and COG recognize that the Task Force's successes depends, in part, on its ability to invite input from the very broad-range of stakeholders: WMATA's local, state and federal funding partners, past and present WMATA Board members and management, transit riders and advocacy organizations, WMATA employee organizations and many others. The BOT and COG will assist the Task Force in designing an input and engagement process to guide Task Force activities and outcomes.

First Joint Meeting

BOT and COG staff seek to schedule the first meeting of the Joint WMATA Governance Review Task Force in mid-June. The proposed agenda will:

- provide an overview of WMATA's past and current governance;
- review studies and other published analysis on WMATA and other transit agency governance;
- review mission, work scope and topics/presenters for future meetings;
- approve an input/engagement process; and
- approve a meeting schedule.

Staff Support

Sponsoring partners will be responsible for professional and administrative staff support to the task force and will establish a staff team to coordinate support activities. Lead BOT and COG staff is listed below. If requested by the task force to accomplish work scope activities, sponsoring partners may engage supplemental consultant support on a pro-bono or paid basis.

BOT: Jim Dinegar, President

COG: Dave Robertson, Executive Director; Ron Kirby, Director, Dept. of Transportation Planning

GREATER WASHINGTON BOARD OF TRADE
 METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
 Joint WMATA Governance Review Task Force
 June 2010

APPOINTED BY GREATER WASHINGTON BOARD OF TRADE		
<i>Name</i>	<i>Current Title and Organization</i>	
Michael Daniels	Senior Vice President Science Application International Corporation	
James Dyke	Partner McGuireWoods LLP	
Pat McGuire	President Trinity Washington University	
Tony Pierce	Managing Partner Akin Gump Strauss Hauer & Feld LLLP	
Manny Rouvelas	Partner K&L Gates	
Stu Solomon	Managing Director, Metro Washington Office Accenture	
Scott Wilfong	Chairman, President & CEO Greater Washington/Maryland SunTrust Bank	
APPOINTED BY METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS		
<i>Name</i>	<i>Current Title and Organization</i>	<i>Former Title and Juris. or Agency</i>
Ron Carlee	Director, Domestic Strategic Initiatives International City/County Management Assoc.	County Manager Arlington County
JayEtta Hecker	Director of Transportation Advocacy Bipartisan Policy Center	Director of Physical Infrastructure U.S. General Accountability Office
Hon. Betty Ann Kane	Chairman DC Public Services Commission	Councilmember District of Columbia
Hon. John Mason		Mayor City of Fairfax
Hon. Connie Morella	Ambassador in Residence American University School of Public Affairs	Representative, 8 th District, Maryland U.S. House of Representatives
Bruce Romer	Vice President, Administration Westat, Inc.	Chief Administrative Officer Montgomery County
Hon. Peter Shapiro	Executive Director Chesapeake Center for Public Leadership	Councilmember Prince George's County
Hon. Anthony Williams	Executive Director Corporate Executive Board	Mayor District of Columbia

As of: 5/27/2010

Friday, May 28, 2010

Time to get serious about Metro

Washington Business Journal - by Kwame Brown and James Dyke

Many Washington-area residents can readily identify their city or county elected officials; far fewer could likely tell you their representatives on the **Washington Metropolitan Area Transit Authority** board of directors. That may be a symptom of a larger concern. How WMATA is governed may make a difference in Metro's future, and the Metropolitan Washington Council of Governments and the **Greater Washington Board of Trade** have agreed to help look at this issue.

Every day, Metro's rail and bus lines move hundreds of thousands of Washingtonians and visitors. Because of Metro, lunch downtown, a doctor's appointment in Bethesda or a business appointment in Alexandria can be a short hop instead of a long haul.

The fact is, Metro has become a major part of the region's infrastructure. It is a system people now find essential. Like the Beltway, Metro is our transportation system's main street.

Given those facts, some transit supporters in government and the private sector think it's time for a fresh look at Metro's governance structure, which hasn't changed significantly since the rail system opened more than 30 years ago.

The main issues to consider are Metro's relationship to its local, state and federal funding partners and how these partners address policy, governance and oversight. This is not just about improving safety or solving management problems or even getting the federal government to kick in more money for rail cars and other capital improvements.

It's about all of those things.

The system's governance structure determines how and when the District, Maryland and Virginia, and yes, the federal government too, pay for Metro's equipment and operations and who is ultimately responsible for its safety and management.

All of that may have been easier when Metro was a young system, still being built. The governance structure that handled all its needs then may need to evolve to handle the needs of a mature rail and bus system that must carry millions of Americans to inaugurations and July Fourth celebrations and a system that needs to connect to new and emerging centers.

We think a fresh look at WMATA governance is both timely and beneficial for the board and management, Metro riders and funding partners.

To achieve that goal, COG and the Board of Trade will sponsor and support a public-private task force to examine governance options and advise WMATA and its stakeholders as they develop proposals for new governance models.

The group is expected to hold its first meeting by early June. Throughout an ambitious two- to three-month schedule, the task force will solicit input and engagement from a broad range of Metro stakeholders, including Metro employees.

We have confronted similar challenges before with success. Our best model was the 2004-05 partnership between COG, the Board of Trade and the Federal City Council that recommended a more reliable funding strategy for WMATA. As a result, in 2008, Congress authorized \$1.5 billion in dedicated capital funding for the system, matched by local and state funding partners.

Now is the time for the area's elected and business leaders to again join together to help Metro. It simply means a little more hard work and cooperation.

But, like Metro, hard work and cooperation are what connects metropolitan Washington.

D.C. Councilman Kwame Brown, D-At large, is chairman of the Metropolitan Washington Council of Governments board of directors. James Dyke is chairman of the Greater Washington Board of Trade.

The Washington Post

Revitalizing Metro, not grandstanding, is a fitting tribute to crash victims

Advertisement

By Robert McCartney
Thursday, June 24, 2010; B01

A year after the deadly Red Line crash shocked the region and supposedly made fixing Metro a top priority, the Washington area is about to break what White House Chief of Staff Rahm Emanuel famously called the No. 1 rule: "Never allow a crisis to go to waste."

The calamity should have been a catalyst for the region, collectively, to develop an ambitious plan to rebuild and revitalize Metro. The objective: Bring back the safe, clean, efficient transit system that made it the nation's envy when it opened in the 1970s.

There have been some steps to repair damage that's been accumulating for years. But there's no sign of a decisive effort sufficient to restore the quality.

A big part of the problem is that the region's top politicians still view Metro as an afterthought or a way to grandstand for partisan purposes. The latest sign of that, and it's a whopper, is the extraordinary threat by Virginia Gov. Bob McDonnell (R) to renege on Richmond's initial \$12.5 million contribution to a long-sought, dedicated funding program for Metro.

On the bright side, it's not too late to realize the vision. Such a project would have two main goals at the start.

First, decisively transform Metro's organizational culture so its staff of 10,000 consistently puts safety first. At least everybody's saying the right things about that. At the emotional ceremony Tuesday remembering the nine killed just outside the Fort Totten Station in Northeast Washington, speaker after speaker promised that Metro would honor the victims by ensuring that safety practices improve so such a disaster never occurs again.

It's too early to say whether the system will fulfill those solemn pledges. It's also too early to say whether the Metro board -- pretty much the same one that let the safety culture deteriorate in the first place -- can provide proper oversight on this issue. An overdue initiative to fix Metro's unwieldy governance structure hasn't attracted high-level involvement.

The second goal is to figure out how to raise the gobs of money necessary to modernize and upgrade the system. Metro faces a dangerous combination of steadily growing ridership and equipment approaching its 40th birthday. The region's political leadership needs to be realistic about the need for taxes of some sort to raise some of the billions of extra funds needed in coming years if Metro is to do better than just muddle through.

That's partly why McDonnell's recent gambit is so discouraging. He's endangering a federal-local project set to supply \$300 million a year over 10 years so Metro can buy rail cars and make other investments.

McDonnell said he'll withhold the payment, due July 1, unless the Richmond state government gets two of Virginia's four seats on Metro's 16-seat board of directors. Since Metro was founded, all four of Virginia's seats have been held by Northern Virginia jurisdictions.

The governor argues that the state deserves such representation because Richmond is supplying more funds for Metro than in the past. That's a legitimate argument. If the state is forking over substantial money for Metro, then it should have at least one seat on the board.

But it's wildly irresponsible for McDonnell to hold hostage money needed for a vital regionwide Metro funding plan because of what is essentially an internal Virginia political squabble. (McDonnell is a Republican. The Northern Virginia jurisdictions are mostly Democratic.)

I think the governor should have given Northern Virginia a year for negotiations before he withheld any funds.

It took years of lobbying and politicking to get approval for the dedicated funding plan. The key to it is that everybody pays a share. The U.S. government pays \$150 million a year, and \$50 million a year comes from each of the three Metro jurisdictions -- Virginia, Maryland and the District.

If Virginia turns deadbeat, partly because the deal was negotiated under McDonnell's Democratic predecessor Tim Kaine, then there's a serious risk that the other parties will drop out as well.

"The fact is, a deal is a deal, whether it's the prior administration or this one. This is a terrible message to say they're not going to stick to a deal that was fair for the entire region," said James Dinegar, chief executive of the Greater Washington Board of Trade.

That's not a liberal partisan talking. It's the top official of the Washington area's premier business organization.

McDonnell isn't alone in such game playing. His Democratic counterpart in Maryland, Gov. Martin O'Malley, pulled a similar stunt last month when he threatened for a time to withhold \$28 million under another regional financing plan unless Metro improved its financial management.

I'm thrilled that the Virginia and Maryland governors are taking a sudden, new interest in pushing for Metro accountability. But they shouldn't be undermining regional accords. It also would be helpful if they'd do it together, instead of freelancing.

"I see a rush to push individual projects forward, or to restructure some of these power relationships, but not the kind of top-to-bottom look at how we should fix transportation in a world with less money and when we face big challenges in front of us such as energy costs and older, aging infrastructure," said Stewart Schwartz, executive director of the Coalition for Smarter Growth.

In a touching comment at Tuesday's memorial, Metro board Chairman Peter Benjamin said last year's crash marked the day when "we at Metro lost our innocence."

Metro's innocence isn't coming back. But it's within our means to bring back its former glory. The memory of the crash should prod us to work to that end.

I discuss local issues at 8:51 a.m. Friday on WAMU (88.5 FM).

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Alexandria: Virginia should pay Metro match

The Post's Christy Goodman [reported Wednesday](#) that the Alexandria City Council voted unanimously to endorse a transportation panel's position that Virginia provide Metro with \$50 million, the state's share of a match required for the federal government to provide \$150 million for capital spending on rail cars and safety improvements.

Gov. Robert F. McDonnell [has threatened to withhold the money unless the state is allowed to appoint two Virginia members](#) to Metro's board of directors because he has said he is concerned about the way the transit system is run and its safety record. The first \$12.5 million of Virginia's share is due July 1. The Northern Virginia Transportation Commission appoints two principal and two alternate members to Metro's board. The four seats are now held by elected officials from Alexandria and Fairfax and Arlington counties.

Mayor William D. Euille said that he opposes McDonnell's request until the commonwealth provides 100 percent of Virginia's Metro funding, like the District and Maryland already do. In Virginia, each locality pays according to the size of the system in their city or county.

"We've all said we'll give up our seats if Virginia pays 100 percent of the costs," Euille said. "Well, they [Virginia transportation officials] don't want to do that."

"This is a shakedown, ladies and gentlemen," said Vice Mayor Kerry Donley. Donley said that the governor's action is putting riders at risk and [jeopardizing the entire funding agreement](#).

The federal government has agreed to provide \$1.5 billion to Metro over the next 10 years as long as the District, Maryland and Virginia provide matching funds.

The Alexandria council also unanimously voted to fund more than \$62 million in capital improvements over the next six years for Metro.

The majority of the Fairfax County Board of Supervisors also agreed at their Tuesday meeting to send a letter to the governor urging him to honor the capital match payments.

Rick Taube, executive director of the Northern Virginia Transportation Commission, said that members have clearly said the governor should keep the state's commitments to Metro "that according to the previous secretary of transportation were legally binding."

The commission is scheduled to meet next on July.1.

By [Anita Kumar](#) | June 24, 2010; 9:00 AM ET
Categories: [Robert F. McDonnell](#), [Transportation](#)

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City of Alexandria, Virginia
301 King Street, Suite 2300
Alexandria, Virginia 22314



William D. Guille
Mayor

June 23, 2010

City Hall: (703) 838-4500
Home: (703) 836-2680
Fax: (703) 838-6433
alexvamayor@aol.com

The Honorable Robert F. McDonnell
Governor
Commonwealth of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219

Dear Governor McDonnell:

At its legislative meeting on June 22, 2010, the Alexandria City Council asked that I write to you to express the City's concerns about the recent letter written by Secretary Sean Connaughton about funding the Commonwealth's portion of the match to the federal Passenger Rail Investment and Improvement Authority (PRIIA) funds, and the governance of the Washington Metropolitan Area Transit Authority (WMATA). We feel very strongly that these two issues should not be linked.

Our public transportation system is an essential lifeline for Northern Virginians, and WMATA provides key elements of our transit services. The WMATA system is at a crucial point when a significant infusion of capital is necessary to replace equipment that is becoming outdated and unsafe.

Fortunately, the federal government has agreed to invest \$150 million a year in WMATA over the next 10 years, if the jurisdictions served by WMATA agree to match these funds. Both the District of Columbia and the State of Maryland have indicated they will provide the necessary matching funds over the next ten years and would provide matching funds if the bill is extended beyond ten years. Previously, the Commonwealth also indicated that it would provide matching funds, without preconditions. We understand that the Commonwealth is conditioning the release of its matching funds upon being provided two of the four Virginia WMATA board members, instead of the appointment of four local government members by the Northern Virginia Transportation Commission.

We strongly disagree with this proposal, since throughout the history of WMATA, the local jurisdictions and transit patrons, through their fares, have contributed the largest portion of funding to WMATA from Virginia. According to our figures, from FY 2001 through FY 2011, Northern Virginia local jurisdictions and riders have contributed \$2.6 billion towards WMATA, operating and capital costs, in contrast to \$827.5 million contributed by the Commonwealth. Virginia local jurisdictions have provided WMATA with a major proportion of Virginia transit

"Home Town of George Washington and Robert E. Lee"

The Honorable Robert F. McDonnell

June 23, 2010

Page 2

subsidies since the time WMATA was created. While the Commonwealth's funding commitment to WMATA has been increasing, the subsidy amount has varied tremendously, with sharp decreases in State aid in 13 years out of the 38 year history of WMATA. Most recently, we were told by Commonwealth representatives as part of the region's Constrained Long Range Plan discussions that the Commonwealth would not provide a guaranteed match to federal funds if the PRIIA legislation was extended beyond ten years.

We recognize that the current method of governance at WMATA should be examined, and this is being undertaken by a task force convened by the Metropolitan Washington Council of Governments and the Washington Board of Trade. We think that this is the proper forum and timing to discuss alternative forms of board governance at WMATA.

We must act soon to acquire new rail cars for the new Dulles Metro line and to replace the aging, outdated, and less safe 1000 series rail cars. Funds from PRIAA and the jurisdictional matches have been identified as a key component of the financing package for this capital outlay. It would be unfortunate if the Commonwealth's refusal to provide funding caused a cascading effect of the District of Columbia and State of Maryland withholding their funds. Coupled with the potential loss of the matching federal funding, this could lead to a less safe system at a time when it is imperative that the system be made safer and more reliable.

We urge you to reconsider the proposed actions on Commonwealth funding with the linked request for two WMATA Board appointments.

Sincerely,



William D. Euille
Mayor

cc: Richard Sarles, Interim General Manager, WMATA
Chairman and Commission Members, Northern Virginia Transportation Commission

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Virginia must keep its Metro funding pledge

By Catherine Hudgins and Chris Zimmerman

Virginia's transportation secretary, Sean T. Connaughton, has informed the Northern Virginia Transportation Commission that he will not honor the state's commitment to provide \$50 million annually for the Washington Metropolitan Area Transit Authority board's safety improvements unless Northern Virginia relinquishes two of its four seats on the WMATA board [["Va. could jeopardize Metro plan,"](#) Metro, June 18].

Until the secretary's challenge, the commission had never been asked by any state official to replace local elected representatives on the WMATA board with political appointees from Richmond. Virginia's investment is part of a cooperative plan to provide \$300 million annually for critical infrastructure improvements. If any party backs out, the plan will fall apart.

The secretary's claim that the commonwealth is providing more than half of Virginia's share of the Metro budget is false. In [fiscal 2011](#), funds from the commonwealth will account for only 28.3 percent of the combined costs of Northern Virginia's localities and the commonwealth to support WMATA. Northern Virginia's taxpayers and transit riders pay for WMATA through their local governments' contributions, fares and parking fees, and the regional gas tax dedicated to WMATA. In the past decade Northern Virginia's local funding effort totaled \$2.6 billion (76 percent), while the state paid \$827.5 million (24 percent).

Virginia has told the federal government that these matching funds are dedicated under state law — otherwise, Metro would not be eligible for the new federal funding. The state should not break the promise made to its residents and regional partners.

The writers are members of the WMATA board of directors.

By washingtonpost.com editors | June 22, 2010; 8:20 PM ET
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Wednesday June 23, 2010

Governor's request for WMATA board seats draws protests

Northern Virginia leaders decry 'budgetary blackmail'; money due July 1

by Kali Schumitz | Staff Writer

Northern Virginia leaders are concerned a request by Gov. Robert F. McDonnell's (R) administration to place gubernatorial appointees on the Washington Metropolitan Area Transit Authority's Board of Directors could unravel a Metro funding deal that was years in the making.

Virginia's first installment of the \$50 million annual payment it owes to WMATA is due July 1, the start of the 2011 fiscal year. In 2008, Virginia, Maryland and the District of Columbia each agreed to dedicate \$50 million a year to the Metro system in exchange for \$1.5 billion in federal funding.

On May 26, state Transportation Secretary Sean Connaughton requested that the Northern Virginia Transportation Commission, which appoints the Northern Virginia representatives to the WMATA board, replace two of its appointees with gubernatorial appointees.

"This will give the Commonwealth greater accountability for its financial contributions and safety oversight responsibilities," Connaughton wrote.

Currently, the WMATA board includes two representatives from Fairfax County, one a voting member and one an alternate; and one voting member from Arlington, with an alternate from Alexandria. All are also local elected officials in their respective jurisdictions.

According to a table in Connaughton's letter to NVTC Chairwoman Catherine M. Hudgins, the state is now paying 52 percent of Virginia's Metro costs, thereby justifying the representation.

However, an alternate analysis by NVTC counts Northern Virginia rider fares and gas taxes toward the amount local jurisdictions contribute to WMATA, dropping the state's contribution to about 30 percent.

Regardless of whether the representation change is merited, the subject needs more thorough discussion and planning, according to Hudgins and several other officials.

Connaughton's letter asked the NVTC board to make a decision on representation within days, at its June 3 meeting. The letter and subsequent comments by administration officials implied that the administration will withhold the payment owed to Metro until the representation issue is resolved.

U.S. Reps. Gerald Connolly (D-Dist. 11) and James Moran (D-Dist. 8) called the threat "a form of budgetary blackmail" in a June 17 letter to McDonnell.

"It makes it quite questionable how reliable the state will be," said Hudgins, who is also a Democratic Fairfax County supervisor representing the Hunter Mill District and vice chairman of the WMATA board.

"I think we're all willing to talk about representation," she added, but said that should be addressed separately from funding the state has already committed to provide.

WMATA has already negotiated a contract to purchase new rail cars, including those needed for the new Dulles line, based on the funding package the Metro service jurisdictions agreed to, Hudgins noted. If Virginia withholds funding, it could affect that purchase and other major planned expenses.

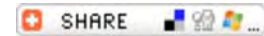
"The threat to withhold the \$50 million in state match for the hard-won federal funding threatens the entire carefully constructed \$300 million package of funding for Metro," states a letter that Stewart Schwartz, executive director of the Coalition for Smarter Growth, and two other local smart growth advocates sent to McDonnell and to Northern Virginia's transportation delegation Monday.

Unlike elected officials who say they are willing to consider changes, Schwartz also expressed opposition to altering representation on the WMATA board. "Northern Virginia's representatives have stood out on the WMATA Board of Directors for their commitment to the success of Metro, to transparency to the public, and to funding the level of transit service our region deserves," the letter states.

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Local

Fairfax to challenge McDonnell on Metro funding

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By: [Markham Heid](#)
Examiner Staff Writer
June 23, 2010

The Fairfax County Board of Supervisors voted Tuesday to send Virginia Gov. Bob McDonnell a letter challenging the commonwealth's last-minute threat to withhold \$50 million in funding for the transit agency unless it is given two seats on Metro's Board of Directors.

Separately, the Republican governor reiterated his support for the change. "Especially given the safety record of Metro over the last couple years, I'm very concerned about making sure we've got a very, very well-run board. So I think Virginia deserves to have a representative," he told reporters.

Virginia's four Metro board seats are held by Northern Virginia localities, but McDonnell wants two of those local politicians to be replaced by his own appointees. He has threatened to withhold Virginia's share of what has been pledged as a local match to federal funding that forms a 10-year, \$3 billion agreement.

"[This funding] is being held hostage," said Supervisor Jeff McKay, D-Lee, who is on the Metro board and emphatically supported sending a letter to McDonnell. McKay said the top problem facing Metro is a lack of dedicated funding, and said the state's late threat to withhold cash is irresponsible.

"The safety of our riders is counting on this money being approved," McKay said, arguing the board seats should stay in Northern Virginia.

Metro's next fiscal year starts July 1, and its budget is dependent on the funding.

McKay also said he believed the state was legally obligated to provide the \$50 million.

McKay's colleague on the Metro and Fairfax boards, Hunter Mill Democrat Cathy Hudgins, said the safety of Metro passengers and employees should come before the state's management concerns.

"Everyone expresses a concern for safety, for good management and for accountability, and the funding is necessary to having all that," Hudgins said.

Some supervisors did not agree that the governor's actions were "hostile," as Board Chairwoman Sharon Bulova and others maintained.

Supervisor John Cook, R-Braddock, urged the board to consider the governor's request and said the state planned to appoint at least one "transit expert" to the board.

Cook, with fellow Republicans Pat Herrity and Michael Frey, voted against sending the letter.

Reporters David Sherfinski and Kytja Weir contributed to this article.

mheid@washingtonexaminer.com

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Wednesday June 23, 2010

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Northern Virginia leaders decry 'budgetary blackmail'; money due July 1

by Kali Schumitz | Staff Writer

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A Letter to the Editor from Virginia's Metro Board Members

June 18, 2010

Letter to the Editor
The Washington Post
1150 15th Street, NW
Washington, D.C. 20071

Dear Editor:

Virginia's Transportation Secretary Connaughton has informed the Northern Virginia Transportation Commission (NVTC) that he will not honor the Commonwealth's commitment to provide \$50 million annually for WMATA's safety improvements unless Northern Virginia relinquishes two of its four seats on the WMATA Board.

NVTC is responsible for appointing from its members Virginia's WMATA Board representatives. Until the Secretary's challenge, NVTC has never been asked by any state official of any administration to replace local elected representatives on the WMATA Board with political appointees from Richmond.

This precondition threatens the safety of WMATA's riders. Virginia's investment is part of a cooperative plan to provide \$300 million annually for critical infrastructure improvements. If any party of the agreement backs out then it will fall apart.

The Secretary's claim that the Commonwealth is providing more than half of Virginia's share of the Metro budget is incorrect. In FY 2011 the Commonwealth will pay only 28.3% of the combined costs of Northern Virginia's localities and the Commonwealth to support WMATA. Northern Virginia's taxpayers and transit riders pay for WMATA through their local governments' contributions, their fares and parking fees, and the regional gas tax dedicated to WMATA.

NVTC's website (www.thinkoutsidethecar.org) shows that in the last decade Northern Virginia's local funding effort totaled \$2.6 billion (76%) while the state paid \$827.5 million (24%).

A Letter to the Editor from Virginia's Metro Board Members

There are many additional reasons to conclude that the Secretary's demands should not be considered at this time. We believe that the Commonwealth is breaking the promise that it made to our citizens and our regional partners.

Catherine Hudgins – *WMATA Board, Fairfax County*

Chris Zimmerman – *WMATA Board, Arlington County*

Bill Euille – *WMATA Board Alternate, City of Alexandria*

Jeff McKay – *WMATA Board Alternate, Fairfax County*

MONDAY, JUNE 21, 2010

VA Transportation Secretary on Metro Board: This Needs to Change



Virginia Governor Bob McDonnell's request to appoint state-level members to the WMATA Board created a lot of hoopla, most of it negative. Some local politicians call it "budgetary blackmail" because, they say, Virginia appears to be threatening to withhold \$50 million in funding if it doesn't get the seats, and that would unravel agreements in place among the jurisdictions to fund Metro. Others, like the Northern Virginia Transportation Alliance, not exactly a McDonnell ally, think it makes "great sense" because the current Board lacks expertise and a big picture view.

We're not transportation experts, so honestly, we don't have a clear grasp of the merits or demerits of adding Virginia representatives to the Board, but we are certain that it would be impossible to make the Metro Board any worse than it is. Attend or listen to a meeting, and you'll see. Hell, just ride Metro a few times.

Admittedly, at first, we thought McDonnell's plan was, as portrayed in the local media, a Richmond power grab, but we wanted to know more about the origins of the idea, so we reached out to McDonnell's transportation secretary, Sean Connaughton to get some more information.

First of all, Connaughton knows WMATA's problems first hand and that, we think, gives him substantial credibility. We sometimes wonder if DC Metro Board member Jim Graham even takes Metro.

In a phone conversation with Unsuck, Connaughton, who used to be a regular Metro rider, recalled being at the King St. station one day when a fire broke out. It got bad enough, he said, that people on the platform were getting sick.

Connaughton said he went down to the kiosk to report the fire and was greeted with typical Metro apathy from the kiosk attendant who was chatting with a Metro police officer.

"They said 'guess we better call it in' and resumed their conversation," Connaughton said. "It was surreal."

The request for representation, Connaughton says, stems from the Commonwealth's near \$130 million contribution to Metro in FY 2011, over 50 percent of the what Virginia chips in, he claims.

The number is fuzzy, as it doesn't take into account parking fees and fares paid by NOVA riders and therefore skews the percentages. But even if you discount it, Virginia does channel money to Metro. So does Maryland, and they get to appoint Board members, as does the District. Furthermore, the federal government demanded seats on the Board in exchange for its money, and that was applauded by many.

"We're very concerned about the club atmosphere that prevails on the Board of Directors," Connaughton said. "This needs to change."

In perhaps his most interesting comment, Connaughton said there have been conversations "to look at the whole [WMATA] compact and not dabble around the edges."

Citing a string of highly critical reports on Metro's safety record and governance model,

Connaughton said "the problems are just too serious, and [the Board] acts as if the situation was normal."

He said there has to be greater transparency.

"I have to make sure that when we put money into [Metro], it goes where it should go," he said. "[The Board] has a history of taking capital funding and using it for operations, for example."

Connaughton said "we never see a plan. We continue to try to figure out what they're doing, and we can't get a response."

Connaughton said Virginia continues to see Metro as the "lifeblood of the region," adding that Virginia led the effort to fully fund and staff the previously ineffective Tri-State Oversight Commission, which is supposed to act as a Metro watchdog, and that Virginia supported the Dulles rail extension.

When asked who the Virginia representatives to the Board might be, Connaughton said they would be full-time and transportation professionals.

Another change Connaughton would like to see is to empower general manager.

"In some ways the Board has too much control over the day to day [operations] in a negative way," he said, adding that the GM has to go to the Board too often for things like fare hikes.

If you look at how the Board hemmed and hawed about the looming huge and complex fare hikes, and WMATA's subsequent mad scramble to actually implement them in the 11th hour, you get an idea of what Connaughton is talking about.

"This is a very complex system," he said. "It's not the Metro of 20 years ago."

If Virginia were to appoint Board members that share Connaughton's view of the current Board, a desire to change outdated compact by which Metro is governed as well as deep concerns about Metro's litany of safety and service problems, we'd be in favor, perhaps only because the Board as is could not be worse.

Other items:

Is Metro any more safe one year after crash? (Examiner)

Victim's family upset with Metro support (WTOP)

Metrobus driver charges with assault (WaPo)

POSTED BY UNSUCK DC METRO AT 7:55 AM  SHARE THIS

24 COMMENTS:

Anonymous said...

I also has the same feeling that the McDonnell move was more NOVA vs rest of Virginia, but after reading this as well as other pro views, I think it makes sense and is only fair if VA has members on the board.

Like you said, it couldn't get any worse, so a shake up would be welcome

JJ in VA

JUNE 21, 2010 8:21 AM

Anonymous said...

How did you think the local media would represent ANYTHING done by Richmond Republicans? If McDonnell had made a motion to make the Christmas holidays last a week, the Post would have hammered him.

JUNE 21, 2010 8:24 AM

Chris said...

But, what does McGruff think of all this?

JUST KIDDING! ;-) Thanks for covering this... it was more information than this Virginia Metro user had before!

JUNE 21, 2010 8:31 AM

Anonymous said...

The real question is - Will it make any difference? I read this morning about Vento Mickens, a metro bus driver busted for a fight with a customer over a fare two days ago. Apparently being a bus driver for 23 years did not teach him self restraint and why should it? He knows/we know he'll be back anyway. So - does it help? Will it change anything? Or it is just another power-play for the power-players?

JUNE 21, 2010 9:26 AM

Anonymous said...

I can tell you Jim Graham doesn't take public transit. Not only that, a while ago I was waiting at a bus stop and he pulled up, parked in the bus stop, and walked off.

JUNE 21, 2010 9:37 AM

Anonymous said...

Excellent write up. Wish this had been given more fair play in the mainstream media.

JUNE 21, 2010 9:48 AM

Anonymous said...

I think this may be the first politician I've ever heard who actually relates a PERSONAL story about how screwed up Metro is.

JUNE 21, 2010 10:44 AM

BeyondDC said...

Of course it could get worse. Removing Zimmerman would make it worse.

JUNE 21, 2010 10:56 AM

Anonymous said...

"Metro... It Could Happen to You!"

JUNE 21, 2010 10:56 AM

Anonymous said...

Nice get, Unsuck. Wish the Post had bothered to ask Connaughton a little more about his views instead of playing right into the "club" atmosphere.

JUNE 21, 2010 10:59 AM

Anonymous said...

When I first heard about this, I was thrilled!! Personally, I think the entire existing board should be ousted. Maybe VA withholding funds is a back-handed move, but I applaud them for it. Why should they fund Metro if Metro won't even reveal what it is they are doing with all the money they are getting. This will be good if, for nothing else, it affords some transparency into the way money is being wasted through the ranks.

The situation with Metro has gotten out of hand and if this doesn't work, the only thing left to do is for people to stop riding (which would probably be impossible).

JUNE 21, 2010 11:00 AM

Anonymous said...

Connaughton most likely plans on putting Thelma Drake in the position on the Metro Board should it ever happen. She is not a transit professional.

JUNE 21, 2010 11:19 AM

Anonymous said...

Where are the kneejerks?!? WOW. Thought for sure they'd be screaming bloody right wing conspiracy! Goes to show you what people are willing to try given WMATA's incompetence.

JUNE 21, 2010 12:01 PM

Anonymous said...

Like it or not, VA has every right to demand a seat at the table.

JUNE 21, 2010 12:53 PM

Trevor said...

I was skeptical and angry when the story first broke, but after reading this, and some other research I did, I think it can't hurt. It's obvious a change needs to happen.

JUNE 21, 2010 1:08 PM

Anonymous said...

Whatever is necessary in order to get rid of that terrible criminal union.

JUNE 21, 2010 1:09 PM

Anonymous said...

The NoVa members currently on the board are best equipped to represent local interests. Unless we can get a Connaughton clone on the board, it's doubtful that any downstater he appoints will have a clue about the system's day-to-day operations, or how transit is supposed to integrate with a community.

JUNE 21, 2010 2:06 PM

J.D. Hammond said...

We're not going to get Connaughton on the board, or anyone who knows anything about Metro. If McDo has his way, we'll get Thelma Drake, a woman from Virginia Beach who has used Metro maybe once in her life.

JUNE 21, 2010 3:27 PM

Anonymous said...

@2:06

Admittedly I am not as informed about who Connaughton's candidates would be for the spot, but as bad (often nonexistent) as NoVa transportation can be it's not like a downstater will make it any worse... There needs to be a better sense that the Art/Metro system is interconnected rather than two opposing and competing entities. It's a problem I have, as a person who does not keep a car in the District. Connaughton at least has his head in the right place, as a victim of MetroFail... Maybe we should require all of the so called 'board' members to ride Metro on a regular basis.. let them sit at a bus stop only to have an in service and empty bus fly past because the driver's not paying attention...

oh.. and that 'NoVa members are best equipped to represent local interests...' is a giant load unless the 'NoVa members frequently Metro or are in contact with the fully commuting masses.' Not everybody drives to the Metro station and hops on... it would be nice if SOMEBODY recognized that stopping bus service to/from Metro before the Metro stops is just silliness.

JUNE 21, 2010 3:41 PM

Anonymous said...

I don't care if an appointee is full time, local or a transportation official. I just want them to be and act like F*CKING GROWN UPS!

JUNE 21, 2010 3:47 PM

Anonymous said...

It will improve if and only if this representative can help gain control over an out-of-control union who thinks they can do anything without repercussions. Unfortunately, the union can, and does, exactly that.

JUNE 21, 2010 4:36 PM

Anonymous said...

Re: Anon Jim Graham post.

Jim Graham has no concept of the system at all. Ideally Tommy Wells would be the DC board member.

JUNE 21, 2010 11:40 PM

Chris said...

Metro had FIVE (that I knew of) mechanical problems between trains and track during yesterday afternoon's rush hour. It took me over 2 hours to get home. No more. I'm driving from now on. F-U, Metro.

JUNE 22, 2010 7:26 AM

Anonymous said...

It's hard to imagine more "clubby" than this:

William D. Euille joined the Metro Board in July 2000 as Alternate Director representing the City of Alexandria, Virginia. Mr. Euille is currently the Mayor of Alexandria, and he has served on the Alexandria City Council since May 1994. Mr. Euille is Founder/President/CEO of William D. Euille & Associates, Inc, a construction services company. In addition to serving on the Metro Board, he is President of the Virginia Transit Authority, Vice Chair of the Northern Virginia Transportation Authority, and Vice Chair of the Northern Virginia Transportation Commission.

JUNE 22, 2010 11:34 AM

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Updated: McDonnell holding firm on Metro money



KUMAR

Gov. Bob McDonnell said Tuesday that he will wait to decide whether to pay the state's first \$12.5 million payment to Metro until after a decision is made on whether the state can have two seats on the agency's board of directors.

In his first public remarks [on the issue that created a firestorm last week](#), McDonnell said the state should receive the seats in exchange for the \$50 million capital contribution as well as annual ongoing operating expenses.

"I think it's a fair request," McDonnell said. "The federal government did the same thing last year and asked for representation for the funds they were providing. Maryland and D.C. already have representation."

Administration officials have said they want representation on the Metro board in part because they are concerned about safety in light of the fatal crash last year that killed nine people.

McDonnell said his schedule did not allow him to attend [the one-year memorial service of that crash Tuesday](#). He and his spokesman did not know whether anyone from state government attended the memorial in Washington. At least one Virginian, [driver Jeanice McMillan](#), died in the crash. (Maryland Gov. Martin O'Malley also did not attend, but he sent the Maryland representatives on the Metro board in his place).

Update, 8 p.m. U.S. Rep. Gerry Connolly (D-Va.) spoke at the Metro memorial service on behalf of Virginia while U.S. Rep. Chris Van Hollen (D-MD) represented Maryland.

Update, 10:30 p.m. Eloy Recio, Virginia manager of state safety oversight at the department of rail and public transportation, also attended, McDonnell spokesman Tucker Martin said.

"My schedule didn't allow me to attend, but that accident was one of a number that has plagued Metro over the last number of years," he said.

McDonnell's transportation secretary, Sean Connaughton, will meet with members of the Northern Virginia Transportation Commission on Thursday to talk about giving Virginia seats on the board, including one alternate. NVTC has met once but did not make a decision.

"We're hopeful that they'll give us the representation," McDonnell said. "Especially given the safety record of Metro the last couple years, I'm very concerned about making sure we've got a very well run board, so I think Virginia deserves to have a representative, and hopefully this discussion on Thursday will be fruitful and then we'll go from there. I'll wait and see what happens."

McDonnell said he has received support for his request from many business organizations, [including the Northern Virginia Transportation Alliance](#). "I think most people who look at it out of fairness certainly

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Groups oppose McDonnell's bid for Metro board seats



KUMAR

Days before Transportation Secretary Sean Connaughton meets with the Northern Virginia Transportation Commission to try to convince its members to give up seats on the Metro board, several other groups have come out against the proposal.

The Coalition for Smarter Growth, the Sierra Club and the Arlington Coalition for Sensible Transportation oppose [Gov. Bob McDonnell's push for two seats and his decision to withhold Virginia's \\$50-million state match for federal funding until he gets them.](#)

The groups wrote a letter to McDonnell (R), Virginia's senators and Northern Virginia congressmen late Friday -- stressing that Maryland, the District and the federal government will withhold \$250 million if Virginia does not pay.

"Improving accountability and safety at Metro is important, but the Governor's proposed change would neither strengthen efforts to increase accountability nor improve safety at Metro," they wrote. "Replacing local public officials elected by the people of Northern Virginia with appointees would weaken Metro's accountability to the people it serves."

Connaughton will meet with members of the NVTC Thursday to talk about giving Virginia two seats on the Metro board, including one alternate. NVTC has already met once, but did not make a decision.

U.S. Sen. Mark Warner (D) said Friday that he believes the governance of Metro's board should be examined, but has concerns about linking that discussion to funds.

"I think the notion of Metro board governance, a fresh look at Metro board governance makes sense," he said. "I do though think that we ought to be careful -- what I wouldn't want to do, as someone who's been fighting for years to try to make sure we make the rail to Dulles a reality...I would hope this would be resolved without threats of without the funding."

Read the full letter below:

Governor Robert McDonnell
Office of the Governor
1111 East Broad Street, Third Floor
Richmond, VA 23319

Senator Mark Warner
459A Russell Senate Office Building
Washington, DC 20510

Senator Jim Webb
248 Russell Senate Office Building

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

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Congressmen slam McDonnell's threat to withhold Metro \$50M

By: [Kytja Weir](#)
Examiner Staff Writer
June 18, 2010

Two Virginia members of Congress accused the state's governor of "budgetary blackmail" on Thursday for threatening to withhold \$50 million in funding for Metro unless the state can appoint two members to the Metro board, saying the move could unravel a regional deal involving millions more in desperately needed funding and safety improvements.

Reps. Gerry Connolly and Jim Moran, both Democrats, wrote a letter to Republican Gov. Bob McDonnell stressing "serious concerns" about the proposal to give two of the four Virginia board slots to political appointees instead of elected officials from Northern Virginia.

They specifically disputed the McDonnell administration's claim that the commonwealth deserved half the positions as it was contributing 52 percent of the overall \$249 million in state and local subsidies for the pending \$2.1 billion Metro budget, which starts July 1.

They argue that Northern Virginia riders' fares and parking fees are not included in those numbers, thus underestimating how much local residents are contributing.

Furthermore, Connolly told *The Washington Examiner*, that the \$50 million the state is threatening to withhold comes from revenue paid by Northern Virginia drivers through the 2 percent gas tax.

"I know who pays the bills. It's local taxpayers, not Richmond, not the commonwealth," Connolly said. "This is our own money that Virginia is suddenly laying claim to."

Withholding the money, which is Virginia's share of a \$150 million annual local match to \$150 million in federal funding, could cause the other jurisdictions to pull out of the 10-year "dedicated funding" agreement, they said.

Connolly said they are not opposed to changing how Virginia representatives are added to the Metro board but questioned the timing of the move. He also said if Virginia ponied up more money, as Maryland does, he would be more open to giving the state some direct representation on the board.

Transit advocates, however, have argued that elected officials are more responsive and accessible to riders than appointees.

How Metro board members are chosen

Representatives to Metro's 14-member board are chosen in different ways depending on jurisdiction: The District has two councilmen and two appointees; Maryland's four representatives are political appointees, two from the state and two with local support; and federal officials have two new political appointees currently serving and two more slots to fill.

Virginia, though, has four slots chosen by the 20-person Northern Virginia Transportation Commission. Typically those seats are given to two elected Fairfax County officials, one Arlington politician and one elected official who rotates from the cities of Alexandria, Falls Church and Fairfax. The state has one vote on the commission, representing the transportation secretary.

But just as the Metro board makeup varies, so, too, does the funding model. Maryland pays all of its local subsidies for Metro, while Virginia's local jurisdictions contribute directly for operating and capital expenses.

A task force from the Greater Washington Board of Trade and Metropolitan Washington Council of Governments is studying how to improve the governance of Metro.

kweir@washingtonexaminer.com

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The Washington Post

Governance dispute is more trouble for Metro

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Friday, June 18, 2010; A28

WHEN CONGRESS agreed last year to provide \$1.5 billion over 10 years in new capital funding for Metro -- a critical infusion of cash for a transit system starved of it -- the money came with some strings attached. One was that the money would be matched annually by contributions from the District, Maryland and Virginia. Another was that Metro's governing board of directors would be expanded to include a federal vote. That seemed reasonable and logical: If Metro wanted federal funds, it would have to accept federal input.

Now Virginia officials, who contribute almost \$90 million annually to Metro in capital and operating funds, are making an identical demand for a seat at the table and threatening to withhold contributions if they don't get one. Their demand is justified. The threat to withhold funding is not; it's blackmail.

This is not a dispute between Virginia and Metro, or even between Virginia and the other two Metro jurisdictions, Maryland and the District. This is a dispute between Virginia and Northern Virginia. And resolving it would not require redrawing the rules governing Metro's board.

As things have stood for years, the Northern Virginia Transportation Commission, a regional body representing Fairfax and Arlington counties and Alexandria, has named two voting members to the Metro board to match the two voting members named by the District and the state of Maryland. (Maryland's seats have for years been controlled not by suburban governing bodies but from Annapolis, which also provides the state's subsidy.) When Virginia was asked to pony up \$50 million a year in funds to match the federal dollars, state officials started pressing the commission to allow them to name one of the two voting members (plus an alternate) for Virginia. The Northern Virginians declined.

The dispute began during the term of Gov. Timothy M. Kaine (D) and has apparently sharpened since his successor, Robert M. McDonnell (R), took office this year. State officials point out that they are chipping in about 52 percent of all Virginia dollars going to Metro; the remaining 48 percent comes from Northern Virginia localities. State officials are also right that the Metro board would be well served by having Virginia represented by a full-time transportation expert, not part-time politicians, no matter how conscientious and well-intentioned.

Possibly, partisanship is exacerbating the fight -- Northern Virginia is controlled by Democrats, Richmond by Republicans. But Metro is not a political trophy to be squabbled over; it's one of the busiest and most critical transportation systems in the nation. Northern Virginia needs to recognize the state's legitimate interest and contribution, back down and allow Richmond a vote on the Metro board. Richmond should negotiate without holding the system hostage. This internecine skirmish must not be allowed to jeopardize funding for transit in the nation's capital.

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The Washington Post

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Va. governor's threat puts Metro funding at risk, federal transit official says

By Lisa Rein and Anita Kumar
Washington Post Staff Writers
Friday, June 18, 2010; B05

The chief of the Federal Transit Administration said Thursday that a \$1.5 billion federal funding plan for Metro will be in jeopardy if Virginia carries through on a threat to withhold its share.

FTA Administrator Peter M. Rogoff also questioned whether Virginia is in compliance with the law passed by Congress to dedicate money to fix the region's troubled transit system -- because the state apparently never made a formal pledge to provide its share of matching funds.

"Obviously, we will not be in a position to commit federal matching funds to [Metro] if the size and certainty of the local funding commitments are in doubt," Rogoff wrote in a letter late Thursday to Metro's interim general manager, Richard Sarles.

Federal officials sounded the alarm a day after Virginia Gov. Robert F. McDonnell's administration threatened to renege on a pledge -- also made by the District and Maryland -- to match the federal money unless the state gets two members on Metro's board of directors.

McDonnell (R) wants to appoint two of the four seats now held by elected officials from Fairfax and Arlington counties and Alexandria. His transportation secretary said that Virginia wants more accountability from Metro in the aftermath of last year's fatal Red Line crash and noted that the state contributes more to Metro than the Northern Virginia governments.

The threat threw into question a capital program long sought by the cash-strapped transit agency, which must use the money -- \$300 million a year -- for safety improvements. The first \$12.5 million of Virginia's \$50 million share is due July 1, and state officials said this week that they would not pay without an agreement on state board seats.

The political rhetoric escalated Thursday, with Virginia's Republican leaders defending McDonnell, and Democrats assailing what they called a political power play. All members of the Metro board are Democrats.

Rogoff said he is "deeply troubled" by reports that Virginia "may be revisiting its commitment" to pay its share.

Metro officials have said McDonnell's hardball play jeopardizes an \$886 million contract for 428 new rail cars that the federal money would pay for.

"Anything that prevents us from replacing our oldest rail cars is of major concern to everyone at Metro," said the board's chairman Peter Benjamin, who represents Maryland. "Virginia is preventing this program from moving forward."

Under the law, the federal government will give Metro the money during the next 10 years, but the District, Maryland and Virginia are required to match it with a dedicated fund that cannot be used for other spending.

On Wednesday, Virginia Transportation Secretary Sean T. Connaughton said the state appropriated the money for this year's share and included the funds in the state's two-year budget.

In his letter, Rogoff "calls into question" whether Virginia is in compliance with the law. But on Thursday night, Connaughton said the General Assembly passed a bill in 2007 that set aside \$600 million for transit, effectively creating a stream to match the federal money. He also said the state's six-year plan allocates money for Metro.

Rep. James P. Moran Jr. (D-Va.) called it "budgetary blackmail." Rep. Gerald E. Connolly (D-Va.) said it was a "raw power grab by Richmond bureaucrats." But the author of the federal law, former Rep. Thomas M. Davis III (R-Va.), said McDonnell is right to withhold Virginia's \$50 million match until he gets what he wants.

"The mayor [of the District] has a vote" on the Metro board, Davis said. "Why shouldn't Virginia have the same?"

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Va. gov. wants state seat on Metro transit board

June 17, 2010 - 8:04pm

By BOB LEWIS
AP Political Writer

RICHMOND, Va. (AP) - Gov. Bob McDonnell wants two seats reserved for Virginia's government on the board of the Washington-area authority that runs the mass transit system serving the District of Columbia and its Maryland and Virginia suburbs.

Transportation Secretary Sean T. Connaughton made the proposal in late May, linking it to the state's share of funding expected under a capital improvement partnership with the District of Columbia, Maryland, the federal government and the Northern Virginia Transportation Commission.

The commission has four seats on the regional transit authority that operates subways throughout the crowded Capital region notorious for chronic highway traffic congestion but the state itself wants two seats. The state of Maryland and the District of Columbia already have have seats.

Connaughton proposed in a May 26 letter to NVTC Chairman Catherine Hudgins that it reserve two of those seats - a principal director and alternate director - for designees from Virginia's Department of Rail and Public Transit.

In the letter, Connaughton notes that among six Virginia jurisdictions that contribute to the authority, the state's share - nearly \$130 million, or 52 percent - will be by far the largest for fiscal year 2011, which begins July 1.

"Since we're the largest contributor west of the Potomac, we want a role in deciding how the money is spent and how Metro is managed," Connaughton said in an Associated Press interview Thursday.

Connaughton said the state had substantial concerns, shared with officials from the other jurisdictions, over matters of safety, maintenance and fiscal management of the system that carries more than 750,000 passengers each weekday. A crash on Metro's Red Line last year killed nine people and injured 80.

Nowhere in the letter does Connaughton threaten to withhold state funding for the system, but critics of the Republican governor's administration called it a "quid pro quo."

"In my view, it's renegeing on the state's commitment," said state Sen. Mary Margaret Whipple, D-Arlington, who served on the WMATA board for 10 years, one of them as its chairman.

"With almost no notice, suddenly the administration is asking to change the governance, structure and representation on the Metro board," she said. "It came out of left field, I think it is very inappropriate and I think it is not a deliberative approach."

If Virginia withheld its match for \$150 million in federal funds, it could scuttle a program to fund a project to replace hundreds of Metro's worn subway cars, some of which date to the mid-1970s when the system opened.

Connaughton dismissed criticism that the state was trying to use its money to muscle its way onto the WMATA board. He said the state has to be able to watch what happens to hundreds of millions of dollars it contributes to the regional transit system.

But he also noted that Virginia is not the first party to the agreement to use its fiscal clout to have its way. Last year, the federal government sought - and got - two seats on the board in return for the money it is streaming into the largest refurbishment of the system.

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Transportation group backs McDonnell's proposal to add statewide appointees to Metro board



KUMAR

Gov. Bob McDonnell (R), who insists that he be able to appoint two members to the Metro's board of directors, is getting some support from from an unusual place.

Bob Chase, executive director of the Northern Virginia Transportation Alliance, a business-supported group that lobbies for transportation funding and often find itself at odds with the new Republican governor, said he believes McDonnell's proposal makes "great sense."

"Having more professional 'heads and minds' focused on the big picture and how best to manage the overall system would be superior to a roster of inexperienced local heads that might be most concerned about local shares," Chase said. "It's not as though WMATA's recent track record is such that it is unreasonable to suggest that the injection of more people with more relevant experience would benefit all residents of all localities."

His views on the issue may not be well known, but Chase said he has been pushing for a statewide seat on the Metro board for years.

"Step back and ask yourself, 'What in the backgrounds of local elected officials on the WMATA Board has prepared them to manage or guide a regional transit network?'" Chase said.

Earlier this year, the Obama administration demanded that four federal members be appointed to the Metro board in exchange for \$1.5 billion in federal funds. Chase said the federal appointment of Mort Downey has been a "real plus in terms of bringing in professional expertise with a national perspective."

Meanwhile, Reps. Jim Moran and Gerry Connolly, both Democrats who oppose McDonnell's action, sent him a letter late Thursday blasting him for threatening to withhold \$50 million in exchange for the board members. They called it a "form of budgetary blackmail."

McDonnell spokesman Tucker Martin called Connolly hypocritical for supporting the federal appointees, but not the Virginia ones.

"Now, Virginia is simply asking to be treated the same, and Mr. Connolly has suddenly changed his position completely," Martin said. "'Let's get serious, anyone can see this letter is just transparent and empty partisanship and apparently partisan affiliation is all that really matters to the letter writers. That is unfortunate, and it won't help fix a Metro system that is long overdue for serious reform and improvement."

Read the Moran/Connolly letter below.

June 17, 2010

The Honorable Robert F. McDonnell



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Office of the Governor
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219

Dear Governor McDonnell:

We write to express our serious concerns that your administration's proposal to seat two state officials on the Washington Metropolitan Area Transit Authority (WMATA) Board of Directors could imperil future federal funding.

As you know, under the terms of the WMATA compact, the Northern Virginia Transportation Commission (NVTC) selects four of its members to serve on the WMATA Board. Historically, the board has allotted these slots to the Northern Virginia jurisdictions served by Metro. Your administration's proposal to condition the \$50 million annual state match towards WMATA's new multi-year funding commitment with the federal government to the appointment of two state representatives, violates the Commonwealth's prior agreement, may be infeasible under current law, and risks unraveling current efforts to complete the purchase of desperately needed railcars.

Both the State of Maryland and the District of Columbia have committed to provide their \$50 million local match. Therefore, the Commonwealth's refusal to do so, absent NVTC's capitulation, appears to be a form of budgetary blackmail. This is particularly troubling as it comes on the eve of the one-year anniversary of the tragic June 22, 2009, Red Line Metro crash. That terrible accident resulted in part due to insufficient funding for safety upgrades to the system and newer, safer railcars. Virginia's refusal to provide the match will have a number of negative impacts, the most troubling of which is the imperilment of the impending purchase of new 1000 series railcars. These cars are intended both to serve the long-awaited Dulles Rail project and improve safety throughout the Metro rail system.

We are open to a variety of WMATA governance reforms, and would not necessarily oppose direct state representation on WMATA's board should the Commonwealth actually appropriate operating subsidies comparable to the total funding effort of Northern Virginia's local jurisdictions. Such changes, however, are premature given the report on WMATA governance that is already in development by the joint task-force of the Greater Washington Board of Trade and the Metropolitan Washington Council of Governments. Doubts as to the legality of a second state representative serving on the board have already been raised, because the Commonwealth has only one representative on the Northern Virginia Transportation Commission.

Finally, there is also disagreement as to how Virginia's state financial contribution should be calculated. Historically, fares and parking charges paid by Metro riders have been included in the calculation. Only when these fares and charges are removed does Virginia's share become 50 percent of the overall contribution from Virginia, and only for fiscal year 2011. Even by this measure, the state's share exceeded the 50 percent only twice in the past decade.

While the state may have raised some legitimate issues that merit further consideration, we believe these issues should be raised at the task force since its report on WMATA governance is not due to be completed for several months. We urge you to delink the proposed changes in board representation from the state's funding commitment, so that critically needed rail cars and safety improvements can proceed without delay.

Sincerely,

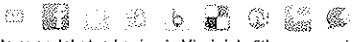
James P. Moran Gerald E. Connolly

By Anita Kumar | June 18, 2010; 11:04 AM ET

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Comments

at the company where I work, we often have committees for various projects or whatever. I've learned that the more people on a committee, the less work gets done.
 McDonnell is just making a power grab and trying to find jobs for his friends.

Posted by: MarilynMason | June 18, 2010 2:22 PM | [Report abuse](#)

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The Washington Post

McDonnell wants statewide members on Metro board

By Lisa Rein and Anita Kumar
Washington Post Staff Writers
Thursday, June 17, 2010; B01

Virginia Gov. Robert F. McDonnell's administration threatened Wednesday to unravel a \$1.5 billion federal funding plan for Metro unless the state gets two members on the agency's board of directors.

The governor's transportation chief said McDonnell (R) wants more accountability for an investment that would cover more than half of Virginia's contribution to Metro. The state and local jurisdictions both provide funding.

The federal government is providing the money for capital needs during the next 10 years but requires the District, Maryland and Virginia to match it.

"We are now the largest contributor from this side of the Potomac, and we don't have a seat at the table," said Virginia Transportation Secretary Sean T. Connaughton, explaining his push to take two of the four Northern Virginia seats away from the jurisdictions that appoint them. The state is "extremely concerned about management, operation and safety" in the wake of last year's fatal Red Line crash.

If Virginia reneges on the pledge to match the \$150 million from the federal government, the repercussions would be immediate, Metro officials said: An \$886 million contract for 428 rail cars that the federal program will fund will be in jeopardy.

The first \$12.5 million of Virginia's share is due July 1. "I personally don't plan [on paying it] until we have an agreement," said William Pittard, chief financial officer of the Virginia Department of Rail and Public Transportation.

The Metro board has 14 members, including two appointed by the Obama administration as a condition of the funding contribution. The federal government plans to name two more members. The four Northern Virginia members are the only ones from Virginia.

State appointees would have more expertise than the current board members from Northern Virginia, who as local elected officials can devote only a portion of their time to their Metro duties, Connaughton said.

"We have part-time local government officials showing up part time on the [Metro] board overseeing a multibillion-dollar transit system," he said. The state would choose one voting member and one alternate.

Connaughton said McDonnell would hire a transit expert to sit on the Metro board and to work on other transportation issues.

Metro board member Jim Graham, a D.C. Council member (D-Ward 1), said that if Virginia refuses to pay, the District and Maryland would be obligated to withhold their payments.

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"This is very serious mischief," he said. "It's a serious breakdown of regional cooperation, which has been the essential element of Metro."

Some members of the all-Democrat Metro board said that the change, first raised by McDonnell last month on WTOP Radio, would be a setback for riders because local elected officials are more supportive of the region's transit needs than an appointee who might not live in Northern Virginia. They say McDonnell would be irresponsible to tie safety funding to his effort to alter the makeup of the board, a complex change that would require amending the agency's founding documents.

"It's startling," said Catherine M. Hudgins, a Virginia board member and Fairfax County supervisor (D-Hunter Mill). "I hope there will be a sense of sanity about this. We did not spend a lot of time lobbying our federal legislators to provide funding that was to be arbitrary." Hudgins is chairman of the Northern Virginia Transportation Commission, which appoints nominees from the local jurisdictions served by Metro.

Said Mortimer L. Downey, a federally appointed board member: "We don't want to be talking about shuffling the deck chairs while the Titanic is sinking."

Congress passed the \$1.5 billion, 10-year funding plan in 2008, and President Obama signed a spending bill this year that includes the first \$150 million. The money has to be authorized each year, and the administration included an allocation in the next federal budget. Priorities for the first round of funding include safety upgrades as well as rail cars to replace the oldest ones in the system, which date to the 1970s.

The federal money is a linchpin of a \$5 billion, six-year capital plan the Metro board is scheduled to approve next week.

During his campaign last fall, McDonnell appealed to Northern Virginia voters with a promise to improve the region's transportation network. His hardball play could win over constituents concerned about the troubled transit system. It could also turn off voters who think he is playing politics with Metro's safety needs.

"The very thought that anyone would second-guess paying their share is criminal," said Metro board member Jeff C. McKay, a Fairfax County supervisor (D-Lee). "It's all political. Does the governor really want to be the one who reneges when Metro's capital needs are so great?"

Responded Connaughton: "When the people were killed a year ago, it didn't matter what political makeup they were." Nine people were killed and 80 injured in a Red Line crash in June 2009.

Metro officials said they think Virginia's pledge was affirmed by the General Assembly. But current and past officials, including Connaughton, said the state never passed a bill promising to provide the money. The state appropriated the money in its budget.

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TRANSIT

McDonnell trying to take WMATA seats from NoVA

by [David Alpert](#) • June 4, 2010 10:18 am

The McDonnell administration is making a push to take some of Virginia's WMATA Board seats away from Northern Virginia jurisdictions, which currently appoint elected officials to the Board.

In a [letter to the Northern Virginia Transportation Commission \(NVTC\)](#), Virginia Transportation Secretary Sean Connaughton wrote:

With the increase in [state] funding [for transit], plus the recent commitment of additional resources to improve the performance of the federally-mandated state safety oversight program, the Commonwealth believes it is appropriate to request that NVTC provide two of its four appointments to the WMATA Board of Directors, one Principal Director and one Alternate Director, to [the Virginia Department of Rail and Public Transportation,] DRPT.



Connaughton (left) and McDonnell (right). Photo by VDOT.

This would be a big setback for riders and the region. The Virginia members, being elected officials, are some of the most responsive and transparent members of the WMATA Board. It was the Virginia members who [pushed for the proposed budget to be released](#) and have most strongly opposed overuse of executive sessions, for example.

Northern Virginia counties also were the first to increase their support for transit after residents demanded it. Maryland, where the Governor answers to the entire state, was far more difficult. At least a tough reelection that depends on Montgomery and Prince George's voters, coupled with strong support from the Post editorial board, persuaded Governor O'Malley not to raid transit.

In Virginia, the state government is already beholden to rural interests and refuses to let Northern Virginia govern itself as it sees fit. Northern Virginia is not Governor McDonnell's base. He isn't making this move because he wants to listen to riders and make the Board more responsive to our concerns. He doesn't want to make transit better. He doesn't seem to even believe in transit at all.

While WMATA faced its historic \$190 million budget gap, Governor McDonnell never offered state assistance, and according to an NVTC member, Northern Virginia never really asked. Until now, it's always been expected that Northern Virginia appoints the Board members and Northern Virginia finds the money if they want more transit service. In contrast, in Maryland, where the Board members are appointed by the Governor, the state pays the full WMATA bill.

There's also been strong speculation that this is the objective of the [Board of Trade/MWCOG commission](#) that was created to "study WMATA governance" but didn't include any representatives of riders or transit advocates. Some influential business figures would like to make WMATA more like MWAA: run through backroom deals by powerful insiders, completely unresponsive to residents, like when they [pulled the rug out](#) from under the Fairfax Connector.

Connaughton argues that the state will soon provide a little more than half (52.2%) of the funding for WMATA, including Virginia's share of the \$50 million per year in federal match and the existing discretionary and formula capital and operating funds that go to transit systems across the state.

However, this argument obscures several realities. As Connaughton notes, much of the money is allocated to Northern Virginia via a formula, worked out in the General Assembly through long negotiation. Northern Virginia allocates more of its money to transit, while the rest of the state gets more for roads.

Plus, this money is all Northern Virginia taxpayers' money anyway, just collected by the state and then distributed in part to WMATA via NVTC. Overall, Northern Virginia residents pay more to the state in taxes than they get back.

Connaughton seems to threaten not to participate in the 6-year capital funding that continues after Metro Matters expires unless he gets control. Area Congressional representatives would probably not look kindly upon such a move. At the recent Senate hearing, Senator Barbara Mikulski (D-MD), who sits on the appropriations subcommittee that handles transportation, expressed a strong feeling that the states and the District need to keep up their commitments to a state of good repair if Congress is going to continue making extra contributions.

Virginia, like Maryland, DC, and now the federal government, appoints four members to the WMATA Board: two voting Principal Directors and two nonvoting Alternate Directors. NVTC consists of 13 elected officials from Arlington (3), Alexandria (2), Fairfax County (5), Fairfax City (1), Loudoun (1), and Falls Church (1), 2 state Senators, 4 state delegates, and one appointed by the Governor.

NVTC then selects the four Board members. The current Principal Directors are Catherine Hudgins from Fairfax County and Chris Zimmerman from Arlington, and the Alternate Directors are William Euille from Alexandria and Jeff McKay from Fairfax County.

If the change were to go through, DRPT Director [Thelma Drake](#), a former Republican Congresswoman from the Hampton Roads area and current resident of Norfolk, is expected to be chosen as the voting member. At their meeting last night, NVTC didn't act on the proposal, but agreed to send a letter in

response to Connaughton outlining their concerns about the idea. Most representatives were opposed to the proposal. One of the few supporters was [Joe May](#), delegate from Loudoun and Clarke Counties and Chair of the Virginia House Transportation Committee.

[26 comments](#) — tags: Alexandria, Arlington, Bob McDonnell, Fairfax, Loudoun, MWAA, Sean Connaughton, Tri-State Oversight, Virginia, WMATA, WMATA Board, [Share](#) WMATA Governance Task Force

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Comments

If the deal is that you get seats when you pay, when will riders get to directly elect some representatives on the board?

by [Michael Perkins](#) on Jun 4, 2010 10:27 am [🗨](#)

I feel sorry for the Northern Virginia counties for the nonsense and hostility they have to deal with from Richmond. This is another case where the rest of the state sees Northern Virginia as little more than a wallet to be raided and how little regard Richmond has for its cash cow.

Wanting to appoint someone from Hampton Roads to the WMATA board when Richmond never gives the Virginia WMATA jurisdictions a cent for yearly operations contributions is just mendacious. I suppose it's a good thing that Gov. McDonnell has no shame or decency.

by Cavan on Jun 4, 2010 10:35 am [🗨](#)

This is a basic constitutional issue in Virginia related to the county structure and abilities to enact laws and levy taxes, etc. Counties are and will be beholden to Richmond unless the constitution is amended. The other option is incorporation as an independent city/s in this region. There's a reason 39 or the 42 independent cities in the US are in Virginia.

We're paying our fare share in Virginia already, and then some. I expect that will continue.

by Lou on Jun 4, 2010 11:03 am [🗨](#)

I believe this would be disastrous for Metro customers from VA. Not only would we lose the responsiveness you mention in this post that we currently experience with our WMATA board members, but I suspect that our bus service would suffer significantly as well.

by Penny Everline on Jun 4, 2010 11:04 am [🗨](#)

I lived in Hampton Roads for a few years.

I took the bus to work every day...for two weeks, and then bought a car. I've never seen such a disastrously-planned transportation system in my life. I shudder at the thought of letting those same people have a hand in WMATA's operations.

(Rant ahead)

I'd start out on a WAT bus in Williamsburg, which would snake along back roads parallel to 60 and 64, making virtually no stops along the way, traveling about 8 miles over the course of 35 minutes. These buses run on a 1-hour headway.

The bus route abruptly ends in the parking lot of a food store in the middle of nowhere. The entire bus disembarks, waits about 15-40 minutes for an HRT bus to show up, and boards that, paying an additional fare, coins-only. The bus snakes around for a bit, but eventually heads onto Jefferson Ave, Newport News's (traffic-clogged) main arterial, which is fine -- most of the businesses in the area are located along this strip. (Because WAT operates on a 1-hour headway, the reverse commute requires a ~30 minute wait to transfer at this point)


However, no buses actually drive down the length of Jefferson Ave.

The first HRT bus drives part way down Jefferson Ave. If you happen to be unlucky, the driver will pull into Burger King, and stop for 10 minutes to eat breakfast. It's worth noting here that the driver has several friends who do not pay the fare, and the bus inexplicably does not stop at the airport (or even near the airport's access road).


Eventually, we end up at the Patrick Henry Mall. Almost the entire bus disembarks here, because they too need to travel further East along Jefferson Ave. Here, we wait approximately 20 minutes for another transfer (one time I missed it, and had to wait over an hour in 100+ degree weather. this was the day before I shopping for a car). The bus makes a convoluted U-Turn, and finally continues down Jefferson Ave, and I disembark at my workplace.

The equivalent trip by car takes 25 minutes in moderate traffic. It is a heavily-traveled corridor, with a fairly simple traffic pattern. Hundreds, if not thousands of workers had the same exact commuting pattern as I did, although nobody who can afford a car uses the public transport.


The Hampton Roads Transit system is large, well-funded, and profoundly unusable. Please, please, for the love of God, don't put these people in charge of WMATA.

by andrew on Jun 4, 2010 11:23 am 


The 52% the state quoted is also incorrect, it does not fully factor the cost of metro paid by the local jurisdictions. They pay more in the 30% range currently. They are excluding certain funding items to skew the numbers in their favor

by James on Jun 4, 2010 11:30 am 

Didn't all Northern Virginia jurisdictions except for Alexandria/Arlington vote for Confederate Bob and his right-wing extremist attorney general pal? Well, you get what you pay for. In my opinion the best thing for NoVa to do would be to pull a "West Virginia" and secede from the rest of the state and join it's more progressive Northeastern neighbors (DC and MD), although looking at how that part of the state voted in the gubernatorial election I don't really see that happening any time soon.


by one4all on Jun 4, 2010 11:34 am 

@one4all That would require the permission of both Virginia and the Federal government, and thus, isn't going to happen.


by Dan on Jun 4, 2010 11:37 am 

Dear Arlington and Alexandria:

Consider this karma for retroceding in 1847. If you don't want to be the wallet for 7 million people who live 100 miles away, then maybe you should ask us to take you back. Love,
DC

by tom veil on Jun 4, 2010 11:55 am 


Whatever happened to that time-honored conservative principle -- of which I as a liberal often am a proponent -- that the best government is that which is closest to the people?

by Dennis Jaffe on Jun 4, 2010 12:15 pm 


Here in Fairfax County, for every dollar we send to Richmond they send us back \$0.18 of funding. Thats right, eighteen cents. With the additional funding to match the federal dedicated funds, that number may creep closer to twenty cents. With that level of generosity, you can understand why the governor would demand greater control.

I doubt McDonnell would appoint Thelma Drake to the WMATA board. Here are the early favorites:

Wendell Cox
Bob Chase
Eugene Delgaudio
Pat Robertson
Newt Gingrich
Lynne Cheney
Sean Hannity
Dick Black
Dick Armey
Ronald Reagan


by Rod Johnson on Jun 4, 2010 1:01 pm 

My new state of Columbia, made up of DC and the surrounding counties in VA and MD would solve this problem.

by jcm on Jun 4, 2010 1:04 pm 


@tom veil, no thanks. We prefer to keep our voting representative in Congress.

Love
Virginia's 8th District


by Lou on Jun 4, 2010 1:29 pm 

Lou +1

p.s. we don't believe in that heathen "karma" bs


by spookiness on Jun 4, 2010 1:34 pm 

Hey NOVA now do you know why DC Voting Rights is so important to us? Looks to me like the VA Gov just wants a little piece of the Congressional-overlord action. If I were a NOVA resident (which I'd likely never be unless it ceded from the rest of the state) I'd be contacting Richmond to let that @\$ hole know I want him to keep his grubby hands off my local transit management & funding!


by Matt on Jun 4, 2010 2:38 pm 

Had many dealings with Connaughton while he was at MARAD. He is a graduate of the US Merchant Marine Academy. He knows quite a bit about intermodal shipping and spoke impressively during his stint at MARAD.


This idea, however, is CUCKOO.

by [Unsuck DC Metro](#) on Jun 4, 2010 3:02 pm 

Thelma Drake's nomination to the Metro board will be a dark day. She has never lived in northern Virginia, but my experiences with her in Hampton Roads would suggest that she would be as completely beholden to the Hazeloid growth machine here, with all consequences in a complete vacuum to her, as she was in Virginia Beach.


by [J.D. Hammond](#) on Jun 4, 2010 3:33 pm 

And to be fair, Andrew, HRT is incrementally more useable than GRTC in Richmond. HRT may not go to any airport, but it at least goes to the suburbs whatsoever.


by [J.D. Hammond](#) on Jun 4, 2010 3:37 pm 

If ONLY WMATA were run like MWAA. Then maybe Metro wouldn't be such a money pit! MWAA runs one of the finest airports in the nation as well as the Toll Road.


We should be so lucky!

by [Frank](#) on Jun 4, 2010 4:05 pm 

OK, Frank, and who can afford to fly out of Dulles...?

by [J.D. Hammond](#) on Jun 4, 2010 5:11 pm 


I would love to secede from the rest of the state. Greedy bastages bleed us dry with nothing in return. Why do we put up with it!??

by [NikolasM](#) on Jun 4, 2010 6:47 pm 


Gov. Scrooge McDonald is a clown. Thank god for one-term limits in Virginia.

VA Democrats: start selecting a decent candidate. Don't make the same mistake you made last time. This is an election for you to lose. Tim Kaine: You dropped the ball in this one.

BTW: If Nova, MoCo, PG and DC (minus the Mall, let the NPS keep that as federal district) were to merge into a state, please don't call it Colombia. Seriously folks, while Marion Barry is still alive, I think we should avoid all confusion with the South-American cocaine producer. Let's go for Capitol, Potomac, Jefferson, Mason, or Ellington.

by [Jasper](#) on Jun 4, 2010 9:18 pm 


Kaine was inept. Going out as the party chief and giving up the seat basically affirms that. Then the 26% slash to universities funding on his way out was the last straw. Strange guy.

by [Lou](#) on Jun 4, 2010 11:50 pm 

The great bug bear of Northern Virginia politics: Dillon's Rule. Up there with the great commuter tax of DC, and well, I don't know what the equivalent is in Maryland.

Look, I'm no fan of this creepy, football throwing governor and his far creepy children. But the basic argument: Virginia is paying more, and wants to have a seat at the table, isn't an unreasonable request. Dave's arguments against are weak. It is not "northern Virginia" money; it is state money. This isn't about cutting off funding it is about changing seats at the table. And I suspect the animus is more about cutting off Dave's dream of being the rider's representative on the board.

let me put it this way: if mark warner was making this argument, people would be whining less. And I'm not sure where Dave got the idea that Thelma Drake is in the lead. Plenty of nova republicans would like job as well.


by [charlie](#) on Jun 6, 2010 11:18 pm 

Charlie, he got the idea because Thelma Drake is McDonnell's Secretary of Rail and Public Transportation, and as such, it stands to reason she would be a front-running candidate. They are, after all, representatives of the *state government*, not of the GOP.

by [J.D. Hammond](#) on Jun 7, 2010 1:24 am 

A big idea that will never happen...

- 1 Virginia stops giving money to WMATA
2. WMATA responds by not providing service to Virginia
3. VRE fills the void
4. Virginia ends up having a transit service that it controls and directs with its own money

by [Paul](#) on Jun 17, 2010 10:47 am 



AGENDA ITEM #10

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube and Scott Kalkwarf
DATE: June 24, 2010
SUBJECT: NVTC Motor Fuels Tax Issues

NVTC and jurisdiction staffs have discussed continuing concerns about the accuracy of allocations among jurisdictions of the new 2.1% motor fuels tax on distributors. In reviewing the monthly reports since the new tax was levied (January, 2010 with NVTC's initial receipts in March, 2010), there are strong indications that taxpayers are not correctly specifying the jurisdictions in which the fuel is sold.

NVTC depends on the accuracy of these allocations because it distributes the proceeds each year on a point-of-sale basis, using shares determined by actual collections from the previous year. This method is included in NVTC's approved allocation resolution in order to allow jurisdictions more accurately to budget at the beginning of each year. For FY 2011, the allocation factors for FY 2010 must be completed no later than August, 2010.

The tax is collected and audited by the Virginia Department of Taxation (TAX) with NVTC paying the administrative expenses. TAX auditors review transactions that occurred several months in the past and have not yet addressed NVTC's concerns with jurisdictional allocations following January 1, 2010. Repeated efforts to elicit cooperation from TAX officials to work with NVTC staff to identify the extent of the problem and resolve it have not been successful.

Given the importance of accurate allocations, especially to NVTC's smallest jurisdictions that may be receiving too much revenue, it is vital to correct the situation promptly. To that end, the attached draft letter to Acting Tax Commissioner Craig M. Burns is provided with the request that the commission authorize NVTC Chairman Hudgins to sign and send it.





July 1, 2010

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Vice Chairman
Hon. William D. Euille

Secretary/Treasurer
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Hon. Kelly Burk

Virginia Department of Rail
and Public Transportation
Thelma Drake

Virginia General Assembly
Sen. Mark Herring
Sen. Mary Margaret Whipple
Del. Barbara Comstock
Del. Adam P. Ebbin
Del. Joe T. May
Del. Thomas D. Rust

Executive Director
Richard K. Taube

Craig M. Burns
Acting Tax Commissioner
Virginia Department of Taxation
1111 East Broad Street, 3rd Floor
Richmond, VA 23219

Dear Mr. Burns:

The Northern Virginia Transportation Commission is writing to alert you to an ongoing serious concern regarding the collection of the 2.1% tax on distributors of motor fuels that is collected by your department for our commission and the Potomac and Rappahannock Transportation Commission.

Since the new tax method went into effect on January 1, 2010, our staff has tracked the allocations of tax revenue by jurisdiction. We have identified patterns that strongly suggest some revenues are being allocated to incorrect jurisdictions. We suspect this is due to taxpayers reporting the wrong jurisdiction of sales locations on their returns, perhaps due to confusion with such similar names as Alexandria, Falls Church and Fairfax (the cities versus the areas of Fairfax County).

Auditors and managers from your department have been unable to assist in resolving our concerns. We face an August deadline to correct any past errors and ensure that systemic problems are cured, because in that month our jurisdictions will receive allocation factors for our motor fuels tax revenues that they use to set their budgets.

Our staff has previously suggested several possible ways to identify errors and permanently resolve situations that would lead to those errors continuing. We are writing to urge you to direct your staff to cooperate with us now to tackle this issue and fix it. Specifically, when can our staff meet with yours to initiate long overdue action?

Please feel free to contact me with any questions.

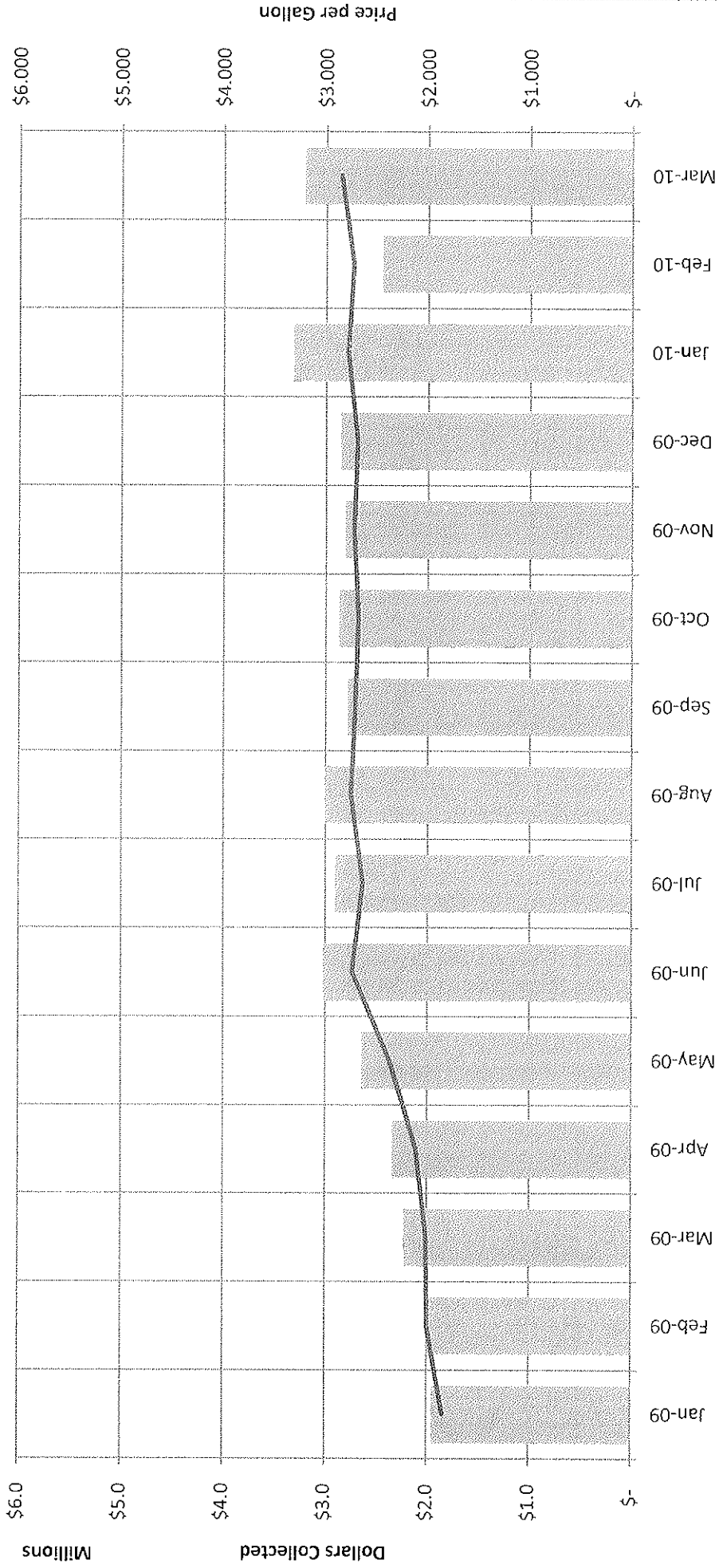
Sincerely,

Catherine Hudgins
Chairman

cc: Senator Richard Saslaw
Al Harf

NVTC MVFST Adjusted Collections / Average Price per Gallon

Collected
\$/Gallon



Month Tax Generated (NVTC collects two months later)



AGENDA ITEM #11

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube
DATE: June 24, 2010
SUBJECT: Pentagon Transit Security Issues.

WMATA staff has alerted NVTC's jurisdictions and transit systems to a pending action—which could occur in July—by Pentagon officials that would further restrict access of transit customers, especially those moving between buses and Metrorail. The commission is asked to authorize Chairman Hudgins to write to Pentagon officials to ask for a collaborative approach with transit systems to protect the interests of transit customers.

As shown on the attached photos, the current configuration provides direct access to elevators to and from the bus bays via two covered walkways between the bus bays and escalators. The picture of the proposed new configuration shows access will be restricted by moving security checkpoints away from the building and closer to the bus bays, thereby blocking access to elevators and preventing use of the two covered walkways.

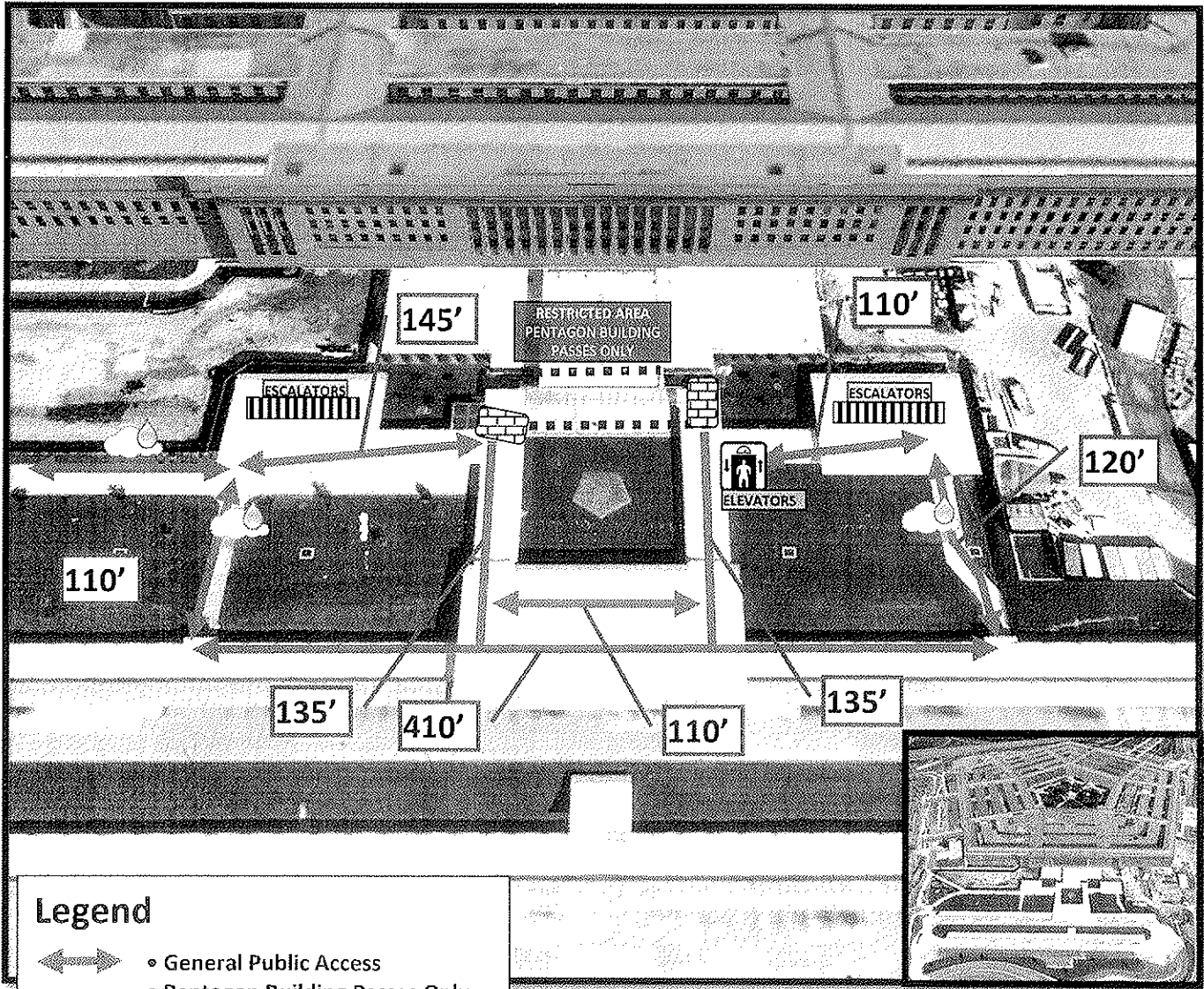
When the Pentagon last reconfigured the Transit Center, apparently members of Congress had to intervene to ensure the provision of covered walkways for transit customers (which Pentagon staff opposed because of concern for the use of explosive devices in a confined space). The pending action would void that understanding and inconvenience many of the 30,000 daily transit customers on over 1,500 daily bus arrivals and departures at the 24 bus bays serving 84 bus routes. Many of these transit customers are among the 26,000 Pentagon employees.

If the new configuration is employed, queues waiting to pass through the new security checkpoint are likely to interfere with passenger movements to and from the bus bays and Metrorail escalators, creating a safety hazard. Further, many transit customers will have to walk further, and will no longer have access to covered walkways.


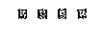


The attached draft letter asks Pentagon officials to reconsider this approach and to involve transit systems in planning a more appropriate action that is consistent with the existing understanding regarding transit customer access. In protecting the security of the Pentagon building, the safety and security of transit customers must also be considered.



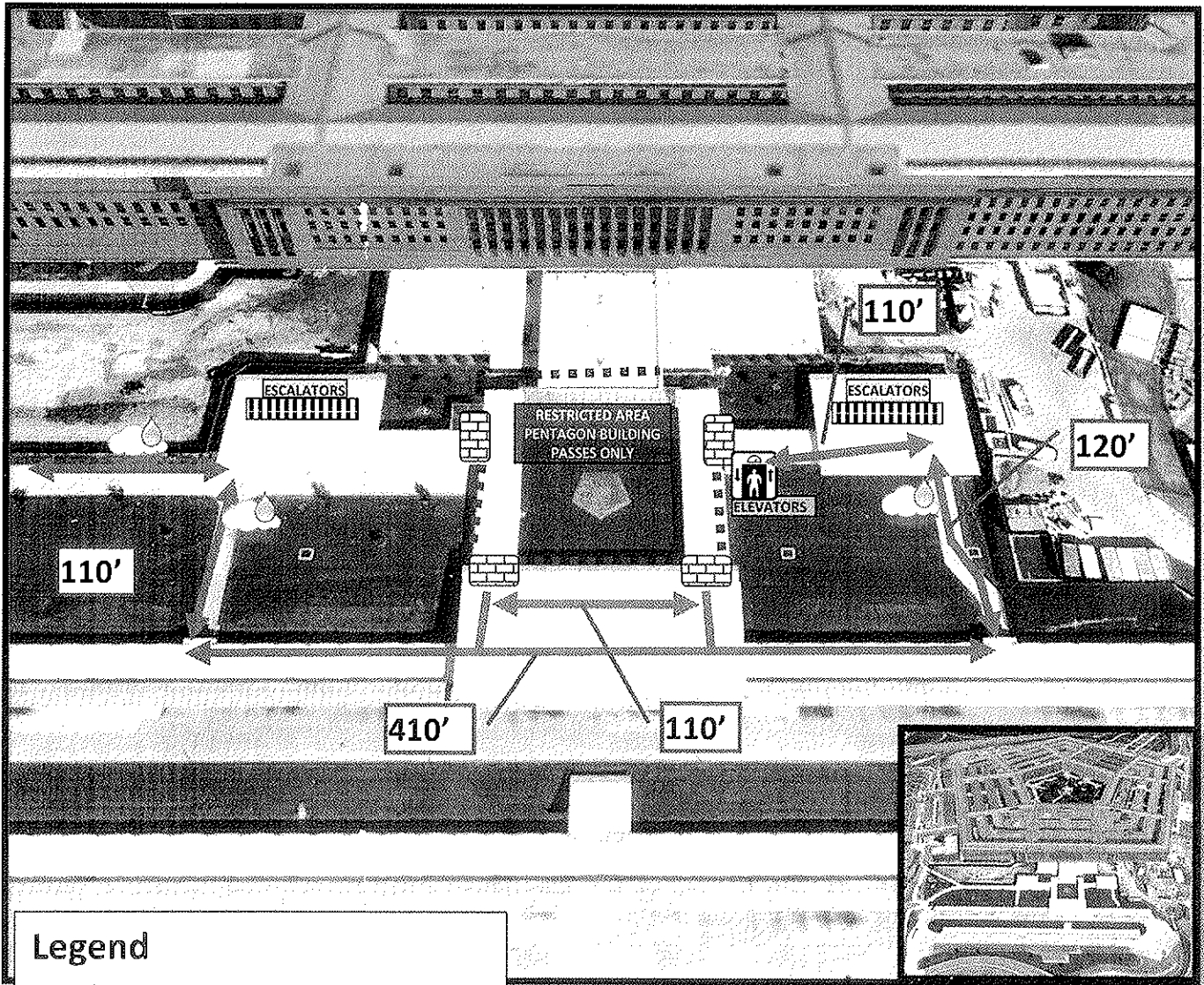
Pentagon Metro Entrance Facility – Old Configuration







Legend

-  • General Public Access
-  • Pentagon Building Passes Only
5 am – 8 pm (M-F)
-  • Screening Points
-  • Uncovered Walkways

Pentagon Metro Entrance Facility – New Configuration



Legend

-  • General Public Access
-  • Pentagon Building Passes Only
5 am – 8 pm (M-F)
-  • Screening Points
-  • Uncovered Walkways

DRAFT: July 1, 2010

Address

Dear (Pentagon Official):

I am writing on behalf of the Northern Virginia Transportation Commission to request that you involve our local governments and transit systems before you create a new security configuration at the Pentagon Transit Center. Such a collaborative approach should serve to protect the interests of transit customers as well as the security of the Pentagon.

WMATA staff has alerted NVTC's jurisdictions and transit systems to a pending action—which could occur in July—by Pentagon officials that would further restrict access of transit customers, especially those moving between buses and Metrorail.

As shown on the attached photos, the current configuration provides direct access to elevators to and from the bus bays via two covered walkways between the bus bays and escalators. The picture of the proposed new configuration shows access will be restricted by moving security checkpoints away from the building and closer to the bus bays, thereby blocking access to elevators and preventing use of the two covered walkways.

When the Pentagon last reconfigured the Transit Center, the provision of covered walkways for transit customers was an important outcome. The pending action would void that understanding and inconvenience many of the 30,000 daily transit customers on over 1,500 daily bus arrivals and departures at the 24 bus bays serving 84 bus routes. Many of these transit customers are among the 26,000 Pentagon employees.

If the new configuration is employed, queues waiting to pass through the new security checkpoint are likely to interfere with passenger movements to and from the bus bays and Metrorail

escalators, creating a safety hazard. Further, many transit customers will have to walk further, and will no longer have access to covered walkways.

I respectfully ask that you reconsider this approach and involve transit systems in planning a more appropriate action that is consistent with the existing understanding regarding transit customer access. In protecting the security of the Pentagon building, the safety and security of transit customers must also be considered.

Sincerely,

Catherine Hudgins
Chairman

NVTC

Northern Virginia Transportation Commission

NVTC

AGENDA ITEM #12

TO: Chairman Hudgins and NVTC Commissioners

FROM: Rick Taube and NVTC Staff


DATE: June 24, 2010

SUBJECT: Mid-Year Review of Major NVTC Projects

A PowerPoint presentation is attached that briefly summarizes accomplishments in the past six months or so. Staff will be available to respond to questions and comments.



4350 N. Fairfax Drive • Suite 720 • Arlington, Virginia 22203
Tel (703) 524-3322 • Fax (703) 524-1756 • TDD (800) 828-1120 • VA Relay Service
E-mail nvtdc.org • Website www.thinkoutsidethecar.org



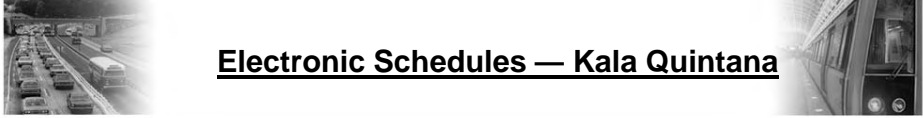
Northern Virginia Transportation Commission

NVTC

Thinking Outside the Car Since 1964

**MID-YEAR PROGRESS REPORT ON
NVTC'S WORK PROGRAM**

July 1, 2010



Electronic Schedules — Kala Quintana

E-Schedules

- Continued to expand use of electronic schedules in Northern Virginia
- Managing contract to keep the e-schedules current with \$14,000 available for promotion.
- Monthly requests for schedule pages peaked in March with over 172,000 requests.
- Overall, the e-schedules page is consistently among the top requested pages of all the pages on CommuterPage.com with the majority of the requests for e-schedules coming directly from Google.com & WMATA.com.
- Usage has nearly doubled since FY 2008 from 2.9 million requests annually to 5.4 million requests annually in FY 2010.

E-Schedule requests by popularity:

- VRE
- LC Transit
- Fairfax Connector
- Metrobus
- DASH

2



Public Outreach — Kala Quintana



Legislative

- Worked with jurisdictional legislative liaisons to advance several pieces of NVTC legislation in 2010.

Transportation Association of Greater Springfield (TAGS)

- Appointed as the VP of Legislative Affairs and re-elected to another three year term to the Board of Directors;
- Secured grant to establish the TAGS "Riders Club," a new grassroots effort to secure support and advocate increased transit in Greater Springfield.

"Transit Keeps Northern Virginia Working" Tour

- Working with regional partners and businesses to plan and implement the *"Transit Keeps Northern Virginia Working"* tour for legislators and key staff.
- Secured \$12,000 in private-sector sponsorships to cover costs of tour.
- Tour scheduled for June 30-July 1, 2010.

3



NVTC Real-Time Bus Information Project Updates

Adam McGavock



- NVTC managing two projects to provide real-time bus information.
- MARTHA project developed a very simple system that will grow into a full-featured system as it is deployed and improved.
- MARTHA will be distributed free of charge as an open source initiative.
- Alexandria real-time bus information system is a full-featured system purchased from Strategic Mapping Incorporated.
- Both systems conceived, designed, and deployed with interoperability as a primary focus.

4



MARTHA Project— Adam McGavock



- \$200,000 contract to develop software that utilizes GPS-enabled cell phones and a simple IVR system to deliver real time bus departure information to transit riders.
- In-service demonstration and testing successfully completed in November of 2008.
- MARTHA system exceeded WMATA Real-Time Bus Information performance requirements during demonstration period.
- MARTHA software, documentation, and manuals delivered to DRPT in January of 2009.
- Blacksburg Transit now hosting open source distribution of software, and developing additional features and functions.
- Software is available worldwide to anyone who wishes to use it.

5

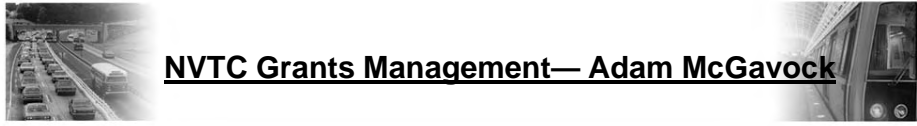


Alexandria Real-Time Bus Information Project— Adam McGavock



- \$738,000 project to develop a system for providing real-time bus information to transit patrons in the City of Alexandria
- Will provide info via SMS Text messaging, web-based maps, and at selected stops for DASH and Metrobus
- Designed to be interoperable with no proprietary data formats or interfaces
- System will be the first transit system to integrate with RITIS, with the intention of having RITIS serve as the central transit information repository for the region
- Pilot installation completed last year
- System-wide installation completed in June of 2010, rolling out additional functions in phases
- System is already transmitting data to the RITIS

6



NVTC Grants Management— Adam McGavock

- NVTC managing FTA grants and matching funds for the City of Alexandria, Fairfax County, and Arlington County totaling over \$8.25 million.
- An additional \$5.36 million is expected to be awarded in September.
- No processing or management fees are charged to the projects.

7



NTD Data Collection-Greg McFarland

- Increased FTA 5307 earnings by coordinating FY 2010 NTD data submissions of paratransit systems in Arlington and Alexandria.
- NTD data submissions managed and paid for by NVTC for Fairfax, Arlington, Alexandria, Loudoun County and the City of Fairfax will earn the region an additional \$7.8M in FY 2011 FTA 5307 funds.

8



Vanpool NTD Project-Greg McFarland

- Researched and wrote a “Guide to Vans, Shuttles and Small Buses for Vanpools”.
- Created an annotated catalog of studies, surveys, guides, manuals and other information relating to vanpooling.
- Created a series of spreadsheets to assist with vanpool incentive program sketch planning regarding 5307 earnings, program revenues and expenses.
- Researched legal and policy issues surrounding DoD’s policy of denying transit benefits to participants of non-profit vanpools and advised regional TDM staffs accordingly.
- Created an iPhone application (app) that makes it easy to record daily vanpool passenger and mileage data and to transmit that data over the web.

9



Intelligent Transportation Systems- Greg McFarland

- Prototyped a back-end database application to import data from the iPhone vanpool app and create reports for NTD data submissions.
- Built a working prototype of a low-cost (\$150) bus arrival data display that could be placed at every bus stop. This device utilizes radio paging protocols to transmit text (e.g., “Bus 51 in 12-15 minutes”) to a paging receiver connected to a small LCD screen. This is a companion accessory to NVTC’s low-cost bus AVL and bus arrival prediction system developed in 2008 (aka “Martha”).
- Checked all 800+ DASH bus stops in Alexandria for geocoding accuracy. Corrected numerous bus stop geocoding errors in DASH’s Master Scheduler database. Re-created all DASH bus routes using corrected bus stop locations. Tested corrections using DASH’s new AVL system. Provided feedback to AVL vendor regarding issues with AVL software.

10



Other- Greg McFarland



- Researched and wrote “A Guide to Bicycle and Transit Connections in Northern Virginia” including policy recommendations.
- Coordinated transit passenger counts for VDOT/TPB’s annual cordon count. The latest cordon count was for the Dulles Corridor.

11



Motor Vehicle Fuels Sales Tax – Scott Kalkwarf



- NVTC collections for FY 2010 equal \$35.1M, down from \$38.6M in FY 2009.
- Tax base changed from retail level at 2% to distributor level at 2.1% effective January 1st.
- NVTC actively pursued the transition, including meetings with Department of Taxation, and review and comments on administrative regulations.
- Monitor actual gas tax revenue comparing yields under retail and distributor tax bases.
- Monitor gas tax collections by maintaining detailed database of collections on taxpayer and jurisdiction level. Unusual activity provided to Department of Taxation’s gas tax auditors for follow-up.

12



State Capital and Operating Assistance – Scott Kalkwarf



- NVTC applies for and receives state capital and operating assistance for local systems, VRE and Virginia's share of WMATA.
- During FY 2010 NVTC will recognize revenue of \$50 million in capital assistance and \$62 million in operating assistance, total of \$112 million.
- DRPT's FY 2011 adopted program includes \$100 million of capital and operating assistance, plus \$50 million PRIIA match.
- Manage grants at an approximate administrative cost of \$0.002 per \$1 of assistance received, which is not charged back to the jurisdictions.
- Allocate revenue and hold in trust for jurisdictions' payments of WMATA subsidies and local systems' needs, using a complex subsidy allocation model.

13



Accounting and Reporting – Scott Kalkwarf



- Accounting for general and administrative activity, NVTC project activity, Trust Fund revenue and expenditures.
- Over \$150 million in total revenue for FY 2010.
- Preparation of year end financial statements and disclosures for required annual financial and single audits.
- Reporting of Trust Fund projections and activity to jurisdiction staff throughout the year.
- Continual tracking and reporting of activity and balances for over 150 capital, operating and projects grants.

14

TO: Chairman Hudgins and NVTC Commissioners
FROM: Rick Taube
DATE: June 24, 2010
SUBJECT: Regional Transportation Items

A. APTA's Public Transportation Fact Book for 2010.

The newly released annual edition includes data generally through the end of FY 2007 (ending in mid-calendar 2008). Among the many facts:

- There are about 7,700 separate transit agencies in the US providing 10.5 billion annual passenger trips with an average trip length of 5.2 miles;
- Passengers paid \$11.9 billion in fares toward operating costs of \$36.9 billion. Capital costs totaled \$17.8 billion;
- About 400,000 persons are employed in the U.S. transit industry;
- WMATA ranked fourth overall in rail and bus passengers with the eighth largest population base. WMATA's bus and paratransit ranked sixth and rail ranked second. VRE ranked twelfth.

The fact book, historical tables and additional data are available at www.apta.com.

B. Feedback on NVTC's Regional Transit Tour (June 30-July 1, 2010).

Attendance is expected to be strong for the tour, which has been intensively planned by NVTC and jurisdiction staff for months. Upon conclusion of the tour, commissioners who participated will be asked to provide feedback and to advise staff on how to derive maximum benefit from the hands on education provided during the tour.

C. Letter to NVTC from the Northern Virginia Transportation Coalition.

The attached letter speaks to Arlington County's lawsuit over the proposed I-95/395 HOT Lanes. A Washington Post editorial on the subject is also attached.



D. Loudoun Tysons Express Launch.

A ceremony on June 17th launched the new commuter bus service operated by Loudoun County Transit in partnership with VDOT, DRPT, and MWAA. The first passengers used the service on June 21st. The new service operates from the Leesburg Park-and-Ride Lot or Broadlands South Park-and-Ride Lot and travels non-stop directly to Tysons. The new coaches feature free wi-fi. In Tysons, the buses stop at several major employer and other business sites. Please refer to the attached news release for more details.

NORTHERN VIRGINIA TRANSPORTATION COALITION

REC 600 COLSHIRE DRIVE SUITE 215 · MCLEAN, VIRGINIA 22102 · 703/883-1830 · FAX 703/883-1850

RECEIVED

JUN 03 2010

May 28, 2010

The Honorable Catherine Hudgins
Chairman
Northern Virginia Transportation Commission
c/o Fairfax County Board of Supervisors
12000 Bowman Towne Drive
Reston, VA 20190

Dear Ms. Hudgins:

The purpose of this letter is to inform you that a group of Northern Virginia organizations representing businesses employing most of Northern Virginia's private sector workforce has requested that the Arlington County Board drop its I-95/I-395 HOT Lanes lawsuit and work with the Commonwealth of Virginia to advance this important project. A copy of the Coalition's letter is attached.

As you know, I-95 in Northern Virginia is one of the nation's most congested corridors. It's also a major evacuation route for the National Capital Region.

Traffic volumes currently average about 250,000 per day. Imminent Base Realignment and Closure (BRAC) relocations will make conditions dramatically worse.

No federal or state dollars are available or likely in the foreseeable future to improve this project.

The I-95/I-395 HOT Lanes project is an innovative, multi-modal approach that will dramatically improve the region's public transit network. By increasing traffic throughput capacity, it also will keep traffic out of adjacent neighborhoods.

Coalition members believe the Arlington County Board's lawsuit lacks merit and that its withdrawal is in the best interests of the people of this area.

The Coalition urges NVTC member jurisdictions to support this important project and join with us in urging the Arlington County Board to drop its legal action.

Sincerely,

Northern Virginia Transportation Coalition

NORTHERN VIRGINIA TRANSPORTATION COALITION

7600 COLSHIRE DRIVE · SUITE 215 · MCLEAN, VIRGINIA 22102 · 703/883-1830 · FAX 703/883-1850

May 28, 2010

The Honorable Jay Fisette, Chairman
Arlington County Board
2100 Clarendon Blvd. Suite 300
Arlington, Virginia 22201

Dear Chairman Fisette:

The undersigned request that the Arlington County Board withdraw its I-95/I-395 HOT Lanes project lawsuit and work with the Commonwealth of Virginia to advance this critical regional project.

I-95/I-395 is a major gateway to the nation's capital, part of the east coast's primary north-south corridor, and a major regional multi-modal facility and evacuation route. Severe weekday and weekend congestion is commonplace.

More than 250,000 vehicles pass daily through the Springfield Interchange. By 2030 that number is projected to exceed 300,000.

Base Realignment and Closure (BRAC) re-locations will bring 6,500 new workers to Mark Center and 14,000 to the EPG and Fort Belvoir Main Post in the next year. The corridor serves five major military sites.

The existing HOV system is growing increasingly congested and less reliable and Arlington County has voted previously to include the HOT Lanes project in the region's plan.

No federal or state dollars to improve this facility are currently available or likely for the foreseeable future. Absent major improvements, the impact on the hundreds of thousands of travelers that depend upon this corridor daily as well as those who live in adjacent Arlington communities will be severe.

A private sector consortium has stepped forward with a proposal to invest upwards of \$1 billion in private equity and debt to construct a 37-mile Express Bus/HOV/Toll facility in the median of the corridor from Stafford County to Eads Street near the Pentagon. The facility will provide free travel for transit and carpool vehicles and variable toll use for single occupant vehicles. In addition to new lanes and access ramps, the proposal provides substantial funding for the purchase and operation of new buses and routes, 3,000 satellite parking spaces and transportation management programs. When complete, the facility will offer seamless travel at faster, more predictable speeds in the I-95/I-395 corridor as well as to Tysons Corner via the I-495 HOT Lanes facility. Traffic diverted to the new facility will create additional space and improve travel speeds for those using the conventional lanes. The HOV lanes will operate better than they do today and support increases in carpooling and buses.

The importance of the upgrading and extension of the I-95 HOV system for regional evacuation purposes cannot be overstated.

The primary obstacle to advancing this innovative, multi-modal improvement is the Arlington County Board's lawsuit that precludes the project from securing any private or public sector funding. Common sense dictates that a project constructed within the median of an existing 10-lane interstate highway would not require a full Environmental Impact Statement. Charges that the Obama administration and Governor Tim Kaine's Secretary of Transportation acted with the "implicit intent" to harm minority and vulnerable populations and benefit predominantly Caucasian Virginians are not credible and frankly an embarrassment to this region.

The Virginia Department of Transportation is on record as expressing its willingness to re-examine design and access issues, but the Commonwealth cannot re-engage until the legal action goes away.

cc: The Honorable Robert F. McDonnell
Commonwealth Transportation Board Members
Northern Virginia General Assembly Delegation

The Honorable Sean T. Connaughton
Northern Virginia Congressional Delegation
Northern Virginia Transportation Authority Members

Tina Leone, President & CEO
Alexandria Chamber of Commerce

W. Shaun Pharr, Sr. VP of Government Affairs
Apartment and Office Building
Association of Metropolitan Washington

Richard V. Doud, Jr., President
Arlington Chamber of Commerce

Eileen D. Curtis, President & CEO
Dulles Regional Chamber of Commerce

Stuart Mendlesohn, Chairman
Fairfax County Chamber of Commerce

Mark S. Ingrao, President & CEO
Greater Reston Chamber of Commerce

Nancy-jo Manney, Executive Director
Greater Springfield Chamber of Commerce

James C. Dinegar, President & CEO
Greater Washington Board of Trade

Laszlo (Les) Eszenyi, Executive Director
Heavy Construction Contractors Association

Anthony Howard, President & CEO
Loudoun County Chamber of Commerce

Martha D. Marks, President
NAIOP - Northern Virginia Chapter
Commercial Real Estate Development Assoc.

Christine M. Todd, CEO
Northern Virginia Association of Realtors®

Vincent N. Butler, President
Northern Virginia Building Industry Assoc.

Robert O. Chase, President
Northern Virginia Transportation Alliance

Deborah L. Jones, President
Prince William County-Greater Manassas
Chamber of Commerce

Laurie C. Wieder, President
Prince William Regional
Chamber of Commerce

Miles Friedman, President
Quantico/Belvoir Regional Business Alliance

Keith S. Turner, President & Chairman
Tysons Transportation Association

Diane Poldy, President
Vienna Tysons Regional
Chamber of Commerce

Leo Schefer, President
Washington Airports Task Force

The Washington Post

Blocking traffic in Northern Virginia

Tuesday, June 15, 2010; A14

ARLINGTON COUNTY has spent hundreds of thousands of taxpayers' dollars, and may yet spend more, in an effort to block major improvements to interstates 95 and 395, one of the most traffic-clogged commuter corridors in the Washington area. In a federal lawsuit filed last year, the county advanced an array of arguments, including a doozy alleging that adding capacity to the corridor is a racist project. The plan, said the county, is "intended to serve the interests of more affluent, largely Caucasian citizens from Stafford and Spotsylvania counties over minority (primarily low-income) residents . . ." By this logic, Metrorail could also be classified as racist; after all, most of its passengers are white.

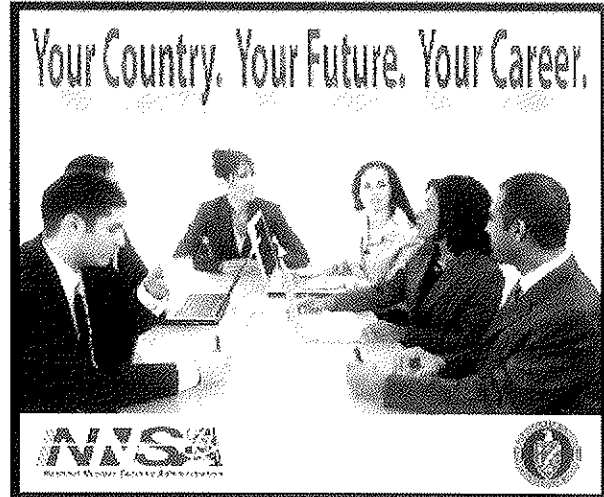
The lawsuit's target is a private partnership's plan to build high-speed toll and carpool lanes along a 37-mile stretch of the interstate between Fredericksburg and the Pentagon. The lanes would be reserved for buses, carpools carrying at least two passengers at rush hour and solo drivers willing to pay a variable toll, which might soar during peak periods, in return for avoiding the congestion of the regular lanes. About a fifth of the consortium's \$1 billion investment would go to buying and operating buses to ply the new high-occupancy toll (HOT) lanes and to building thousands of parking spaces for park-and-ride bus passengers. That would ensure the project would serve not only more cars but more people, too.

The proposal by Fluor-Transurban, a private consortium, offers hundreds of thousands of Virginians the prospect of major improvements in their daily commute, plus the prospect of economic benefits. The need for more capacity in the I-95 corridor is clear. Some 250,000 vehicles pass daily through the Springfield interchange, one of the corridor's main junctions, and an additional 50,000 are expected over the next 20 years. It would be terrific if all those people, or even most of them, used transit -- specifically Metrorail -- instead of the roads. It would be equally pleasant to imagine Virginia would pick up the tab for expanding the highway. But neither scenario is remotely possible in the foreseeable future. By contrast, Fluor's proposal offers a way to absorb the traffic.

Arlington argues that the proposal carries risks -- that affluent solo drivers might clog the HOT lanes; that pollution might afflict exits where traffic backs up; that Virginia may be liable if it turns out, decades from now, that the consortium's profit projections were too rosy. County officials say a full-blown environmental study, dismissed as unnecessary in the waning days of the Bush administration, is needed.

We suspect that NIMBY-ism, obstructionism and ideology stand behind the county's objections. But it is also true that Fluor's proposal is enormous in scope and reach; it would require Virginia to cede control of a major commuting corridor for most of the rest of this century. Given that, it's reasonable for Virginia to require a full environmental impact study and to address whatever concerns are raised

Advertisement



in that process. Once that is complete, Arlington should stand down before it throws further taxpayer dollars down the sinkhole of litigation.

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Rick Taube

From: Virginia Megaprojects [info@vamegaprojects.com]
Sent: Thursday, June 17, 2010 5:28 PM
Subject: New Transit Service: Loudoun Tysons Express Starts Monday



News Release

www.GoTysons.org

RELEASE: Immediate
CONTACT: Steve Titunik, VDOT

June 17, 2010
NR10- MP21

Express Yourself to Tysons Corner!

*State and local officials launch new commuter bus service
from Loudoun to Tysons – service to begin June 21*

LOUDOUN – State and local officials gathered at the Leesburg Park and Ride Lot today to launch Tysons Express – the first commuter bus service with a direct route from Loudoun County to Tysons Corner. The new service beginning June 21 will help commuters during the construction of Dulles Metrorail and the I-495 Capital Beltway HOT Lanes. Both projects converge in the heart of Tysons Corner.

“Commuters from the Loudoun area can let someone else do the driving while they ride in the comfort of new coach buses to Tysons Corner,” said Kelly Burk, Leesburg District Supervisor and Chairman of the Transportation Land Use Committee. “You’ll save time too because riding the bus should reduce the travel time of driving a car.”

Buses equipped with free Wi-Fi will make seven morning and seven evening trips each weekday between Loudoun County and Tysons Corner. One-way fares are \$3.00 with a SmartTrip card, or \$3.50 with cash. Buses will pick up in the morning at the Leesburg and Broadlands South park and ride lots. The buses then will travel the Dulles Greenway and the Dulles Airport Access Road to Tysons Corner. The route will serve 18 stops in Tysons Corner at major employment sites.

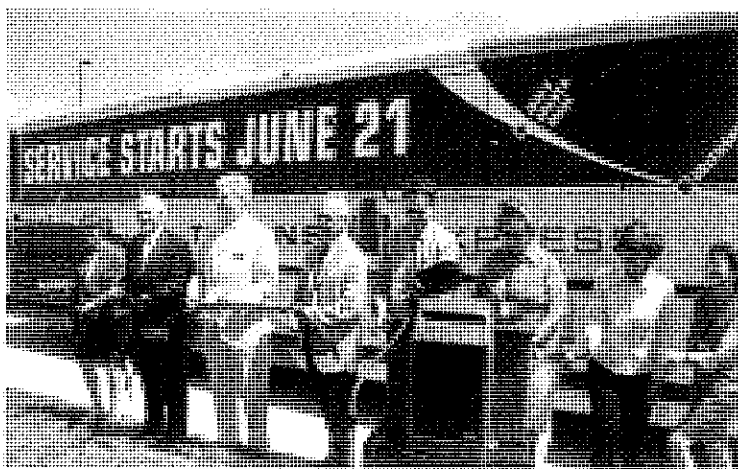
Once in Tysons commuters can get around on the Tysons Connector, which provides free bus service from 10 a.m. to 2:30 p.m. weekdays around Tysons Corner, including Tysons Corner Center, Tysons Galleria and the major employers located nearby.

“Tysons Express is part of a regional bus service to help improve the quality of life for commuters — whether they are traveling to Tysons or getting around in Tysons,” said Del. Joe T. May, who represents Clarke County and Western Loudoun County. “I encourage commuters to try another option other than driving alone, even if it’s just one or two days a week – this could save time and money.”

“With Dulles Metrorail and HOT Lanes construction hitting an all-time high in Tysons Corner, the launch of Tysons Express comes at a perfect time,” said Sam Carnaggio, Dulles Corridor Metrorail Project Director with the Metropolitan Washington Airports Authority. “The Dulles rail project is funding the Loudoun Tysons Express as well as the Tysons Connector services to give commuters more travel options during this heavy construction phase.”

Tysons Express serving Loudoun is managed by Loudoun County Transit.

The bus services, which include OmniRide Tysons Express, are part of transportation alternatives provided by Virginia Megaprojects - a series of large-scale transportation improvements designed to ease congestion in Northern Virginia. For more information on Tysons Express, visit www.GoTysons.org.



Officials cut the ribbon on the newest bus to Tysons Corner, Loudoun Tysons Express on June 17, 2010. From left to right: Supervisor Kelly Burk, Loudoun County; Del. Joe T. May; Kenneth “Ken” Reid, Leesburg Town Council Member; Sam Carnaggio, Dulles Corridor Metrorail Project Director; Michael Harris, Virginia Department of Rail and Public Transportation; Nancy Gourley, Loudoun County Office of Transportation Services; Valerie Pardo, Virginia Department of Transportation; Sharon Affinito, Loudoun County Office of Transportation Services.

High resolution image available [here](#).

(END)

NVTC

Northern Virginia Transportation Commission

NVTC

AGENDA ITEM #14

TO: Chairman Hudgins and NVTC Commissioners
FROM: Scott Kalkwarf and Colethia Quarles
DATE: June 24, 2010
SUBJECT: NVTC Financial Items for May, 2010.

The financial reports for May, 2010 are attached for your information.



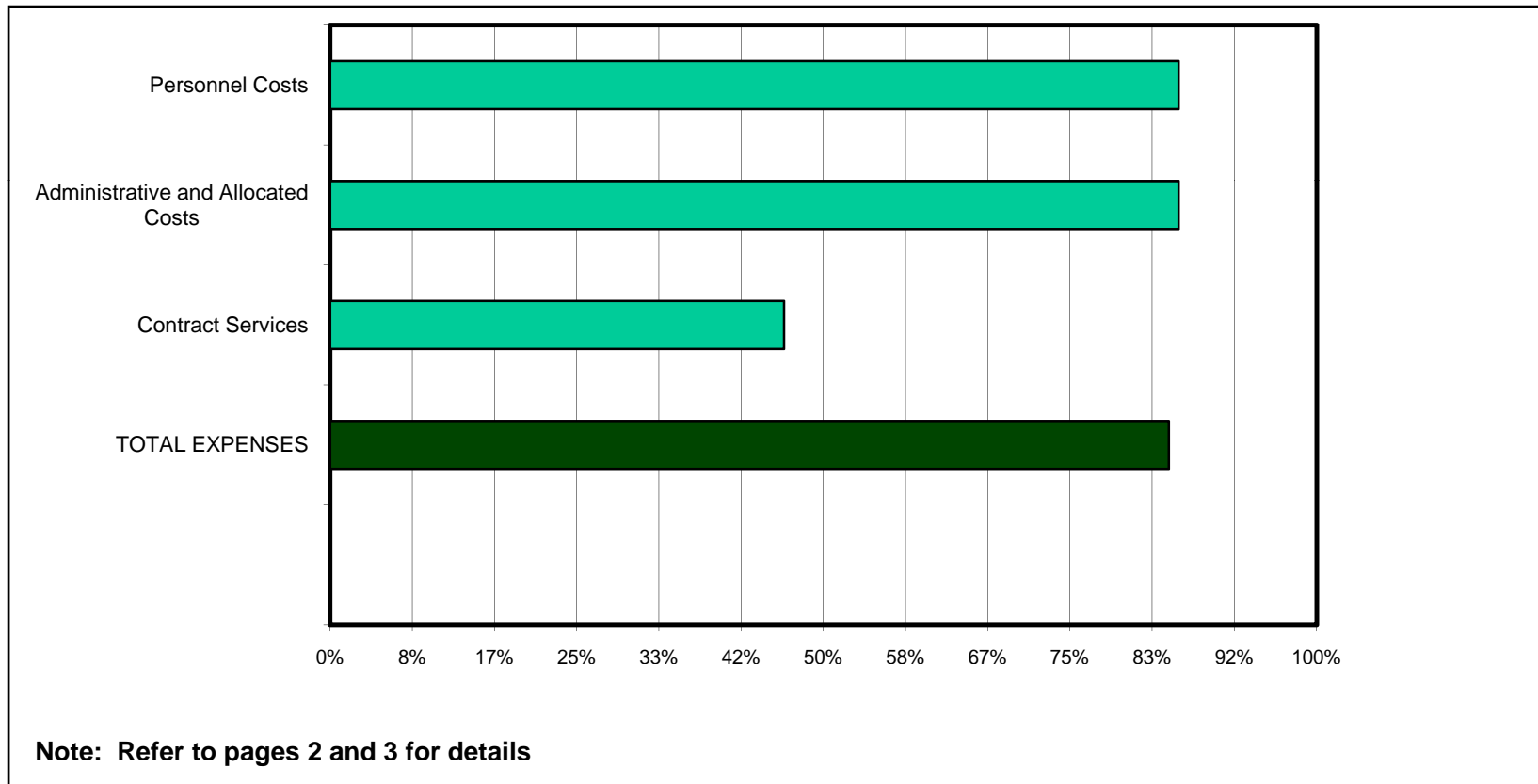
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E-mail nvtdc.org • Website www.thinkoutsidethecar.org

Northern Virginia Transportation Commission

Financial Reports

May, 2010

Percentage of FY 2010 NVTC Administrative Budget Used
May, 2010
(Target 91.67% or less)



**NORTHERN VIRGINIA TRANSPORTATION COMMISSION
G&A BUDGET VARIANCE REPORT
May 2010**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Annual Budget</u>	<u>Balance Available</u>	<u>Balance %</u>
<u>Personnel Costs</u>					
Salaries	\$ 52,192.00	\$ 638,767.36	\$ 734,500.00	\$ 95,732.64	13.0%
Temporary Employee Services	-	-	-	-	
Total Personnel Costs	52,192.00	638,767.36	734,500.00	95,732.64	13.0%
<u>Benefits</u>					
Employer's Contributions:					
FICA	3,431.08	43,873.38	51,800.00	7,926.62	15.3%
Group Health Insurance	5,558.37	55,206.15	70,400.00	15,193.85	21.6%
Retirement	5,240.00	58,870.00	69,500.00	10,630.00	15.3%
Workmans & Unemployment Compensation	95.00	1,432.34	3,400.00	1,967.66	57.9%
Life Insurance	296.68	3,499.58	4,150.00	650.42	15.7%
Long Term Disability Insurance	252.81	2,994.63	4,100.00	1,105.37	27.0%
Total Benefit Costs	14,873.94	165,876.08	203,350.00	37,473.92	18.4%
<u>Administrative Costs</u>					
Commissioners Per Diem	1,600.00	13,750.00	17,450.00	3,700.00	21.2%
<i>Rents:</i>					
Office Rent	16,036.60	172,207.38	191,880.00	19,672.62	10.3%
Parking	600.00	8,716.00	11,900.00	3,184.00	26.8%
<i>Insurance:</i>					
Public Official Bonds	720.00	5,395.18	4,100.00	(1,295.18)	-31.6%
Liability and Property	-	2,120.00	2,200.00	80.00	3.6%
		3,275.18	1,900.00	(1,375.18)	-72.4%
<i>Travel:</i>					
Conference Registration	608.00	2,650.26	7,800.00	5,149.74	66.0%
Conference Travel	-	-	-	-	0.0%
Local Meetings & Related Expenses	-	568.07	2,500.00	1,931.93	77.3%
Training & Professional Development	608.00	2,007.19	5,000.00	2,992.81	59.9%
	-	75.00	300.00	225.00	75.0%
<i>Communication:</i>					
Postage	504.99	6,863.86	10,350.00	3,486.14	33.7%
Telephone - LD	86.37	1,881.90	4,000.00	2,118.10	53.0%
Telephone - Local	84.42	1,217.85	1,300.00	82.15	6.3%
	334.20	3,764.11	5,050.00	1,285.89	25.5%
<i>Publications & Supplies</i>					
Office Supplies	734.13	12,654.63	13,600.00	945.37	7.0%
Duplication	25.11	2,137.02	3,500.00	1,362.98	38.9%
Public Information	709.02	10,017.61	9,600.00	(417.61)	-4.4%
	-	500.00	500.00	-	0.0%

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION
G&A BUDGET VARIANCE REPORT
May 2010**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Annual Budget</u>	<u>Balance Available</u>	<u>Balance %</u>
<i>Operations:</i>	79.95	4,010.35	8,000.00	3,989.65	49.9%
Furniture and Equipment	-	293.99	-	(293.99)	0.0%
Repairs and Maintenance	-	-	1,000.00	1,000.00	100.0%
Computers	79.95	3,716.36	7,000.00	3,283.64	46.9%
<i>Other General and Administrative</i>	360.40	4,484.94	5,250.00	1,053.94	20.1%
Subscriptions	-	288.88	-	-	0.0%
Memberships	72.43	1,401.73	1,300.00	(101.73)	-7.8%
Fees and Miscellaneous	287.97	2,794.33	2,950.00	155.67	5.3%
Advertising (Personnel/Procurement)	-	-	1,000.00	1,000.00	100.0%
Total Administrative Costs	<u>20,644.07</u>	<u>222,016.60</u>	<u>258,430.00</u>	<u>36,702.28</u>	<u>14.2%</u>
	<u>Contracting Services</u>				
Auditing	-	11,650.00	25,600.00	13,950.00	54.5%
Consultants - Technical	-	-	-	-	0.0%
Legal	-	-	-	-	0.0%
Total Contract Services	<u>-</u>	<u>11,650.00</u>	<u>25,600.00</u>	<u>13,950.00</u>	<u>54.5%</u>
 Total Gross G&A Expenses	 <u>\$ 87,710.01</u>	 <u>\$ 1,038,310.04</u>	 <u>\$ 1,221,880.00</u>	 <u>\$ 183,858.84</u>	 <u>15.0%</u>

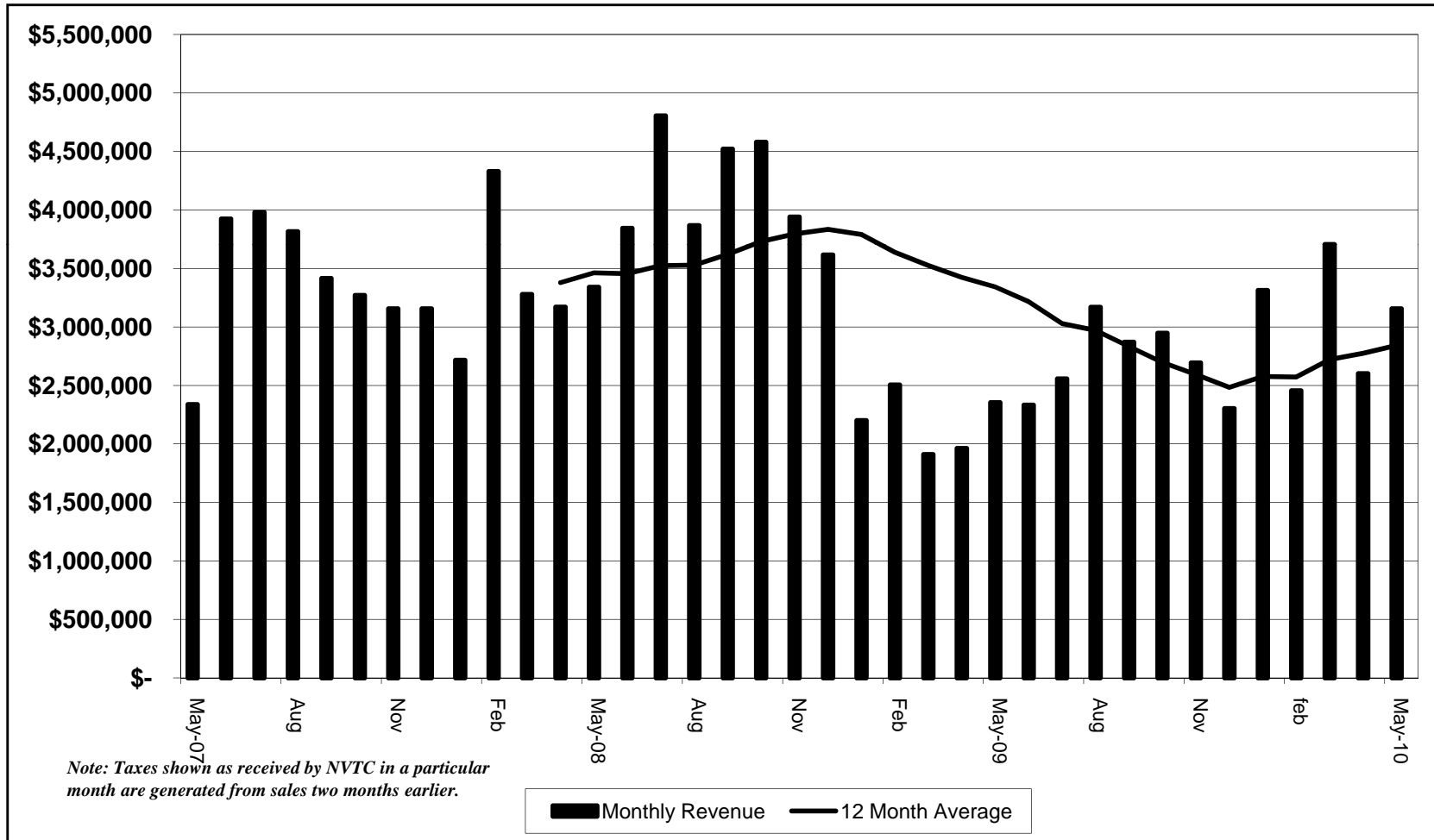
**NVTC
RECEIPTS and DISBURSEMENTS
May, 2010**

<u>Date</u>	<u>Payer/ Payee</u>	<u>Purpose</u>	<u>Wachovia (Checking)</u>	<u>Wachovia (Savings)</u>	<u>VA LGIP</u>	
					<u>G&A / Project</u>	<u>Trusts</u>
RECEIPTS						
4	Loudoun County	G&A contribution			\$ 4,874.25	
13	VRE	Staff support		6,185.92		
13	Staff	Reimbursement of expenses		2.10		
17	Dept. of Taxation	Motor Vehicle Fuels Sales tax receipt				3,156,097.24
18	DRPT	FTM/Admin grant receipt				4,481,287.00
18	DRPT	Capital grants receipts				197,718.00
20	DRPT	Capital grant receipt				809,724.00
21	U.S. Treasury	Payroll tax refund		126.03		
25	DRPT	Capital grant receipt				84,000.00
31	Banks	Interest earnings		12.09	30.25	27,099.96
			<u>-</u>	<u>6,326.14</u>	<u>4,904.50</u>	<u>8,755,926.20</u>
DISBURSEMENTS						
1-31	Various	G&A expenses	(77,508.71)			
4	Loudoun County	Other operating				(4,874.25)
4	City of Falls Church	Other operating				(45,467.14)
5	Stantec	NTD bus data project	(10,154.19)			
20	Stantec	NTD bus data project	(18,240.71)			
31	Wachovia	Bank charges	(28.20)			
			<u>(105,931.81)</u>	<u>-</u>	<u>-</u>	<u>(50,341.39)</u>
TRANSFERS						
4	Transfer	From LGIP to LGIP (NTD bus data project)			10,154.19	(10,154.19)
21	Transfer	From LGIP to checking	100,000.00		(100,000.00)	
21	Transfer	From savings to checking	50,000.00	(50,000.00)		
25	Transfer	From LGIP to LGIP (NTD bus data project)			18,240.71	(18,240.71)
			<u>150,000.00</u>	<u>(50,000.00)</u>	<u>(71,605.10)</u>	<u>(28,394.90)</u>
NET INCREASE (DECREASE) FOR MONTH			<u>\$ 44,068.19</u>	<u>\$ (43,673.86)</u>	<u>\$ (66,700.60)</u>	<u>\$ 8,677,189.91</u>

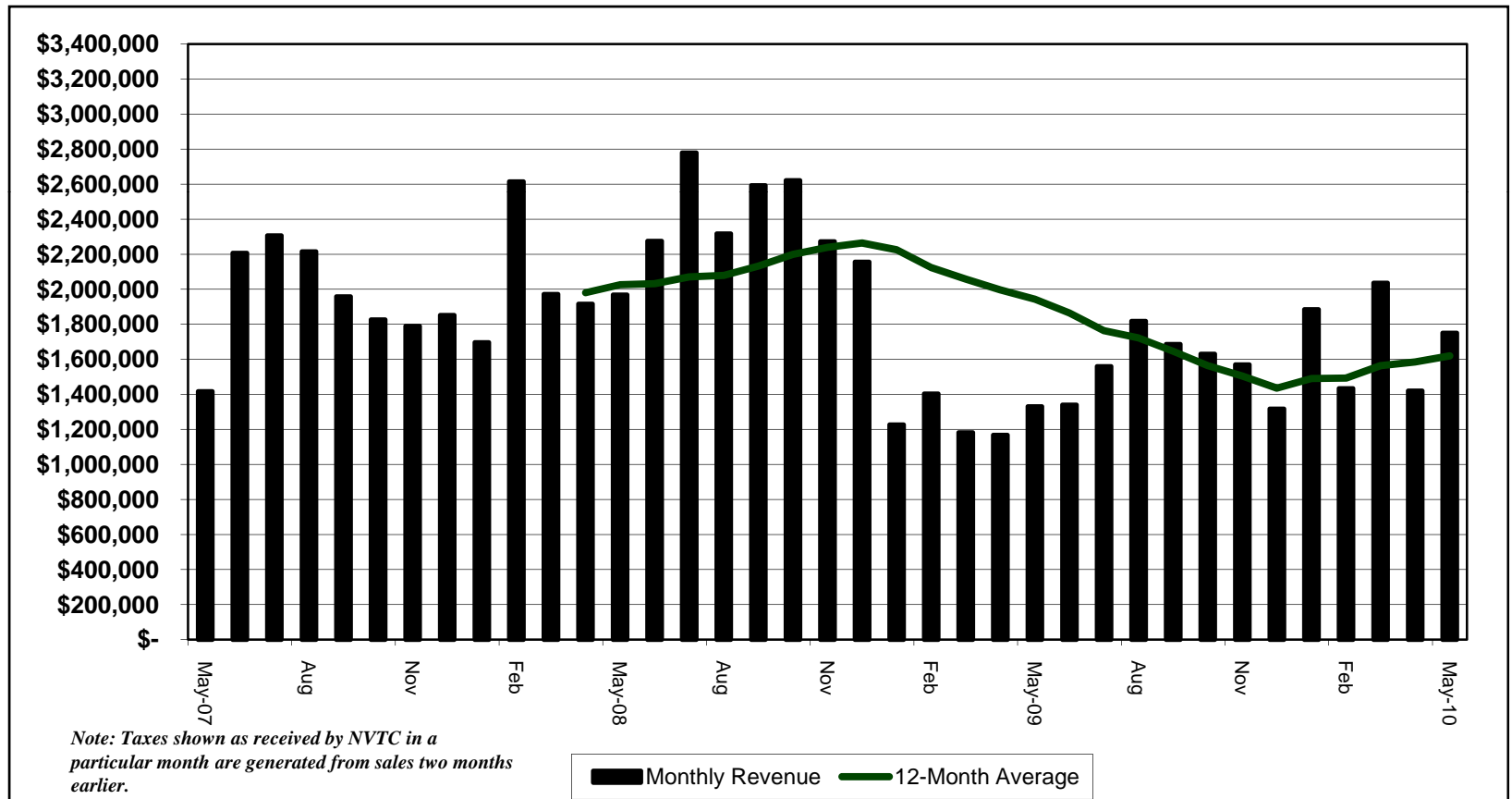
**NVTC
INVESTMENT REPORT
May, 2010**

<u>Type</u>	<u>Rate</u>	<u>Balance 4/30/2010</u>	<u>Increase (Decrease)</u>	<u>Balance 5/31/2010</u>	<u>NVTC G&A/Project</u>	<u>Jurisdictions Trust Fund</u>	<u>Loudoun Trust Fund</u>
<u>Cash Deposits</u>							
Wachovia: NVTC Checking	N/A	\$ 74,338.78	\$ 44,068.19	\$ 118,406.97	\$ 118,406.97	\$ -	\$ -
Wachovia: NVTC Savings	0.100%	168,621.96	(43,673.86)	124,948.10	124,948.10	-	-
<u>Investments - State Pool</u>							
Nations Bank - LGIP	0.234%	132,551,290.20	8,610,489.31	141,161,779.51	94,393.55	120,135,584.72	20,931,801.24
		<u>\$ 132,794,250.94</u>	<u>\$ 8,544,183.04</u>	<u>\$ 141,405,134.58</u>	<u>\$ 337,748.62</u>	<u>\$ 120,135,584.72</u>	<u>\$ 20,931,801.24</u>

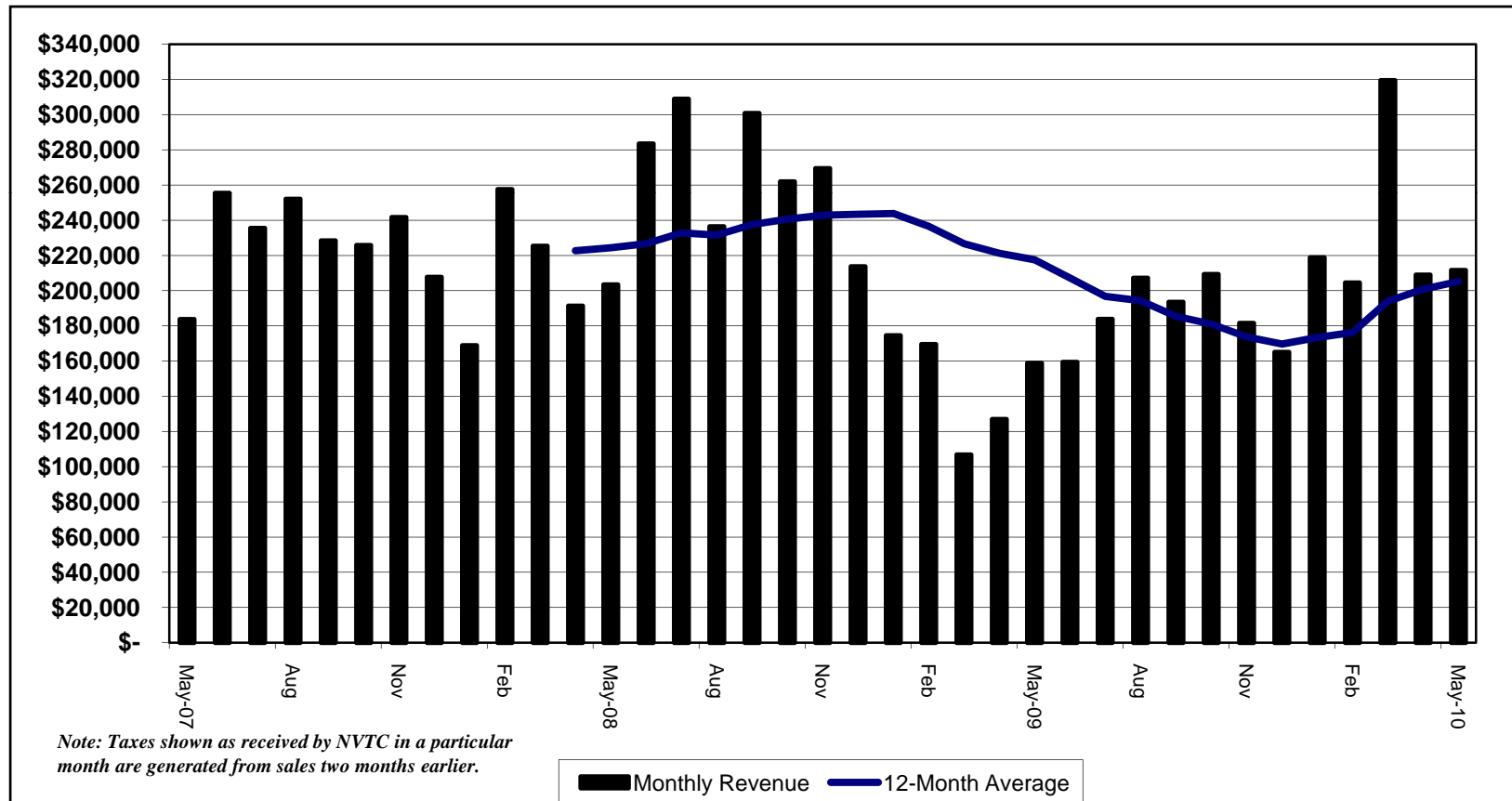
NVTC MONTHLY GAS TAX REVENUE ALL JURISDICTIONS FISCAL YEARS 2007-2010



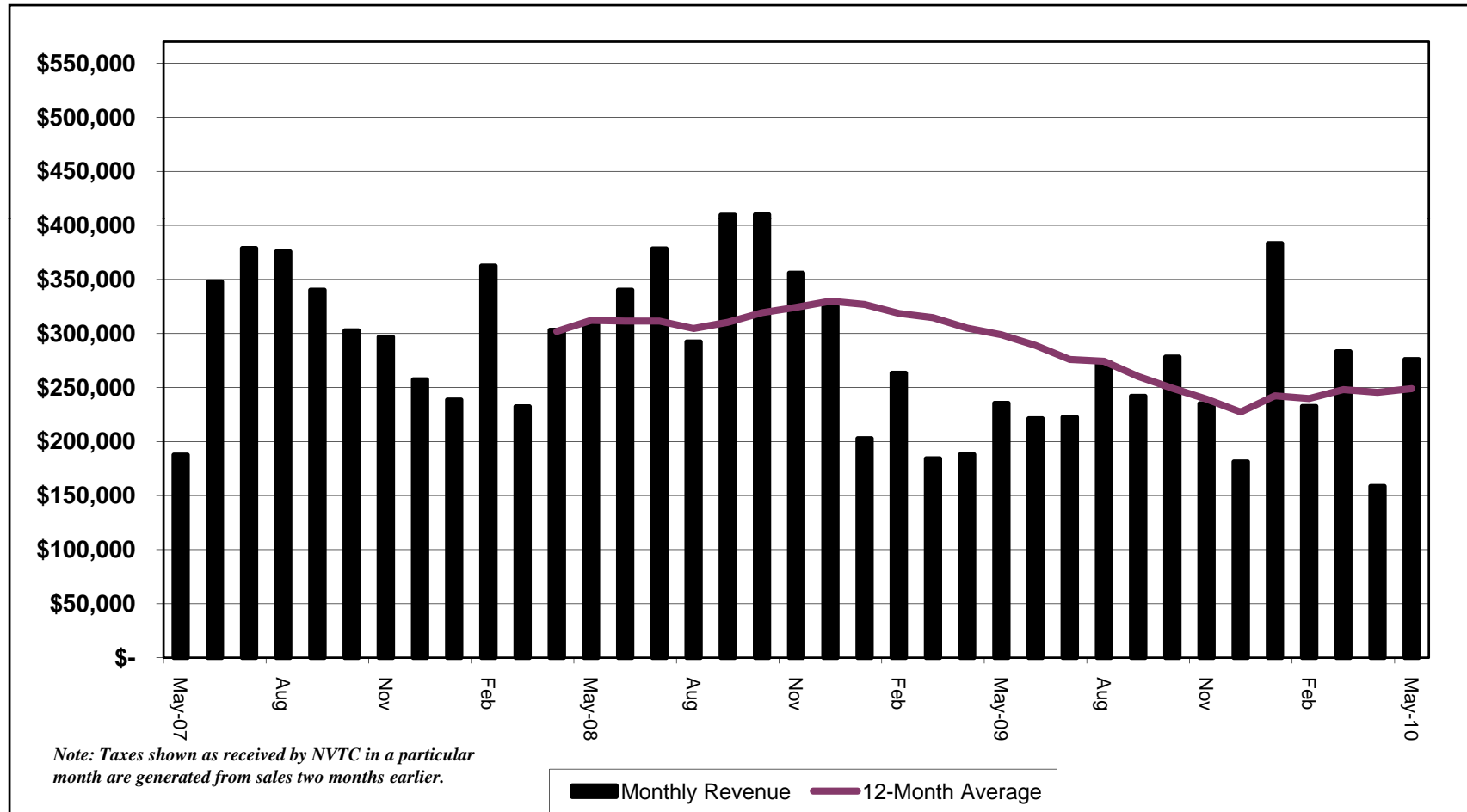
NVTC MONTHLY GAS TAX REVENUE FAIRFAX COUNTY FISCAL YEARS 2007-2010



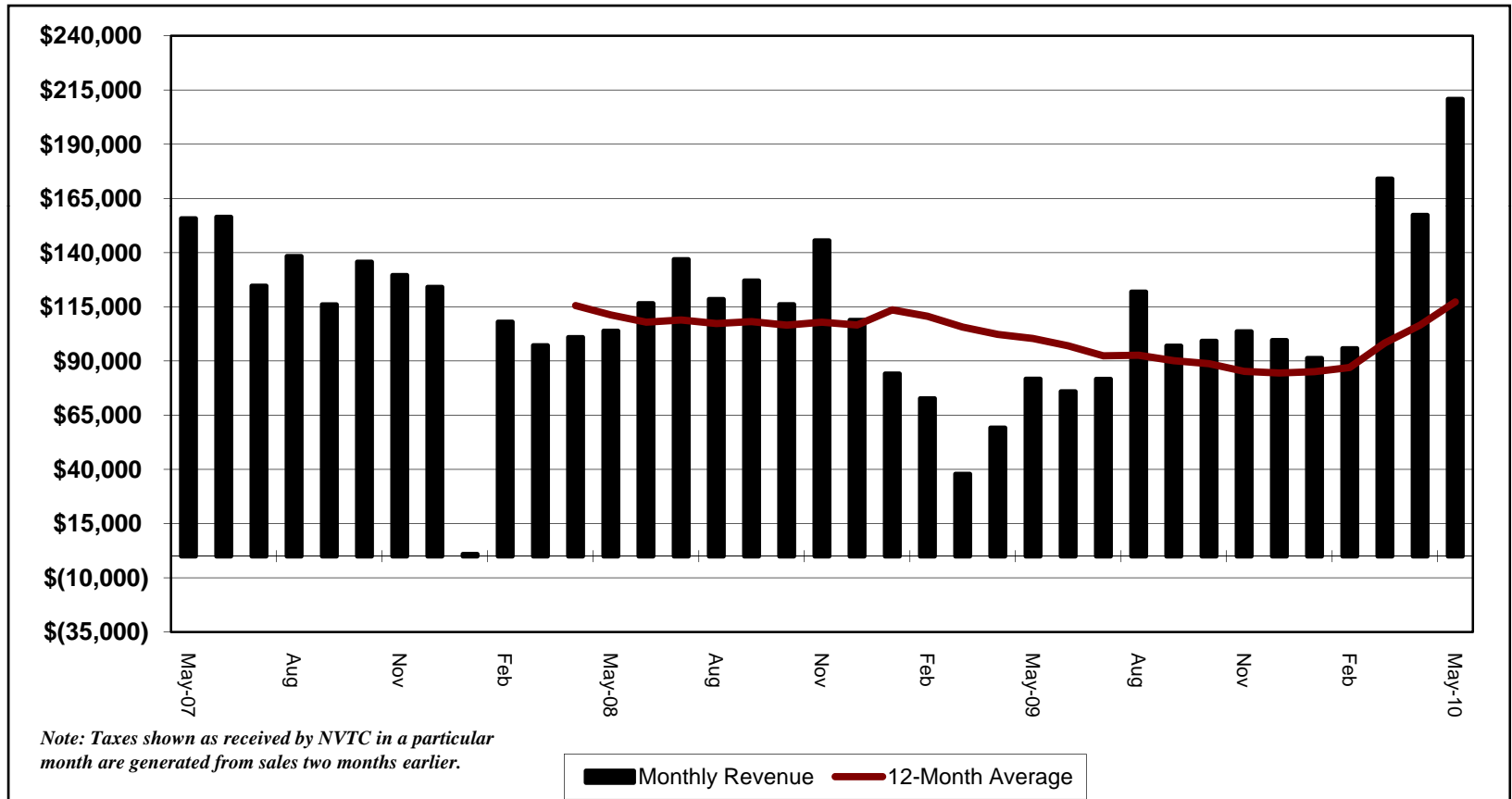
NVTC MONTHLY GAS TAX REVENUE CITY OF ALEXANDRIA FISCAL YEARS 2007-2010



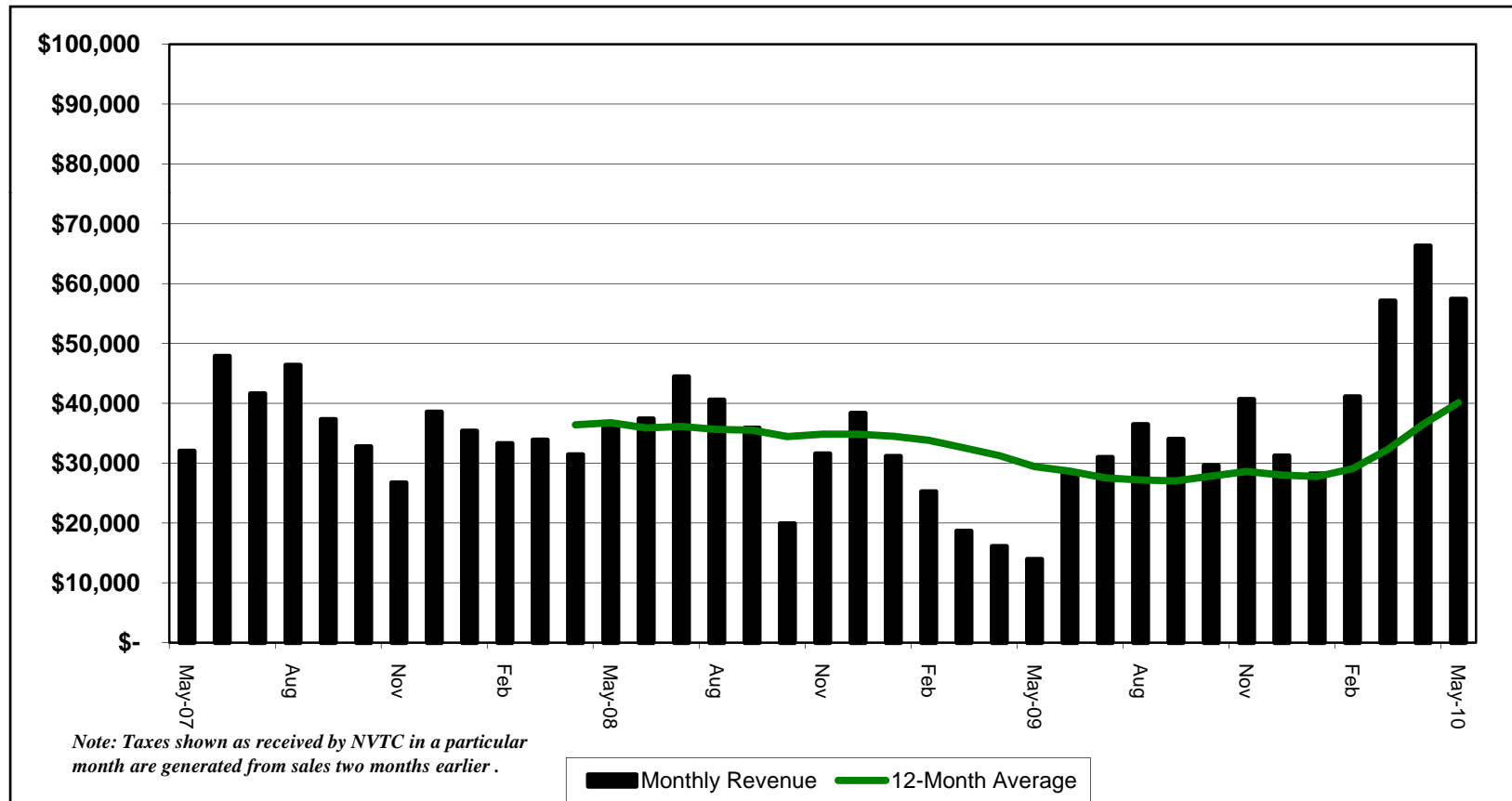
NVTC MONTHLY GAS TAX REVENUE ARLINGTON COUNTY FISCAL YEARS 2007-2010



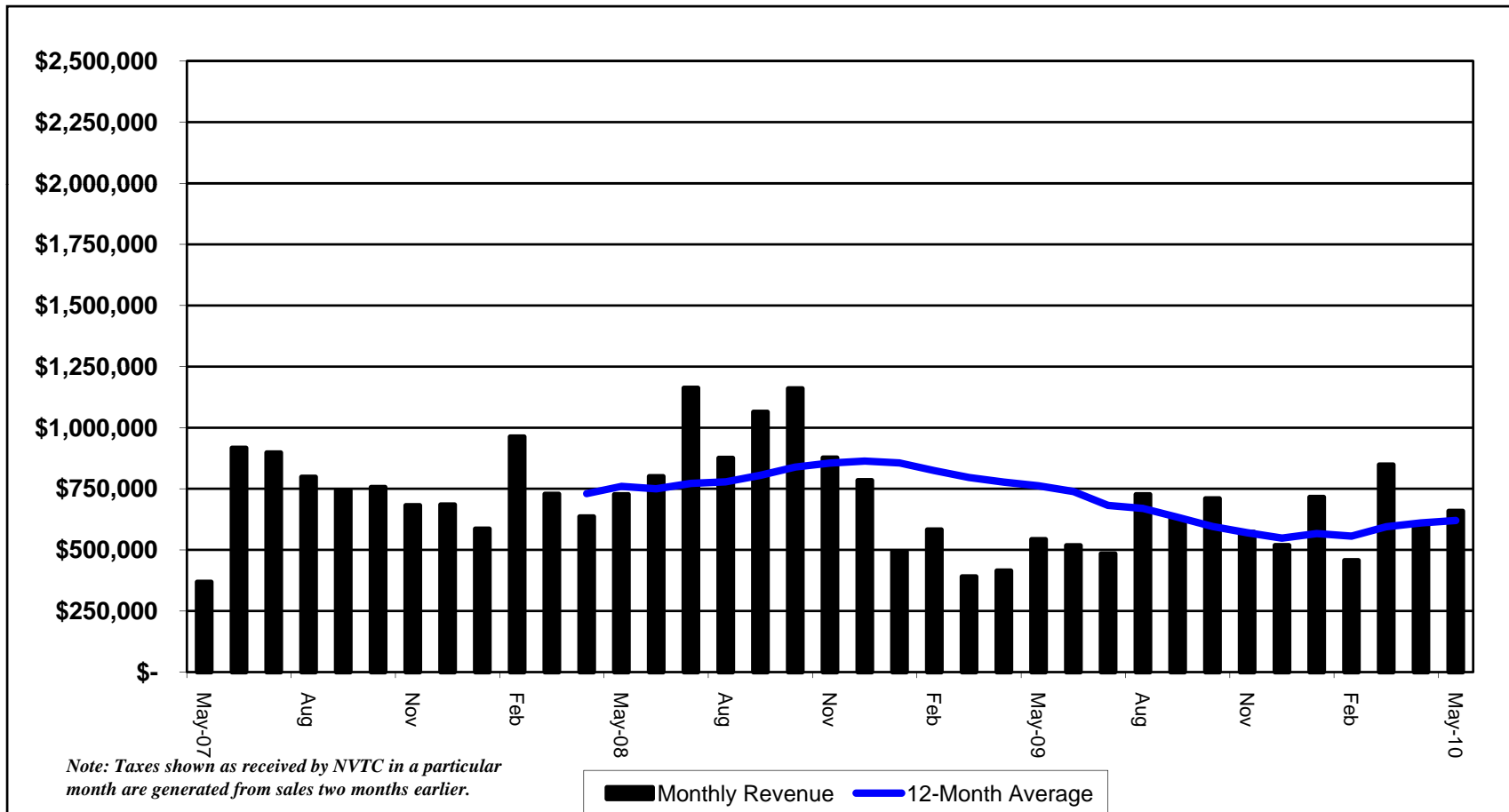
NVTC MONTHLY GAS TAX REVENUE CITY OF FAIRFAX FISCAL YEARS 2007-2010



NVTC MONTHLY GAS TAX REVENUE CITY OF FALLS CHURCH FISCAL YEARS 2007-2010



NVTC MONTHLY GAS TAX REVENUE LOUDOUN COUNTY FISCAL YEARS 2007-2010





MINUTES

VRE OPERATIONS BOARD MEETING PRTC HEADQUARTERS – PRINCE WILLIAM COUNTY, VIRGINIA JUNE 18, 2010

**VIRGINIA RAILWAY
EXPRESS**

BOARD MEMBERS

PAUL MILDE
CHAIRMAN

SHARON BULOVA
VICE-CHAIRMAN

PAUL SMEDBERG
TREASURER

WALLY COVINGTON
SECRETARY

MAUREEN CADDIGAN
JOHN COOK
THELMA DRAKE
JOHN JENKINS
MATTHEW KELLY
SUHAS NADDONI
GARY SKINNER
SUSAN STIMPSON
JONATHAN WAY
CHRIS ZIMMERMAN

ALTERNATES

MARC AVENI
HARRY CRISP
MARK DUDENHEFER
BRAD ELLIS
JAY FISETTE
FRANK JONES
ROB KRUPICKA
JERRY LOGAN
MICHAEL MAY
JEFF McKAY
MARTIN NOHE
KEVIN PAGE
JOHN STIRRUP

DALE ZEHNER
CHIEF EXECUTIVE
OFFICER

1500 King Street, Suite 202
Alexandria, VA 22314-2730

MEMBERS PRESENT	JURISDICTION
Maureen Caddigan (PRTC)	Prince William County
John Cook (NVTC)	Fairfax County
Wally Covington (PRTC)	Prince William County
Matthew Kelly (PRTC)**	City of Fredericksburg
Paul Milde (PRTC)	Stafford County
Paul Smedberg (NVTC)	City of Alexandria
Susan Stimpson (PRTC)	Stafford County
Jonathan Way (PRTC)	City of Manassas

MEMBERS ABSENT	JURISDICTION
Sharon Bulova (NVTC)	Fairfax County
Thelma Drake	DRPT
John D. Jenkins (PRTC)	Prince William County
Suhas Naddoni (PRTC)	City of Manassas Park
Gary Skinner (PRTC)	Spotsylvania County
Christopher Zimmerman (NVTC)	Arlington County

ALTERNATES PRESENT	JURISDICTION
Kevin Page	DRPT

ALTERNATES ABSENT	JURISDICTION
Marc Aveni (PRTC)	City of Manassas
Harry Crisp (PRTC)	Stafford County
Mark Dudenhefer (PRTC)	Stafford County
Brad Ellis (PRTC)	City of Fredericksburg
Jay Fissette (NVTC)	Arlington County
Frank C. Jones (PRTC)	City of Manassas Park
Rob Krupicka (NVTC)	City of Alexandria
Jerry Logan (PRTC)	Spotsylvania County
Michael C. May (PRTC)	Prince William County
Jeff McKay (NVTC)	Fairfax County
Martin E. Nohe (PRTC)	Prince William County
John Stirrup (PRTC)	Prince William County

STAFF AND GENERAL PUBLIC	
Donna Boxer – VRE	Ann King – VRE
Jennifer Buske – Washington Post	Mike Lake – Fairfax DOT
Noelle Dominguez – Fairfax County	Bob Leibbrandt – Prince William Co.
John Duque – VRE	April Maguigad – VRE
Kip Foster – HDR	Monica McKenzie – HDR
Anna Gotthardt – VRE	Jennifer Mouchantaf – VRE
Kelly Hannon – Free Lance-Star	Mark Roeber – VRE
Al Harf – PRTC staff	Brett Shorter – VRE
Chris Henry – VRE	Rick Taube – NVTC staff
Christine Hoeffner – VRE	Dale Zehner – VRE

** Delineates arrival following the commencement of the Board meeting. Notation of exact arrival time is included in the body of the minutes.

Chairman Milde called the meeting to order at 9:34 A.M. Following the Pledge of Allegiance, roll call was taken.

Approval of the Agenda – 3

Ms. Caddigan moved, with a second by Mr. Smedberg, to approve the agenda. The vote in favor was cast by Board Members Caddigan, Cook, Covington, Milde, Page, Smedberg, Stimpson and Way.

Minutes of the May 21, 2010, VRE Operations Board Meeting – 4

Mr. Covington moved, with a second by Mr. Smedberg, to approve the minutes as presented. The vote in favor was cast by Board Members Cook, Covington, Milde, Page, Smedberg, Stimpson and Way. Ms. Caddigan abstained.

Chairman's Comments – 5

Chairman Milde reported that VRE on-time performance was down below 90 percent (87 percent system wide, with 86.9 percent on the Fredericksburg line and 88.7 percent for the Manassas line) in the last month. A third of the delays were not in VRE's control, but it still leaves an opportunity for VRE to try to improve its performance. He also noted that at the joint NVTC/PRTC meeting on June 3rd there was a good discussion which resulted in a positive outcome regarding the transition of service operators from Amtrak to Keolis. Chairman Milde reminded Board Members that there will be no July Operations Board Meeting and the Board will return to its next meeting on August 20, 2010. He observed that there will be a lot going on over the next several months and asked staff to update Board Members via email and phone.

Chief Executive Officer's Report – 6

Mr. Zehner reported that ridership is up 4.2 percent over last year. Two of the top ten ridership days have occurred during the month of June. There have been 7 days in June that had over 18,000 trips. Ridership is staying up well above budget projections. VRE will continue to work on on-time performance.

Mr. Zehner announced that the first locomotive was shipped two days ago and is expected to arrive before or on July 1st. The next locomotives will start coming in sets of two each month starting in November. Once the first locomotive is delivered, it will undergo two to three weeks of testing before being put into service. A ribbon cutting ceremony with Senator Webb is being scheduled and Board Members will be receiving an invitation to attend. A separate ceremony will also be held commemorating the naming of the locomotive after Elaine McConnell.

Mr. Zehner reported that John Duque has been working diligently on acquiring Wi-Fi capability on the trains in order to have full coverage systemwide. Staff expects to make a presentation on this project at the August or September Operations Board meeting.

Mr. Zehner briefed the Board on the Keolis transition. At the joint NVTC/PRTC meeting the Commissions gave him and Steve MacIsaac the authority to do what was necessary to make sure the transition to Keolis happened on-time and without service interruption. He requested that Amtrak consider a staggered or soft start where Keolis would run the Fredericksburg line beginning on June 28th and Amtrak would run the Manassas line for another 30 days. Amtrak did not agree to this proposal but did agree to extend its service operation for VRE to July 9, 2010. Therefore, Keolis will take over service on Monday, July 12th and will incur all costs for the delay.

Mr. Zehner reported that Keolis continues to qualify crews, day and night. Crews should be fully qualified by July 1, 2010. VRE has notified FRA that VRE is planning to operate a “dress rehearsal” on July 5th, which is a holiday. Keolis would operate a full service schedule that day on both lines with no customers. He doesn’t anticipate that there will be any problems, but it gives everyone another week to work out any issues before July 12th.

Mr. Zehner announced that on July 19th, the new express train will begin service on the Fredericksburg line. The train will be a three-car set that will leave at 5:05 A.M. from Fredericksburg. In addition, the state sponsored train from Richmond to Washington, D.C. will begin service the next day.

Operations Board Member’s Time – 7

Mr. Page explained that Fort Lee near Petersburg, Virginia, has become a major training center for the Army, including ballistics training. As the BRAC plans have moved forward, the Army is developing a transportation plan to logistically move 800-1000 soldiers from AP Hill to Fort Lee twice a week for 37 weeks of ballistics training. The Army has requested help from DRPT to determine if passenger rail could be used to do this, instead of using approximately 35 charter buses. The Army is looking for locomotives and railcars for service in the next four months and is interested in the potential sale of VRE surplus equipment. Mr. Page observed that VRE will be facing ridership increases that may result in additional service. Since VRE may need additional equipment in the future, it may want to lease railcars temporarily to the Army.

In response to a question from Chairman Milde, Mr. Zehner stated that he has explained to the Army that contractually VRE has two train slots available on the CSX line and VRE has enough equipment to add two more trains. If VRE were to sell this equipment, then VRE could not add service. However, a lease option has been discussed with the Army. There are still a lot of details that would need to be worked out. Staff will provide an update at the August meeting. Mr. Page stated that this is an important project for Virginia. He also reported that under the six year capital improvement plan, which was approved by the CTB on Wednesday, funding was

approved to extend the state sponsored train from Washington. D.C. to Richmond and then to Norfolk in three years.

Mr. Way asked if helping the Army is something that the Board wishes to aggressively pursue, to shy away from, or to passively tolerate. Chairman Milde stated that he would assume that VRE would want to support the military if it won't hurt VRE growth. Mr. Way expressed his opinion that it should be something that VRE aggressively pursues. In fact, he would like to see VRE provide the Army with assistance, including maintenance. Chairman Milde observed that it is not an unfunded mandate. He can agree with aggressively pursuing it as long as it does not interfere with VRE's regular operations or impact the growth of VRE's passenger base. He asked if this is a one-time project or a long term issue. Mr. Page replied that it is long-term since it would become the Army's transportation for 37 weeks out of each year. DRPT has been very clear that if VRE equipment is leased, that the equipment would leave VRE property and be housed off-site.

[Mr. Kelly arrived at 9:45 A.M.]

VRE Riders' and Public Comment – 8

There were no comments.

Consent Agenda – 9

Ms. Caddigan moved, with a second by Mr. Smedberg, the following Consent Agenda Items:

Resolution #9A-06-2010: Authorization to Issue an Invitation for Bids for Lube Oil Delivery Services

Resolution #9B-06-2010: Authorization to Issue an Invitation for Bids for Brake Shoes for VRE Locomotives and Passenger Cars

Resolution #9C-06-2010: Authorization to Issue a Request for Proposals for a System Safety and Security Consultant

Resolution #9D-06-2010: Authorization to Issue a Request for Proposals for Design and Construction Services for the Cherry Hill Third Track Project

The vote in favor was cast by Board Members Caddigan, Cook, Covington, Kelly, Milde, Page, Smedberg, Stimpson and Way.

FY 2012 Budget Guidelines – 10A

Mr. Zehner reported that the jurisdictional CAO Budget Task Force met on June 15, 2010 to review various budget issues, including the cost of fuel, insurance, the new operating contract, fleet management plan, ridership projections, fuel tax projections, and subsidy. He reviewed the revisions to the FY 2011 budget. Mr. Zehner stated that because of substantial ridership growth, it is expected that there will be a budget surplus of \$3-6 million for FY 2011. At the September Board meeting, staff will make a recommendation as to what should be done with the surplus, including considering some type of subsidy credit for the jurisdictions.

Mr. Zehner stated that in regards to the capital program, VRE staff proposes several adjustments to the FY 2011 capital program to allow VRE to order as many of the remaining five locomotives as possible before a mandated locomotive model change occurs for units ordered after December 31, 2010. It would also allow VRE to take advantage of a significant price break. This item will be discussed further in a following agenda item.

Mr. Zehner reviewed the FY 2012 budget guidelines, issues and assumptions. He reminded Board Members that Spotsylvania County will be providing one-half of their FY 2012 subsidy payment during that fiscal year and then in FY 2013 the County will pay back the deferral authorized by the Operations Board, as well as paying their full subsidy based upon the formula allocation. Also, ridership growth could be impacted if the federal transit benefit ends in January 2011, when it is scheduled to expire. In response to a question from Chairman Milde, Mr. Zehner explained that VRE ridership grew substantially after the transit benefit was increased to \$230 in 2009, even with a large VRE fare increase during that time.

In response to a question from Chairman Milde, Mr. Zehner stated that the Operations Board previously directed staff to look at fare indexing, but the CPI has not increased. Mr. Way stated that he has a question in regards to budget guideline #1, which is "VRE staff will take all reasonable measures to continue to grow the ridership and improve the overall service to the riders. Measures to be reviewed include service levels, fares, trains schedules, service amenities, and contracted services which bear on the ridership experience." He observed that VRE's trains are already overcrowded and parking lots are full. If VRE wants to continue to grow the ridership, in his opinion, VRE should reexamine the L'Enfant mid-day storage proposal. Overall, service cannot improve without some additional capacity. He suggested that this should be reexamined in light of ridership changes.

In response to a question from Mr. Way, Mr. Zehner explained that the life of a locomotive is approximately 40 years, so it would be beneficial to have VRE's fleet of locomotives standardized. If VRE needed more locomotives in the future, Mr. Zehner explained that VRE could buy locomotives that are the same model as VRE's locomotives to keep the fleet standardized. To buy one locomotive that is totally different from the rest of the fleet introduces many problems.

Mr. Smedberg observed that Arlington and Alexandria see increases each year in their subsidies, even though total jurisdictional subsidy has decreased for the last two years. Mr. Zehner stated that this issue will be brought back to the Board when action is requested on the budget. Chairman Milde stated that he would like to see individual jurisdictions not have a subsidy increase. Mr. Way asked that staff provide a detailed summary demonstrating the necessity for the proposed level of working capital. Mr. Zehner agreed to provide this information to the Board with the preliminary budget at the August meeting.

Mr. Smedberg observed that the resolution lists the goal of establishing a level of working capital at an amount equal to three months of operating costs, but a past presentation stated two months. Mr. Zehner stated that the resolution should be changed to two months.

Mr. Smedberg moved, with a second by Mr. Covington, to approve Resolution #10A-06-2010, with the change of working capital from three months to two months. The vote in favor was cast by Board Members Caddigan, Cook, Covington, Kelly, Milde, Page, Smedberg, Stimpson and Way.

Authorization to Award a Construction Contract for the Fredericksburg Station Infrastructure Repair Projects – 10B

Mr. Zehner stated that Resolution #10B-06-2010 would authorize him to award a construction contract for the Fredericksburg Station Infrastructure Repairs project to Trinity Construction Group, Inc., from Culpeper, Virginia in the amount of \$1,702,993, plus a 15 percent contingency, for a total amount not to exceed \$1,958,442. He explained that in 2007, VRE received a federal earmark for repairs to the Fredericksburg VRE station, which totaled \$2.6 million. It was allocated over four years requiring VRE to take a phased approach toward completing the work. These repairs will address the structure supporting the VRE platform which has become a hazard for pedestrians walking below it due to falling debris. It will eliminate or substantially reduce the risk of deteriorating concrete that may dislodge and fall on the station platform and tracks. In addition, the project will perform architectural rehabilitation to address cosmetic and functional deficiencies.

Mr. Zehner reported that following a competitive procurement process where three bids were received, VRE staff is recommending award to the lowest responsive and responsible bidder, Trinity Construction Group, Inc. Authorization is being sought to include a 15 percent contingency in order to address unforeseen conditions that may arise due to the age and condition of the facility. Construction is expected to begin in July 2010 and be completed in early Fall 2011.

Mr. Kelly stated that he would like to see progress made to get CSXT to sign off on Fredericksburg's master plan so approval does not need to be sought with CSXT every single time an improvement is made. He asked VRE to help make this a reality.

Mr. Kelly moved, with a second by Ms. Stimpson, to approve Resolution #10B-06-2010. The vote in favor was cast by Board Members Caddigan, Cook, Covington, Kelly, Milde, Page, Smedberg, Stimpson and Way.

Authorization to Award a Contract for Advertising Sales Revenue – 10C

Mr. Zehner reported that VRE currently has a contract with CBS Outdoor for the sale of advertising space on VRE trains and platforms. This contract includes a period of performance from January 1, 2001 through December 31, 2005, with a five-year renewable option which was exercised and expires on December 31, 2010.

Mr. Zehner further explained that the original advertising procurement was issued by WMATA in 2000 and included options for VRE and PRTC so that larger advertising clients could be attracted. As this contract was nearing the expiration date, WMATA issued an RFP that again included options for PRTC and VRE. Three proposals were received and evaluated by the WMATA selection committee. CBS Outdoors was ranked first and awarded the contract by WMATA on May 28, 2010.

Mr. Zehner stated that VRE has found this contract to be successful in generating non-fare revenue. VRE currently receives 65 percent of revenue generated from the sale of advertising on platforms and trains. The new contract offers 50 percent total revenue, a lower percentage attributable to the present market conditions. While VRE currently earns about \$48,000 per year from this contract, VRE is optimistic that this amount will improve as the advertising market improves. VRE's base contract will begin January 1, 2011 and continue through December 31, 2014, with four one-year renewable options. The contract is being recommended for the full seven years (three base years plus four one-year options) with the CEO exercising the option years at his discretion.

Mr. Smedberg moved, with a second by Mr. Way, to approve the resolution. The vote in favor was cast by Board Members Caddigan, Cook, Covington, Kelly, Milde, Page, Smedberg, Stimpson and Way.

Authorization to Extend Amended Operating/Access Agreement with CSXT – 10D

Mr. Zehner stated that another extension is being requested at this time to provide additional time to complete negotiation of a new agreement. The level of liability insurance remains an outstanding issue. Resolution #10D-06-2010 would recommend that the Commissions authorize the CEO to execute an extension of the existing Amended Operating/Access Agreement with CSXT to January 31, 2011.

Mr. Covington moved, with a second by Mr. Way, to approve Resolution #10D-06-2010. The vote in favor was cast by Board Members Caddigan, Cook, Covington, Kelly, Milde, Page, Smedberg, Stimpson and Way.

Authorization to Extend Amended Operating/Access Agreement with Norfolk Southern – 10E

Mr. Zehner stated that another extension is also being requested at this time for the Norfolk Southern agreement. The level of liability insurance remains the outstanding issue. Resolution #10E-06-2010 would recommend that the Commissions authorize the CEO to execute an extension of the existing Amended Operating/Access Agreement with Norfolk Southern to January 31, 2011.

Mr. Covington moved, with a second by Mr. Kelly, to approve Resolution #10E-06-2010. The vote in favor was cast by Board Members Caddigan, Cook, Covington, Kelly, Milde, Page, Smedberg, Stimpson and Way.

Authorization to Modify the Contract for New Locomotive Purchase – 10F

Mr. Zehner stated that back in January of 2008, the Operations Board authorized VRE staff to enter into a contract with Motive Power, Inc. of Boise, Idaho for the manufacture of two new locomotives. Since that time, additional approvals have been sought and VRE has ordered a total of 15 locomotives. Motive Power has offered a price of \$3,604,532 per locomotive for all orders placed by July 5, 2010. This price reflects the supplier discount they receive for bulk purchasing, since the supplies for these locomotives will be combined with some of VRE's prior orders. Locomotives ordered after that date will cost approximately \$500,000 more per unit, in accordance with the contract provisions. As such, VRE is making every effort to order as many units as possible at the lower price, including using a portion of the capital reserve. In addition, although the option contract extends until 2013, locomotives ordered after December 31, 2010, will be a different model which would require additional inventory and training, resulting in significantly higher lifecycle costs. Mr. Zehner stated that it is important to have a standardized fleet of locomotives. VRE's railcar fleet is already standardized.

Mr. Zehner explained that the VRE Operations Board is being asked to recommend that the Commissions authorize him to modify the contract with Motive Power, Inc., for the purchase of locomotives so that the base order is increased from 15 to 19 locomotives, increasing the contract value by \$13,218,128, for a total amount not to exceed \$73,798,120. Funding is available from the locomotive acquisition line item of the VRE capital budget. The first three units would be purchased using federal formula funds for FY 2011 and prior years. The fourth unit would be purchased by transferring federal formula funds from other projects in FY 2011, reducing the contingency amount needed for the project based on costs to date, and using up to \$1.5 million of VRE's capital reserve of \$2.4 million. Mr. Zehner stated that the fifth and final locomotive could still be ordered before December 31, 2010, if funding became available.

Chairman Milde expressed his concern that VRE may be missing out on state matching funding. Mr. Zehner explained that VRE asked the Commonwealth to continue their funding match but they have not agreed. It would have been approximately \$300,000. Mr. Covington asked if there is any chance that the Commonwealth would cover the

cost of the fifth locomotive. Mr. Page stated that DRPT would like to sit down with VRE staff to discuss the four locomotive purchases.

In response to Mr. Way, Mr. Zehner stated that after January of 2011, only Tier 3 locomotives can be purchased. VRE's locomotives are Tier 2. Mr. Zehner assured Mr. Way that VRE's Tier 2 locomotives will not be required to be retrofitted.

Mr. Harf observed that the Motive Power offer has a deadline of July 5th, but PRTC does not meet until July 8th. Mr. Zehner stated that Motive Power is willing to accept an order by July 9th to facilitate PRTC's meeting date.

Mr. Smedberg asked if there is a certain level or percentage needed for VRE's capital reserve. Mr. Zehner responded that there is no requirement to maintain.

Mr. Covington moved, with a second by Mr. Kelly, to approve Resolution #10F-06-2010. The vote in favor was cast by Board Members Caddigan, Cook, Covington, Kelly, Milde, Page, Smedberg, Stimpson and Way.

Authorization to Execute a Force Account Agreement for the Fredericksburg Station Infrastructure Repairs Project – 10G

Mr. Zehner explained that the Operations Board is being asked to authorize him to execute a force account agreement with CSXT for the Fredericksburg station infrastructure repairs project in an amount not to exceed \$200,000. Resolution #10G-06-2010 would accomplish this. In addition to the work that was approved earlier in the agenda for this station, CSX also requires that certain tasks be performed by union forces under a force account agreement, including work associated with track drainage. In addition, a CSX flagman will be required to provide work protection during all work performed near the tracks. Funding for this work is included in VRE's Capital Improvement Program as part of the Fredericksburg rail station project. Funding is being provided using a federal earmark with state and local funds being provided as the match.

Mr. Kelly moved, with a second by Ms. Stimpson, to approve the resolution. The vote in favor was cast by Board Members Caddigan, Cook, Covington, Kelly, Milde, Page, Smedberg, Stimpson and Way.

Closed Session – 11

Mr. Zehner stated that no closed session is needed.

Fare Evasion Policy – 12

Mr. Zehner reviewed the 2009 legislation that was adopted beyond the scope of VRE's request. That legislation resulted in many enforcement problems. In 2010, HB 688 (Miller) and SB 25 (Puller) were passed unanimously by both houses and the Governor signed them into law. The new legislation lowers the fine from \$250 to \$100 (capped by the House for civil infractions); provides a prepayment option; changes it from a misdemeanor to a civil infraction; and keeps fraud a Class 2 misdemeanor. The change in the law will become effective July 1, 2010.

Mr. Zehner stated that most fare evasion occurs with the 10-ride ticket, which must be validated for each ride. If not validated, a person could use the ticket indefinitely until caught. VRE has also received growing passenger complaints about fare evasion. It is important that VRE is seen to be fairly enforcing fare evasion policies.

Mr. Zehner reported that on-board ticket sales/validation, which was suggested at an earlier Operations Board meeting, is not feasible. It would be very costly and there is no equipment compatible with the VRE fare collection system currently available in the U.S. market. With the new legislation going into effect July 1st and Keolis beginning operations on July 12th, VRE staff is recommending that train crews be trained on the fare evasion policy and given discretion. It would end the zero tolerance policy. VRE would simultaneously educate riders on ticket validation procedures through train talks, posters and the website.

Mr. Way expressed his opinion that to have consistent discretion among the train crew, there would need to be a codified manual, which ends up being no discretion at all, but just a loose set of rules. Chairman Milde stated that for daily riders, who know how to ride the system, they should know how to validate and VRE should be enforcing the fare policy. For those people new to the system or visiting and do not understand the system, some discretion is needed. Ms. Stimpson stated that it is important to remember that there are legitimate reasons that regular riders can't validate because of some extenuating circumstance. There needs to be some discretion. Mr. Cook stated that the problem with discretion is that it automatically causes problems, such as discrimination. The discretion should not be left with the conductors. The better place to allow discretion is after the citation is given. Mr. Way stated that if there is any conductor discretion, it should occur before the passenger boards the train.

Chairman Milde asked staff to report back in six months. He observed that Board members seem to agree that broken machinery, new riders and notifying the conductor before getting on the train if there is a fare issue are all good reasons to allow some discretion.

Adjournment

Chairman Milde announced that Mr. Kelly is retiring from the Fredericksburg City Council and this will be his last Operations Board Meeting. Chairman Milde presented Mr. Kelly with a commemorative model VRE train, honoring his eight years on the Operations Board.

Without objection, Chairman Milde adjourned the meeting at 10:52 A.M.

Approved this 20th day of August, 2010.

Paul Milde
Chairman

Wally Covington
Secretary

CERTIFICATION

This certification hereby acknowledges that the minutes for the June 18, 2010 Virginia Railway Express Operations Board Meeting have been recorded to the best of my ability.



Rhonda Gilchrest

RESOLUTION #2149

SUBJECT: Modify Contract for New Locomotives.

WHEREAS: In January of 2008, the Operations Board approved the award of a contract to MotivePower, Inc. for the manufacture of two new locomotives;

WHEREAS: Since that time, additional approvals have been granted allowing the purchase of fifteen total units for a contract total of \$60.6 million; and,

WHEREAS: Authorization is now being sought for up to five additional units, funding for which is available for four units and under development for the fifth unit.

NOW, THEREFORE, BE IT RESOLVED THAT, the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to modify the contract with MotivePower, Inc., for the purchase of locomotives so that the base order is increased from fifteen to nineteen locomotives, increasing the contract value by \$13,218,128, for a total amount not to exceed \$73,798,120.

BE IT FURTHER RESOLVED THAT, the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to further modify the contract with MotivePower, Inc., for the purchase of locomotives so that the base order is increased to twenty locomotives, increasing the contract value by \$17,318,128, for a total amount not to exceed \$77,898,120, if additional funding is received.

Approved this 1st day of July, 2010.

Catherine M. Hudgins
Chairman

Mary Hynes
Secretary-Treasurer





AGENDA ITEM #5

MEMO TO: NVTC Management Advisory Committee
Rick Taube, NVTC, Executive Director

FROM: Agnes Artemel and Janet Gregor
Northern Virginia Streetcar Coalition

TOPIC: Tiger 2 Planning Grant

DATE: June 15, 2010

Board members:

Tim Lovain
Chairman
City of Alexandria

Inta Malis
Arlington County

James McClellan
At-Large

Sasha Gong
Fairfax County

Eddy Cettina
At-Large

Contact:
202.329.1648

The Northern Virginia Streetcar Coalition is interested in pursuing a DOT/HUD TIGER 2 Planning Grant for the purpose of studying potential transit corridors in Northern Virginia that would use a regional streetcar network to serve as a backbone for coordinated transit planning and land use purposes.

The Northern Virginia Streetcar Coalition has made contacts with most of the prospective partners on this grant application and has received initial expressions of interest. We are now seeking the support of the NVTC Management Advisory Committee to endorse the concept, and for the full NVTC to consider it at its July 3rd meeting. In addition, because of its regional role, we believe NVTC should be the lead entity to submit the grant application on behalf of the participating partners.

Attached you will find materials to explain the purpose of the grant, prospective partners, potential sources for the local match funds and next steps.

The timeframe is tight since pre-applications are due in mid-July so we deeply appreciate your consideration of this request.

DRAFT CONCEPT PROPOSAL
TIGER 2 PLANNING GRANT
PRE-FEASIBILITY OF A CONNECTED STREETCAR NETWORK
FOR NORTHERN VIRGINIA

IN PARTNERSHIP WITH*

CITY OF ALEXANDRIA
ARLINGTON COUNTY
FAIRFAX COUNTY
NORTHERN VIRGINIA COMMUNITY COLLEGE
NORTHERN VIRGINIA TRANSPORTATION COMMISSION

JUNE 2010

*partners are in the process of being requested to participate and are not yet confirmed



DOT/HUD Tiger 2 Planning Grants

Planning Grants (separate from Discretionary Grant Program in Tiger 2)

- Up to \$35 million is available “for activities related to the planning, preparation or design of Eligible Projects, including transportation corridors or regional transportation systems.”
- Selection criteria for Tiger 2 include projects that engage parties that are not traditionally involved in transportation projects, such as nonprofit community groups. DOT “will give priority to projects that make effective use of community-based organizations...”
- USDOT intends to coordinate evaluation and award of TIGER II planning grants with HUD and its Community Challenge Planning Grants, a \$40 million component of the multi-agency “Partnership for Sustainable Communities.”
- Activities eligible for funding under HUD’s program include, but are not limited to, development of master plans, zoning and building reform initiatives including the development of inclusionary zoning ordinances, corridor and district plans, TOD’s, including land acquisition.
- The Federal Register notice seems to indicate that DOT and HUD would like to use these grants to reward more holistic planning efforts.
- Final guidance has not been released on planning grants as of June 10, 2010.



Duke Realty Mark Center properties

Potential redevelopment of Foster/Fairbanks site
Reconfiguration of Southern Towers, Seminary Towers, shopping center at Kenmore
NVCC Alexandria campus master plan

In Arlington:

Columbia Pike Multimodal Project
Columbia Pike Environmental Studies & NEPA Documentation for Transit Alternatives
Columbia Pike Land Use & Housing Study

Each plan or project is conducting its own transportation analyses with varying assumptions, modes, and solutions, yet these are all stand-alone analyses, with little coordination to take into account the impact of all these potential projects on one small part of our Northern Virginia region. The streetcar lines could be a partial solution and organizing factor for transportation solutions for these projects.

With the Obama Administration's new emphasis on sustainability, easing of Federal Transit Administration regulations governing funding for transit options to facilitate the payment of capital costs for streetcar lines, and the nationwide wave of interest in streetcars, this is an opportune time to undertake a regional planning effort for streetcar lines in Northern Virginia. The streetcar lines can provide a transit backbone for the region that will encourage economic development, foster revitalization of older commercial corridors, link people to jobs more efficiently and sustainably than by car, and increase private sector investment in infrastructure.

To gain these benefits, it is important to undertake a regional planning effort that includes the major beneficiary local governments so that the region can be positioned to take advantage of future capital funds for projects already in the planning stages. Including a public education system with several campuses and a community-based educational and advocacy organization in the planning only increases the likelihood that the plans will be responsive to community needs.

Although there are several transportation planning efforts that take place in our region on a regular basis, and a new Transportation 2040 study about to begin, the current project is not anticipated to duplicate those efforts. The current planning and funding cycle takes into account the Columbia Pike line but not any other streetcar options. The 2040 study will take two years and is a comprehensive look at all modes of transportation in our region for an extended time horizon. Ideally, the study proposed here will be taken into account in the 2040 planning effort.



The Partners

Alexandria:

Benefits: study provides information useful to the ongoing Transit Corridors study, provides concrete support for the conceptual transit corridors identified in the Transportation Master Plan, tests citizen support for streetcar lines, identifies transportation alternatives for BRAC-133.

Project Responsibilities: provide staff guidance and direction; designate representatives to advisory committee; contribute portion of local match

Arlington:

Benefits: study can provide ridership estimates for lines joining Arlington's already planned lines, potentially identifying tie-ins that boost total ridership in planned lines; potential reinforcement for Crystal City line; potential identification of a third line.

Project Responsibilities: provide staff guidance and direction; designate representatives to advisory committee; contribute portion of local match

Fairfax:

Benefits: potentially identify viable streetcar transit corridors that will contribute to the health of designated revitalization areas (Annandale, Baileys Crossroads, etc) or assist in reducing automotive traffic in critical areas (Route 1 to Ft. Belvoir)

Project Responsibilities: provide staff guidance and direction; designate representatives to advisory committee; contribute portion of local match

Northern Virginia Transportation Commission:

Benefits: supports the agency's transit mission; fits with role as grant applicant on behalf of component jurisdictions

Project Responsibilities: Coordinate the project on behalf of the partners; fulfill Federal reporting requirements; manage the project budget

Northern Virginia Community College:

Benefits: Determine viability of streetcar stop and maintenance facility on Alexandria campus; identify other potential streetcar routes serving additional campuses; potentially take steps toward providing transit alternatives for students

Project Responsibilities: Update campus master plan to reflect study findings; provide input to consultant team; host regional forum, local match from in-kind contributions or via NoVA Community College Foundation

Northern Virginia Streetcar Coalition:

Benefits: supports mission of educating and advocating for a connected streetcar network for Northern Virginia

Project Responsibilities: coordinate and conduct public education campaign, develop web site for project, assist in coordinating regional activities and actions



Next Steps for Grant Application

NVTC

1. NVTC Management Advisory Committee endorses initial Planning Grant concept and taking concept to the full NVTC Board for endorsement at its July meeting.
2. NVTC Board approves moving forward on Planning Grant application at its scheduled July 3, 2010 meeting.
3. NVTC requires its Executive Committee to review and approve the pre-application (due as soon as July 16, 2010) and the final application (due as early as August 23, 2010)
4. NVTC serves as lead jurisdiction to formally submit grant application.

Northern Virginia Streetcar Coalition (NVSC)

1. Secures commitments to partner in the Planning Grant from the City of Alexandria, Arlington County, Fairfax County and Northern Virginia Community College.
2. Determines scope, budget and terms of grant application based on final notice requirements and input from partner jurisdictions.
3. Secures commitment letters for non-federal match component.
4. Coordinates preparation and submission of the grant application with partners.
5. Works with NVTC on grant preparation and submission.



The Northern Virginia Streetcar Coalition was formed in January 2010 to educate and advocate for a connected network of streetcar lines in Northern Virginia.

We believe that streetcars are a significant option to improve the livability of Northern Virginia communities by providing better connectivity between neighborhoods and jobs, shopping, or recreation. Streetcars can encourage redevelopment and revitalization, reduce an area's carbon footprint, reduce traffic congestion, and attract tourism to an area.

Arlington County has led the way with its Columbia Pike Streetcar plan and endorsement by its County Board of using streetcars rather than other forms of mass transit for a proposed five-mile segment along Columbia Pike. Fairfax County is also a Columbia Pike streetcar project sponsor. Arlington County continues to support streetcars through the Board's resolution to use streetcars in the County portion of the Crystal City-Potomac Yard Transitway. While this is a significant first step for Northern Virginia, the Coalition believes a regional approach to streetcar connectivity is critical to ensure these lines are coordinated so as to avoid a disconnected patchwork of streetcar lines being built in the years ahead.

Another key player in the regional streetcar picture is Northern Virginia Community College's Alexandria Campus. NVCC's mission is to educate students in a variety of professions during a two-year degree program. It believes that an exciting new program would be the training of streetcar maintenance and operations personnel. To NVCC, it makes perfect sense to propose locating a streetcar maintenance facility (and possibly operations center) on the Alexandria campus, which has about 14,000 registered students with few transit options for reaching the campus.

While planning for the original "Columbia Pike Streetcar" line moves forward (it is now in NEPA Analysis to qualify for Federal funding), extensions are being considered by various parties, and supported by the Northern Virginia Streetcar Coalition. One extension is from Skyline (original western terminus) through Northern Virginia Community College's Alexandria campus, and potentially in phases to the BRAC-133 office building at Mark Center, and down Beauregard Street, eventually reaching the Van Dorn Metro station in the Eisenhower West portion of Alexandria. Another extension is from the northern terminus into Crystal City, then to Arlington's portion of Potomac Yard. The Northern Virginia Streetcar Coalition is urging the City of Alexandria to continue the streetcar line along the Crystal City Potomac Yard transitway through the



The Coalition's activities are grouped in four principal areas:

- 1. Advocacy**
We monitor various area planning processes to ensure that streetcar options are not foreclosed, and actually are encouraged. We provide information to members, and comment formally on proposals advanced by the public and private sectors.
- 2. Regional Coordination**
We work with regional agencies such as the Northern Virginia Transportation Commission, Northern Virginia Transportation Authority, Northern Virginia Regional Commission, and Metropolitan Washington Council of Governments to coordinate plans for high-capacity transit in Northern Virginia. We also work with the individual jurisdictional governments of Alexandria, Arlington, Falls Church, and Fairfax.
- 3. Communication and Outreach**
Our plan is to prepare educational materials, news bulletins, fact sheets, maps, and other materials that can be presented to civic organizations, business groups, government officials, task forces, and individuals and businesses to inform them of the benefits of a connected network of streetcars for Northern Virginia.
- 4. Organization Building**
The Coalition is currently operating with an Interim Board but will become formalized in October 2010. We have obtained a Tax ID number, and are in the process of incorporating and eventually applying for nonprofit status. We are also seeking to become financially solvent, relying on a combination of membership dues and corporate sponsorships. Funds raised will also be allocated to feasibility studies of various streetcar line extensions.

At its Annual Meeting in October 2010, the Coalition will elect a permanent Board, and that Board will adopt a work program for 2011.

Leadership



The Northern Virginia Streetcar Coalition is operating with a five-member Interim Board of Directors.

Tim Lovain represents Alexandria. He is a former member of City Council, and works on transportation issues in his professional life.

Inta Malis, representing Arlington, is a member of the County's Planning Commission that has worked on the Crystal City plan and is currently involved with the County's Energy Efficiency and Sustainability Task Force.

Sasha Gong, representing Fairfax, recently ran for State Delegate and lives in the Skyline area.

Dr. Jim McClellan, at large, is Dean for Liberal Arts at NVCC Alexandria.

Eddy Cettina is a developer of mixed-use transit-oriented projects in Northern Virginia.

A permanent Board will be elected at the Coalition's Annual Meeting in October 2010.

The Coalition also has a Technical Advisory Committee of professional practitioners in various disciplines who can help with studies and analyses. These include:

David Vozzolo, HDR, Inc., transportation planner

Elizabeth Hill, Assistant Dean for Communication Design at NVCC

Dr. Eileen Harpei, economic development expert

Dr. Dean Bellas, financial, fiscal, and economic analysis

Engin Artemel, AICP, former Director of Planning for the City of Alexandria and mixed-use development expert.

The Coalition's co-founders, currently acting as managing partners are:

Janet Gregor, nonprofit management consultant and experienced public sector lobbyist.

Agnes Artemel, expert in sustainable development and public-private partnerships.



Alexandria portion of Potomac Yard, eventually reaching the Braddock Road Metro station.

None of these potential extensions are intended to slow down progress on the original segment of the Columbia Pike line.

Other potential desirable locations for streetcars in Northern Virginia include:

☒ South along Route 1 to serve Ft. Belvoir

☒ Beyond Ft. Belvoir into Prince William County

☒ Northwest along Route 7 through Falls Church

☒ In the area of Reston

☒ Connecting over the Wilson Bridge to National Harbor

☒ Over a Potomac River Bridge into DC, eventually connecting with a DC streetcar line.



Supporters

The Coalition was launched under the auspices of the members of ADAM, Alexandrians Delivering smart growth Around Metro. ADAM members organized a kick-off meeting for the Streetcar Coalition in Fall 2009.

Northern Virginia Community College has been a leading supporter: NOVA Studio, the student run, faculty supervised design studio, at the Alexandria Campus has taken the Coalition as its Spring 2010 semester project, and created a business suite (letterhead, envelopes, business cards), flyers, and a web site design for the Coalition.

A variety of private sector firms have contributed funding or in-kind services; for example, Sustain Our Planet is preparing an Earth Day exhibit for the Northern Virginia Streetcar Coalition highlighting the benefits of streetcars to the environment compared to use of the single-occupant automobile. The Hilton Alexandria Mark Center and NVCC have contributed meeting space, as has the Fairlington Presbyterian Church. HDR provides technical analyses, data, and meeting support. Several businesses have signed on as event sponsors.

The Coalition is also reaching out to civic and community associations to become involved.



RESOLUTION #2152

SUBJECT: WMATA Governance.

WHEREAS: The Passenger Rail Investment and Improvement Act (PRIIA) of 2008 provides \$1.5 billion in federal funding to address capital and preventive needs for the Washington Metropolitan Area Transit Authority (WMATA);

WHEREAS: The Commonwealth of Virginia has provided \$75-80 million annually in discretionary capital and formula operating funding for WMATA consistently over the past decade;

WHEREAS: The Commonwealth has secured a dedicated, reliable, and sustainable funding source to cover 100% percent of Virginia's share of matching funds to meet the requirement for PRIIA funds and has appropriated and allocated the first \$50 million for Fiscal Year 2011;

WHEREAS: The Commonwealth is requesting a stronger partnership with Northern Virginia local governments, the District of Columbia and the State of Maryland; and

WHEREAS: The Commonwealth serves as a member of the Tri-State Oversight Committee for WMATA through its designation by federal law to oversee safety and security for Metrorail in partnership with the District of Columbia and Maryland.

NOW, THEREFORE BE IT RESOLVED that the Northern Virginia Transportation Commission welcomes the Commonwealth's interest and increased investment in the funding and oversight of WMATA.

BE IT FURTHER RESOLVED that NVTDC and its members commit to working with the Commonwealth to establish an enhanced and supportive relationship; and given there is a thorough study currently being conducted by the Board of Trade and Council of Governments the Commission commits to a discussion with the Commonwealth, at the conclusion of the study, to consider any possible changes to Metro's Virginia governance that would further that goal.



RESOLUTION #2152 cont'd

Approved this 1st day of July, 2010.

Catherine M. Hudgins
Chairman

Mary Hynes
Secretary-Treasurer



COMMONWEALTH of VIRGINIA

Office of the Governor

Sean T. Connaughton
Secretary of Transportation

July 1, 2010

The Honorable Catherine M. Hudgins
Chairman, Northern Virginia Transportation Commission
4350 North Fairfax Drive, Suite 720
Arlington, Virginia 22203

Dear Chairman Hudgins:

I appreciate the positive discussions I have had with you, Chairman Bulova, Chairman Fisetto and others regarding the Commonwealth's role in funding and oversight of the Washington Metropolitan Area Transit Authority (WMATA). Together we are working towards a shared goal of developing a stronger partnership that will benefit WMATA and its riders through improved safety, security, oversight and operations.

I would like to reiterate the reasons the Commonwealth desires representation on the WMATA Board of Directors. As you are aware, since last year's Fort Totten Metro accident, findings from several independent investigative reports such as the FTA Tri-State Oversight Committee Audit (February 2010), the David Gunn Report to the Metro Board of Directors (March 2010) and the Congressional Research Service study on WMATA (April 2010) have raised considerable issues regarding safety and security, funding and management that must be addressed.

These reports are instructive. They point to major challenges regarding the safety of the current operations and the need for greater oversight. On the subject of WMATA management, the Congressional Research Service report states that "There have been concerns expressed over time that WMATA's Board lacks the subject matter expertise and political freedom necessary to evaluate operational decisions in the context of what is the best decision from a transit operating perspective (e.g. maximizing productivity) as opposed to the political perspective (e.g. the popularity of a fare increase and/or its impact on specific electoral and other groups)."

The report concludes that "Improving WMATA in a public utility framework might not involve changing the structure of its management, but rather getting Board members to provide greater attention to management duties, insisting on a higher level of professional experience, and making changes that will lead to management stability." These

recommendations are validated by the findings of the report by former WMATA General Manager David Gunn.

The Commonwealth is prepared to respond to these recommendations, but at this point we are the only government of interest without representation on the Board. To adequately address this issue, Virginia has requested one seat and one alternate on the Board through its participation on the Northern Virginia Transportation Commission (NVTC). This is reflective of the funding the Commonwealth provides while recognizing the desire for shared representation with the localities. This balance of State and local representation will ultimately make Virginia a stronger partner with WMATA. The Obama Administration made the same request last year and now has representation along with the State of Maryland and the District of Columbia.

Since assuming office earlier this year, the McDonnell Administration has taken the challenges facing the safety, security and operations of the Metrorail system very seriously. As a member of the Tri-State Oversight Committee, the Commonwealth has dedicated staff and increased resources, worked with Governor O'Malley and Mayor Fenty to establish an executive policy committee and provided additional funds to ensure the TOC can address outstanding critical issues.

The Commonwealth has committed to provide \$50 million this year and a total of \$500 million for capital over the next 10 years under the Passenger Rail Investment and Improvement Act (PRIIA). This amount is in addition to the \$75-\$80 million of annual capital and operating funding that the Commonwealth provides through the NVTC.

With the addition of the PRIIA funds, the Commonwealth will provide more funding to WMATA than any of the individual Virginia localities, and will continue to do so for the foreseeable future. We believe with the investments that the Commonwealth is making in WMATA and the use of Metro by many Virginians on a daily basis, it is incumbent upon the State to become a full partner in the effort to improve WMATA oversight and accountability.

We will strengthen our partnership by ensuring that the State seat on the Board is filled by a transit professional who can provide both technical insight and subject matter expertise. Virginia's representative will not be an elected official, which will address the Congressional report's concern that political considerations could impact the ability of Board members to effectively respond to operational issues.

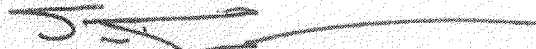
While our discussions have been positive, we need to continue to work together to meet the significant funding challenges for WMATA and improve system safety, security and operations. We must follow through on our commitment to the traveling public to provide better, safer transportation choices. Today, Virginia is a funding partner with no voice, and we cannot effectively follow through on this commitment without one.

The Honorable Catherine M. Hudgins
July 1, 2010
Page 3

The issue of WMATA governance is currently being examined by a joint task force of the Metropolitan Washington Council of Governments and the Greater Washington Board of Trade. The stated mission of this Task Force is "To recommend to the Washington Metropolitan Area Transit Authority (WMATA) improvements in the transit agency's governance to ensure the highest performing and sustainable transportation system for the Washington metropolitan area." The Task Force's Work Scope includes generally assessing governance models/best practices and their applicability to the National Capital Region. The Task Force anticipates making its findings and recommendations this fall. We are prepared to await the results of this effort.

We look forward to working with NVTC to provide better funding, technical support and oversight of the Metro system. Together, we can significantly improve the quality of Metro service for the entire region and enhance its critical role to Northern Virginia and the Washington region.

Sincerely,



Sean T. Connaughton

SC:ge

cc: Members, Northern Virginia Transportation Commission
Ms. Thelma D. Drake, DRPT Director



SHARON BULOVA
CHAIRMAN

COMMONWEALTH OF VIRGINIA
County of Fairfax
BOARD OF SUPERVISORS

12000 GOVERNMENT CENTER
PARKWAY
Suite 530
FAIRFAX, VIRGINIA 22035-0071

TELEPHONE 703/324-2321
FAX 703/324-3955
TTY: 711

chairman@fairfaxcounty.gov

June 22, 2010

The Honorable Robert F. McDonnell, Governor
Commonwealth of Virginia
Patrick Henry Building, Third Floor
1111 East Broad Street
Richmond, Virginia 23219

Reference: Commonwealth's Capital Contribution to the Washington Metropolitan Area
Transit Authority

Dear Governor McDonnell:

On June 22, 2010, the Fairfax County Board of Supervisors approved the Washington Metropolitan Area Transit Authority (WMATA) Capital Funding Agreement. This agreement commits Fairfax County to pay its share of WMATA's capital program for the next six years, beginning on July 1, 2010.

In a separate action, the Board directed me to write to you regarding the Commonwealth's request for representation on the WMATA Board of Directors, as communicated to the Northern Virginia Transportation Commission by Secretary of Transportation Sean Connaughton on May 26, 2010. The Board of Supervisors is concerned about the linkage between the Commonwealth's capital payment to WMATA and Commonwealth representation on the WMATA Board. If Virginia fails to make its capital payment on July 1, the Federal government has indicated that it will withhold its contribution. The District of Columbia and Maryland will likely withhold their payments as well. This will unravel the entire dedicated funding bill and will take away the vitally needed \$300 million in dedicated funding -- a vast majority of which is paid by others. Combined, these funds are essential to replacing the 1000-series Metrorail cars which have been the source of safety concerns. These funds also address other critical infrastructure improvements.

The Board of Supervisors is willing to discuss governance changes on the WMATA Board, but not in the context of the Commonwealth's capital payment to WMATA. We believe that withholding the funds for this reason is not appropriate, particularly since the Commonwealth's interest in participating on the WMATA Board is related to improving the system's safety. Delaying the July 1, 2010, payment will have the opposite effect and will impact WMATA's ability to put this critical funding to work, especially in replacing its oldest Metrorail cars. These cars have been in service for more than 30 years. Also, any delay will likely increase the cost of WMATA's capital program.

The Honorable Robert F. McDonnell
June 22, 2010
Page Two

On behalf of the Board of Supervisors, I strongly urge you to make the Commonwealth's WMATA capital match payments related to the Passenger Rail Investment and Improvement Act as promised. The County is always available to engage with you and other regional partners to discuss WMATA governance. In fact, we eagerly await the findings of the Board of Trade/Council of Governments' extensive study of governance that is presently underway.

If you have any questions or would like to discuss this request, please call me at (703) 324-2321. Thank you very much for your concern about WMATA and the safety of its users. We look forward to working with you to improve WMATA and mobility in our region.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sharon Bulova".

Sharon Bulova
Chairman

cc: Fairfax County Congressional Delegation
Northern Virginia Delegation to the General Assembly
Members, Fairfax County Board of Supervisors
Sean Connaughton, Secretary of Transportation, Commonwealth of Virginia
Thelma Drake, Director, Department of Rail and Public Transportation
Corey Hill, Chief of Public Transportation, Department of Rail and Public Transportation
Anthony H. Griffin, County Executive
Robert A. Stalzer, Deputy County Executive
Catherine Chianese, Assistant County Executive
Katharine D. Ichter, Director, Department of Transportation



RESOLUTION #2153

SUBJECT: I-95/395 HOT Lanes Request.

WHEREAS: Since the Commonwealth of Virginia's announcement of its intent to enter into a public private partnership for the construction and operation of high occupancy toll lanes in the I-95\395 corridor ("HOT lanes project"), the Northern Virginia Transportation Commission has raised a number of issues including the reliability of traffic modeling used in the project, impacts on transit and HOV usage, traffic congestion at access and egress points, safety, and impacts on local streets and neighborhoods;

WHEREAS: The Northern Virginia Transportation Commission's 2009 and 2010 legislative agendas included requests that contracts with the private sector involving conversion of existing High Occupancy Vehicle facilities to High Occupancy Toll facilities include protections ensuring that no deterioration in safety and levels of performance of transit services and high occupancy vehicles occurs, that local government concerns with congestion at points of access and egress and on parallel local streets are openly and meaningfully addressed, and that compensation will be provided to local governments forced to incur expenses to relieve congestion at access and egress points;

WHEREAS: Individual member jurisdictions of the Northern Virginia Transportation Commission directly impacted by the HOT lanes project have expressed concerns, including but not limited to Fairfax County in its April 13, 2009 letter to VDOT's District Administrator, Arlington County in its January 27, 2009 resolution, and the City of Alexandria in its March 24, 2009 resolution;

WHEREAS: The foregoing Northern Virginia Transportation Commission member jurisdictions have recently met to review the issues they have raised individually, and agree that the Commonwealth must fully respond to these issues in a satisfactory and comprehensive manner before the HOT lanes project proceeds further;

WHEREAS: The concerns raised by each of these jurisdictions are consistent with those expressed by the Northern Virginia Transportation Commission and require serious consideration and complete responses by the Commonwealth prior to consummation of a comprehensive agreement with any private partner; and



WHEREAS: The Northern Virginia Transportation Commission believes that the Commonwealth should not delay in addressing the foregoing concerns so that the HOT lanes project can move forward promptly and in a manner that provides all necessary assurances described above.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby requests the Commonwealth of Virginia to promptly engage Fairfax County, Arlington County, and the City of Alexandria in a constructive dialogue to address the issues raised by those jurisdictions, with the objective of resolving those issues to all parties' mutual satisfaction thereby permitting the project to proceed with all parties, and the public, confident that the transfer of the high occupancy vehicle facility to private, commercial control will not only benefit transportation in the corridor but will not adversely impact the local jurisdictions and residents along the corridor; and

BE IT FURTHER RESOLVED that the Northern Virginia Transportation Commission hereby directs the Executive Director to transmit this resolution to the Secretary of Transportation for the Commonwealth of Virginia.

Approved this 1st day of July, 2010.

Catherine M. Hudgins
Chairman

Mary Hynes
Secretary-Treasurer



HOPE HALLECK
CLERK TO THE
COUNTY BOARD

ARLINGTON COUNTY, VIRGINIA
OFFICE OF THE COUNTY BOARD

2100 CLARENDON BOULEVARD, SUITE 300
ARLINGTON, VIRGINIA 22201-5406
(703) 228-3130 • FAX (703) 228-7430
E-MAIL: countyboard@arlingtonva.us



MEMBERS

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CHAIRMAN
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June 22, 2010

Northern Virginia Transportation Coalition
7600 Colshire Drive, Suite 215
McLean, Virginia 22102
Attention: Robert O. Chase, President

Dear Mr. Chase:

I am writing in response to the May 28, 2010 letter signed by you and a number of representatives of business interests in Northern Virginia requesting the Arlington County Board to withdraw its lawsuit regarding the I-95\395 HOT lanes project and work with the Commonwealth of Virginia to advance the project.

You may be surprised to learn that Arlington has attempted to engage the Commonwealth in constructive discussions about its concerns with the project for some time, both before and since the suit was filed. Notwithstanding the County's efforts, the Commonwealth has been unresponsive.

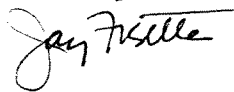
As is true for all of the localities within the project corridor, Arlington has a number of concerns about whether HOT lanes are the best way to address the serious transportation problem in the I-95\395 corridor. However, it has never been the County's goal to prevent the project from advancing. The HOV lanes have for more than forty years contributed greatly to the movement of people both through transit and high occupancy vehicles, and any changes to those lanes must not degrade that success. Arlington recognizes, nonetheless, that the highway is a Commonwealth asset and the Commonwealth has the authority to determine how it is used, including for commercial use by a private entity. Accordingly, Arlington's objectives have consistently been to protect the movement of people so the HOV lanes are not sacrificed for private financial gain, and to properly analyze and mitigate secondary impacts, such as traffic impacts on local roads and air quality degradation.

Arlington has concluded that the categorical exclusion granted by the Federal Highway Administration was improvidently granted. It is apparent that the analysis done by the Commonwealth and its private partner was deficient in a number of respects. The assurance the Commonwealth repeatedly provides that, to quote your letter, "the HOV lanes will operate better than they do today and support increases in carpooling and buses" is based on this flawed analysis. Arlington maintains that further analysis in several areas should be performed to correct the analytic deficiencies in what has been done to date. It is essential that this be done to avoid the certain gridlock that will engulf the HOV lanes and local streets at each access point, and further degrade the already seriously impaired air quality in the corridor. This further analysis can be done in a short period without extraordinary cost, and is expected to identify impacts that will need to be

addressed in the project design. Such analysis is something no one should object to. Whether it confirms conclusions reached by the Commonwealth, or identifies where additional mitigation measures are needed, the time and expense are investments to ensure not only that the project functions as the Commonwealth says it will, but also so we all do not come to regret committing the HOV resource to private hands.

As I said, despite overtures by the County to discuss a solution, the Commonwealth has thus far not responded. The concern you have expressed that the Commonwealth cannot re-examine design and access issues while the suit is pending is unfounded. The Commonwealth has consistently been re-examining design and access issues, and continues to do so. The suit precludes nothing including constructive, confidential settlement discussions. There are those who say the Commonwealth has no present intention of advancing the project and prefers to blame this on Arlington. I do not subscribe to this view and remain hopeful the Commonwealth will engage Arlington in good faith discussions so that the County's concerns, and the Commonwealth's interests, can advance.

Sincerely,

A handwritten signature in black ink that reads "Jay Fisetle". The signature is written in a cursive, flowing style.

Jay Fisetle
Chair