

MINUTES
NVTC COMMISSION MEETING – MARCH 4, 2010
NVTC CONFERENCE ROOM, ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Hudgins at 8:12 P.M.

Members Present

Sharon Bulova
Thelma Drake
John Foust
Catherine Hudgins
Mary Hynes
Rob Krupicka (alternate, city of Alexandria)
Dan Maller
Jeffrey McKay
Paul Smedberg
Christopher Zimmerman

Members Absent

David Albo
Kelly Burk
John Cook
Adam Ebbin
William D. Euille
Jay Fisette
Jeffrey Greenfield
Mark R. Herring
Joe May
Thomas Rust
Mary Margaret Whipple

Staff Present

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

Oath of Office for New Commissioners

Chairman Hudgins administered the oath of office to DRPT Director Thelma Drake and Rob Krupicka, the new alternate for the city of Alexandria. Commissioners welcomed them to NVTC.

Minutes of the January 7, 2009 NVTC Meeting

Mrs. Bulova moved, with a second by Mr. McKay, to approve the minutes. The vote in favor was cast by commissioners Bulova, Drake, Foust, Hudgins, Hynes, Krupicka, Maller, McKay, Smedberg and Zimmerman.

FY 2011 State Transit Grant Applications

Mr. Taube reported that NVTC's applications on behalf of WMATA, VRE and the commission's local jurisdictions were due February 1, 2010. To meet the deadline, NVTC staff electronically submitted the applications after they were carefully reviewed by local staff. Resolution #2140 will confirm the commission's support of these applications and is a requirement of the Virginia Department of Rail and Public Transportation.

In response to a question from Chairman Hudgins, Mr. Taube explained that the FY 2011 eligibility for NVTC's jurisdictions and WMATA is about \$14.1 million more than in FY 2010 for capital and \$1.9 million less for operations. In addition, DRPT has \$50 million in FY 2011 in its six-year program to match new federal funding for WMATA. For VRE, the FY 2011 eligibility is about \$1.2 million more than in FY 2010 for capital and about \$2.7 million more for operations. The amount of assistance actually received by NVTC for FY 2011 is likely to be much less than the eligible amount of \$249.9 million plus \$28.9 million for VRE plus up to \$50 million to match federal assistance for WMATA (unless the General Assembly acts to provide significantly greater funding).

Mrs. Bulova moved, with a second by Mrs. Hynes, to approve Resolution #2140 (copy attached). The vote in favor was cast by commissioners Bulova, Foust, Hudgins, Hynes, Krupicka, Maller, McKay, Smedberg and Zimmerman. Director Drake abstained.

VRE Items

Report from the VRE Operations Board. Mr. Zehner reported that ridership averaged 17,390 daily trips in February. VRE's top ten ridership days have occurred since January 1, 2010. On-time performance fell in February due to several mechanical problems and the effects of the snow storm, but it is back up in March. The Woodbridge second platform should be open in two weeks. Mr. Zehner stated that he and Steve Maclsaac met with DRPT Director Drake and Secretary of Transportation Sean Connaughton to provide information about the VRE system. Director Drake will ride the train on March 11th prior to a meeting with CSXT, DRPT and VRE.

Appointment to the VRE Operations Board. Mrs. Bulova announced that Fairfax County has asked that Supervisor John Cook replace Pat Herrity as a voting member of the VRE Operations Board. Even though Mr. Cook has not been sworn in at NVTC, she asked that the commission appoint him to the VRE Operations Board. There were no objections.

On a motion by Mrs. Bulova and a second by Mr. Smedberg, the commission unanimously confirmed Mr. Cook's appointment to VRE Operations Board. The vote in favor was cast by commissioners Bulova, Drake, Foust, Hudgins, Hynes, Krupicka, Maller, McKay, Smedberg and Zimmerman.

Acquisition of Brooke Property. Mrs. Bulova explained that the VRE Operations Board recommends approval of Resolution #2141, which would authorize VRE's CEO to execute a purchase agreement and related documents for two property parcels in Stafford County to expand parking at the Brooke Station. Funds will be provided from FY 2009 and 2010 CMAQ grants from VRE working capital, pending receipt of additional federal grants expected in March, 2010.

On a motion by Mrs. Bulova and a second by Mr. Smedberg, the commission unanimously approved the resolution (copy attached). The vote in favor was cast by commissioners Bulova, Drake, Foust, Hudgins, Hynes, Krupicka, Maller, McKay, Smedberg and Zimmerman.

RFP for NVTA's TransAction 2040 Transportation Plan

Mr. Taube stated that the commission is being asked to authorize the executive director to issue RFP #10-01 on behalf of the Northern Virginia Transportation Authority. NVTA has previously approved the scope of work to update Northern Virginia's

TransAction plan through 2040. As it has done previously, NVTC staff has agreed to issue the RFP and manage the \$1.2 million federal grant for this important project, which is included in NVTC's approved work program for 2010. Mr. Taube explained that the RFP would be issued on March 5th.

Mr. Zimmerman moved, with a second by Mr. Maller, to authorize staff to issue RFP #10-01. The vote in favor was cast by commissioners Bulova, Drake, Foust, Hudgins, Hynes, Krupicka, Maller, McKay, Smedberg and Zimmerman.

WMATA Items

Chairman Hudgins gave an overview of the Finance Committee meeting that was held earlier in the day, which resulted in an action to advertise a public hearing on revenue increases including fare increases, service cuts, and changes to MetroAccess. The public hearings will occur during the last week of March throughout the region.

Chairman Hudgins also announced that former New Jersey transit chief Richard Sarles has been named WMATA's new interim general manager, which is a positive step for WMATA. Mr. Zimmerman observed that Mr. Sarles has an impressive resume, having recently retired from New Jersey Transit, with more than 25 years of experience in the industry. Under his leadership, WMATA can continue to make progress during the hiring process of a permanent general manager. Mr. Zimmerman stated that in light of WMATA's current state of affairs, it is important that it does not drift while a permanent general manager is found. Mr. Sarles will be able to help WMATA make progress during the general manager search process but he does not want to be considered as a candidate for the permanent position. He will formally start on March 29, 2010.

Mr. Zimmerman observed that WMATA's proposed budget includes over \$44 million in service cuts, with a potential for a big fare increase. He predicted that the public will be very vocal about these potential changes. He also cautioned that the local jurisdictions may be asked to provide more funding. It is important to find real solutions to WMATA's short-term and long-term funding problems.

In response to a question from Mr. Smedberg concerning potential legislative initiatives regarding Metro, Mr. Zimmerman stated that the missing piece is congressional interest and finding a legislative solution to Metro funding. The federal government must be a part of the solution because the government is dependent on the Metro system. The recent snow storm affected Metro service and the government had to shut down. Over forty percent of daily rush hour riders are federal employees and Metro station locations were designed to serve the federal facilities. This is the time to have conversations with our federal representatives. Mr. Zimmerman expressed his opinion that the federal government needs to be a part of the allocation formula. It is not just about transportation dollars; it is also about a local major employer (federal government) contributing to the cost of running the Metro system. He made the

comparison that it is like the federal government paying its electric bill and this is something that needs to be treated the same where the federal government helps pay for Metro.

Mr. McKay stated that the federal government has allocated \$150 million annually for Metro (which Metro has not yet received) over ten years, but to put that into perspective, WMATA's proposed capital needs budget is \$11 billion over the next 10 years. He observed that the federal appointees on the WMATA Board are outstanding and he wants to make sure that the discussion of the need for more federal dollars does not tarnish their contribution to the Board. Mr. Smedberg agreed. In response to a question from Director Drake, Mr. Zimmerman stated that Mort Downey is the principal federal appointee and Marcel Acosta is the alternate. They both have a wealth of experience in and knowledge of transportation overall. Mr. McKay stated that there are still two federal vacancies on the WMATA Board that need to be filled. Chairman Hudgins agreed that the current federal appointees are an asset to the WMATA Board and she also observed that it is important to not lose sight of the funding issues and to help the customers understand the funding dynamics.

Chairman Hudgins announced that former WMATA general manager David Gunn has been hired as a contractor to conduct an evaluation of the WMATA organization and report back to the WMATA Board. Mr. Zimmerman also announced that Jack Requa has agreed to return as Assistant General Manager of Bus Operations.

Mr. Maller stated that it would be helpful for the WMATA Board to put together a clear and simple one-page explanation of the funding issues showing where the funds come from for WMATA. It is important to show the whole picture. Chairman Hudgins stated that it needs to be clear and concise. Mr. Maller also observed that local governments are preparing their budgets right now so there is a time sensitivity to the issue of possible increases to jurisdictional subsidies. In response to a question from Mr. Foust, Mr. Zimmerman stated that hopefully in the next few days WMATA will be able to explain in further detail the proposed \$40 million added contribution by the jurisdictions and how it would impact individual jurisdictions. In response to a question from Mr. Krupicka, Mr. Zimmerman stated that NVTC staff could distribute the information to commissioners as soon as it is released.

Mrs. Hynes predicted that the public hearings will be heavily attended by the public. She stated that it is important to create messages about the current FY 2011 budget issues but also what happens if the long-term funding issues are not resolved and how it will impact service, as well as the need for the federal government to step up and become a bigger funding partner. She stated that a great example is the recent storm when the federal government was shut down because Metro could not run. Another message should be what would be the cost to the region if there was not Metro service. Chairman Hudgins stated that since it has been built, Metro has been perceived as a critical element to the quality of life in the community as well as being important for economic development.

Mr. McKay stated that before the snow melts the WMATA Board needs to send a letter to the congressional delegation using their own federal numbers detailing the financial implications to the federal government when the Metro system shut down. It cost the federal government approximately \$160 million (\$40 million a day) when it shut down the last time because Metro could not operate. Chairman Hudgins suggested that NVTC could also send a similar letter. Mr. McKay stated that the message should come from multiple organizations.

Mr. McKay moved, with a second by Mrs. Bulova, to authorize NVTC to send a letter to the congressional delegation reminding them how important the Metro system is to the federal government.

Mr. McKay observed that if funding was not an issue, Metro could have opened earlier during the snow storm. Mr. Maller stated that it is important to remind Congress that a large percentage of Metro riders are federal employees. If the Metro system was shut down for a period of time it would become clear quickly how important the Metro system is to the federal government. Mr. McKay stated that the snow storm was an unusual event, but it would be good to include what the effect would be if Metro just did not operate.

Mr. Krupicka asked if the letter should be sent to just the Northern Virginia congressional delegation or all Members of Congress. He suggested sending it to all of them. After some discussion, commissioners agreed that it should be sent to all members. Mr. Smedberg suggested at least copying the letter and sending it to the Obama Administration via the Office of Management and Budget. This was discussed and it was concluded that the letter should only be sent to Congress members at this time. Mrs. Hynes stated that the letter should be available for the public to see it at the public hearings.

The commission then voted on the motion and it was unanimously approved. The vote in favor was cast by commissioners Bulova, Drake, Foust, Hudgins, Hynes, Krupicka, Maller, McKay, Smedberg and Zimmerman.

Legislative Items

Mr. Taube announced that the federal surface transportation program has been reauthorized through the end of March, 2010. The Federal Highway Administration is back to work and FTA can now process NVTC's grant requests. He asked Tom Biesiadny, of Fairfax County, to update the commission on the significant activity in the General Assembly. Mr. Biesiadny reported that several bills affecting NVTC have passed both houses, including HB 688/SB 25 relating to penalties for counterfeit ticket violations on VRE; HB 457 allowing the Tax Commissioner to disclose to NVTC's executive director for his confidential use tax information as is necessary to facilitate the collection of the motor fuels sales tax; and Delegate Lingamfelter's bill (HB 1329) which

closes the transportation cost loop-hole of the definition of “gross sales” and “sales price” for the 2.1 percent motor fuels tax. Mr. Biesiadny reported that HB 19 was tabled, which would have allowed PRTC to set higher fares for passengers from non-VRE jurisdictions and HB 55 was also tabled that could have capped VRE subsidy at the level of each jurisdiction’s gas tax collections.

Mr. Biesiadny continued to give a detailed report on other transit and transportation related legislation. Commissioners were provided with an updated chart of various legislative actions. He reported that a Special Session may be scheduled later this year to focus on transportation.

In response to a question from Mr. Smedberg, Mr. Biesiadny explained that the TransDominion Express is envisioned to have service between Bristol – Lynchburg – Washington, D.C. and D.C.– Richmond – North Carolina. Mr. Smedberg asked if this would have any impact on VRE service. Mr. Biesiadny stated that obviously that is a concern. The legislation did have a provision that any new service would need to coordinate with VRE and Amtrak. He explained that this bill has been carried over to 2011 by Senate Rules.

Director Drake stated that in regards to the budget amendment concerning land use development around rail stations, everyone would probably agree that having increased density around stations is a good thing, but it is not always possible. She expressed concern that this amendment is part of the budget bill and could impact Burke Centre Station. She stated that it is important to look at the big picture to make sure existing stations are not harmed. Mr. McKay stated that transit oriented development is very important and there needs to be guidelines. Chairman Hudgins stated that it is not a budget issue, but a land use issue, transportation issue and environmental issue. Mrs. Drake stated that Secretary Connaughton is very sensitive to this issue. It is agreed that there needs to be a better working relationship with DRPT and VDOT.

Regional Transportation Items

Mr. Taube reported that of the \$58.8 million of federal “TIGER” grant funds for the region, Virginia received \$30 million, which includes funding for the Transitway on Route 1 in Alexandria, improvements to Leesburg Pike (a WMATA priority corridor), and station improvements at the Pentagon and Franconia/Springfield. Mr. Zimmerman thanked all those who helped to get the grant application in by the deadline. There was value in doing the application regardless of whether it was approved, with all of the organizations working together as a regional team. Now the region has the incentive to

move forward. However, he reminded the commission that the funds need to be spent quickly.

NVTC Financial Items for December, 2009 and January, 2010

Commissioners were provided with a copy of NVTC's financial reports. Mr. Taube noted that the collections in December show a dip and in January show a substantial increase. These discrepancies occurred because the Department of Taxation was not able to process several large accounts in December and caught up in January. Commissioners should be seeing soon the results of the new 2.1 percent tax, which went into effect January 1, 2010.

Adjournment

Without objection, Chairman Hudgins adjourned the meeting at 9:30 P.M.

Approved this first day of April, 2010.

Catherine Hudgins
Chairman

Mary Hynes
Secretary-Treasurer