

MINUTES
NVTC COMMISSION MEETING – JULY 7, 2011
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Euille at 8:13 P.M.

Members Present

Sharon Bulova
Barbara Comstock
John Cook
Thelma Drake
Adam Ebbin
William D. Euille
Jay Fisette
John Foust
Mark R. Herring
Catherine Hudgins
Mary Hynes
Jeffrey McKay
Thomas Rust
David F. Snyder
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

Kelly Burk
Jeffrey Greenfield
Joe May
Paul Smedberg

Staff Present

Rhonda Gilchrest
Scott Kalkwarf
Steve MacIsaac (VRE)
Greg McFarland
Adam McGavock
Rick Taube
Dale Zehner (VRE)

Minutes of the June 2, 2011 NVTC Meeting

On a motion by Mrs. Bulova and a second by Mr. Rust, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Drake, Ebbin, Euille, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, and Whipple. Mr. Snyder and Mr. Zimmerman abstained since they were not in attendance at last month's meeting.

VTA Awards Presentation

Chairman Euille introduced Linda McMinimy, VTA's executive director. Senator Whipple and Mrs. Hudgins have been selected by the Virginia Transit Association to receive awards. Mrs. Hudgins has been honored with the VTA Public Official of the Year Award for her strong advocacy for transit in Northern Virginia. Senator Whipple is the recipient of the VTA Lifetime Achievement Award as a result of her 45 years of public involvement and being a true champion of public transportation. Chairman Euille presented their awards to them and photographs were taken with Ms. McMinimy.

VRE Items

Report from the VRE Operations Board and VRE CEO. Mr. Zehner reported that average daily ridership for the month of June was 19,212, which has increased compared to 17,091 daily ridership a year ago. On-time performance was 95 percent systemwide for the month of June (97 percent on the Manassas Line and 94 percent on the Fredericksburg Line). In order to address capacity issues, VRE reduced the Step-Up fare to encourage riders to use the underutilized Amtrak trains. It has been successful with a 117 percent increase in usage compared to last year, which translates to about 230 riders using these trains each day. This initiative has helped mitigate some of the overcrowding on VRE trains.

Extend Amended Operating/Access Agreement with Norfolk Southern. Mrs. Bulova stated that the Operations Board recommends approval of Resolution #2171B, which would extend the railroad agreement with Norfolk Southern for another six months to allow negotiations to continue.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve Resolution #2171B (copy attached). The vote in favor was cast by commissioners Bulova, Comstock, Cook, Drake, Ebbin, Euille, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, Whipple and Zimmerman. Mr. Snyder abstained since there is a reference to insurance and he works in that industry.

New Contract with CSXT. Mrs. Bulova announced that after eight years of negotiations a new contract has been completed with CSXT. Resolution #2172 would authorize execution of this new contract with CSXT for operations and access in the Washington D.C.–Fredericksburg corridor. Mrs. Bulova explained that the new contract includes \$687,000 in additional payments each year to CSXT to reflect the fact that

CSXT has not been charging access fees for portions of its track used by VRE. No retroactive payments are required for this previous omission. The incremental cost of paying these access fees is far less than the cost of insurance premiums VRE would have been responsible for if CSXT had not agreed to the reasonable cap on insurance of \$250 million. The contract also memorializes the trade-off of VRE investments in CSXT facilities in exchange for permission to operate new VRE trains. So far VRE has earned the right to operate four additional round trip trains and the new contract establishes a process for earning more new VRE trains. Mrs. Bulova stated that the 67-page contract is available for review by commissions upon request.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve Resolution #2172 (copy attached). The vote in favor was cast by commissioners Bulova, Comstock, Cook, Drake, Ebbin, Euille, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, Whipple and Zimmerman. Mr. Snyder abstained for the same reason as in the previous action.

CMAQ Grant Application on Behalf of Alexandria

Mr. Taube explained that Resolution #2173 would authorize him to apply for CMAQ funds totaling \$3.75 million from the Federal Transit Administration on behalf of Alexandria for the Route 1 Transitway project. In April of 2010, NVTC approved similar grant applications on behalf of the city for Potomac Yard, King Street Access Improvements, and Eisenhower Intermodal Station Improvements. This grant will add additional funds to the Potomac Yard Transit improvements project. The funds consist of \$1.7 of CMAQ funds approved in FY 2007 and \$2.0 million of CMAQ funds approved in FY 2008. Thus, NVTC staff will work with DRPT to flex these funds from FHWA to FTA and submit the applications to FTA for 80 percent and DRPT for 20 percent of the total.

Mr. Taube stated that the resolution also adds this project to NVTC's work program. NVTC will incur no financial obligation for this project. Alexandria requires NVTC's assistance because Alexandria is not a designated recipient of federal funds. FTA requires certification by the Department of Labor that NVTC has a labor protection agreement that is satisfactory to organized labor (under Section 13(c) of the Urban Mass Transportation Act, as amended). Mr. Taube explained that theoretically NVTC could be responsible for claims from employees that their conditions of employment have been worsened as a result of the activities funded by the grant, although such claims are exceedingly rare. Accordingly, jurisdiction staff at NVTC's Management Advisory Committee developed the approach that is included in the resolution. The jurisdictions requesting that NVTC apply for the federal funds on its behalf will protect NVTC's other jurisdictions against 13(c) claims by agreeing to provide from state aid held by NVTC whatever claims and related costs may be incurred. Local jurisdiction attorneys have had the opportunity to review this approach and have offered no objections.

This project includes the design and building of seven stations at four locations along the Route 1 Transitway. Two stations will be constructed on both sides of the

transitway at Potomac Avenue, two stations on both sides at Custis, two stations on both sides at Swann, and one station constructed at East Glebe. A temporary station will be constructed at this location in the northbound direction, and private developers will construct the permanent northbound station at a later date. If any funds remain, additional vehicles will be procured for the Transitway with these funds.

Chairman Euille moved, with a second by Mr. McKay, to approve Resolution #2173.

Delegate Rust asked if NVTC receives any kind of fee from the jurisdiction. Mr. Taube replied that these tasks are part of the commission's services to the jurisdictions. Mr. McKay commented that if NVTC is involved in this project, it gives an opportunity to reach out regionally and to work and coordinate with other jurisdictions along Route 1, which is a regional thoroughfare.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Drake, Ebbin, Euille, Fiset, Foust, Herring, Hudgins, Hynes, McKay, Snyder, Rust, Whipple and Zimmerman.

Metro Items

WMATA Governance Update. Mrs. Hudgins reported that the By-Laws should be adopted soon. The Government Accountability Office has released its report.

FY 2012 Budget. Chairman Euille reported that the WMATA Board adopted the FY 2012 budget on June 23, 2011. The \$66 million operating budget shortfall was closed with no Metrorail fare increase or service adjustments and modest bus reductions in the District of Columbia. All three jurisdictions agreed to increase their subsidies. The operating and capital budget totals \$2.5 billion.

Dulles Phase II Project Update. Mrs. Hudgins gave an update on progress being made in finding a compromise for station location and project costs. U.S. Secretary of Transportation LaHood convened a series of five meetings of the principal stakeholders and funding partners, including the Metropolitan Washington Airports Authority (MWAA), Fairfax County, Loudoun County, WMATA and the Commonwealth of Virginia, to discuss proposed project scope reductions. Mrs. Bulova noted that the Fairfax County Board of Supervisors will be discussing the proposal at its next meeting. In response to a question from Delegate Rust, Mrs. Bulova explained that the cost differential between the original estimate and the new estimate (above ground airport station) is \$330 million.

Mr. McKay stated that it is his understanding that FTA Administrator Rogoff has indicated that the Commonwealth of Virginia is looking to utilize the State Infrastructure Bank for \$150 million for the project. If this is true, he asked if the funds would need to be repaid and if they would be available to the jurisdictions being asked to be responsible for a large new share of the increased costs. Mrs. Drake stated that she cannot confirm this and there has not been an announcement from the Secretary of

Transportation's office. She did state that the Commonwealth is looking at extending the terms of the toll road lease to MWAA. Mrs. Bulova also stated that she heard that TIFIA financing is being looked at which could include a pay-back element.

Mrs. Hudgins stated that there remains a perception that this Metrorail extension is mainly for airport workers, but in fact, that is just one component of the entire project. Mr. Fisette stated that he does not understand this logic, since Dulles Airport is an international airport and there will be significant transit usage for people using Metrorail to reach the airport. He asked staff to find the source of these statements and determine if they are being used as projections.

Plans for New Fare Collection System. WMATA intends to initiate a fare collection system that will utilize cell phones, credit cards and other devices such as federal identification cards. Seven companies have submitted proposals to guide the transition. Almost \$50 million annually is budgeted to cover costs of fare collection under the current proprietary system. The new system is expected to save \$34 million per year after starting costs of \$60 million. It will first replace magnetic strip cards and eventually SmarTrip cards.

Safety Update. WMATA recently commemorated the second anniversary of the Red Line crash. WMATA is making progress to replace aging railcars, install new equipment and make other changes that are necessary to ensure passenger safety. However, there is still much work to be done.

Cinder Bed Road Bus Garage. Mr. Zimmerman stated that this project is moving forward. The WMATA Board approved a design-build contract for a new bus garage in Virginia that will replace the Royal Street garage in Alexandria. The maximum contract price is \$55 million and the entire project is budgeted at \$96 million

Update on DRPT's SJ 297 Study

Mr. Taube reported that the first meeting of the stakeholders committee was held in Richmond on June 16, 2011. NVTC is represented on that committee. There were five broad themes identified for the study:

- 1) Stability of allocations and revenue sources (including awareness of DRPT's rules and funding priorities and criteria before applications are due);
- 2) Education (advocacy);
- 3) Performance measures (with the caution that different transit systems have different objectives);
- 4) Equity and fairness;
- 5) Relationships (cooperation with DRPT and among transit providers).

Mr. Taube stated that the next meeting is scheduled for August 3rd. Draft and final reports are expected between October – December, 2011.

Adopted Virginia Six-Year Program for Transit

Mr. Taube reported that with final approval in June of the FY 2012-17 Six-Year Transportation Program, the Virginia Commonwealth Transportation Board (CTB) made some changes to the previous draft. The good news is that the final version has significantly more funding for NVTC projects compared to what was in the draft, which approaches almost an additional \$10 million, including an additional \$3 million for VRE capital and \$4.3 million for WMATA capital. However, the CTB refused to include local hybrid vehicles (non-transit) that had been approved by the Northern Virginia Transportation Authority (NVTA) for CMAQ funding. The CTB liaison to NVTA is apparently seeking to resolve this issue with his colleagues on the CTB.

Virginia Department of Taxation's Administration of NVTC's Motor Fuels Tax

Mr. Taube announced that the Virginia Department of Taxation (TAX) has hired a senior auditor who is experienced with the NVTC/PRTC tax. Progress has been made, which is demonstrated by Adjustment #6 of \$650,000. In response to a question from Senator Whipple, Mr. Taube pointed to a large reduction to the City of Fairfax and the city of Falls Church and a positive increase for Fairfax County. The cities had been warned about the adjustment and they escrowed funds to cover it.

Mr. Snyder asked if commissioners can see copies of the audit and if NVTC staff is checking the work of the auditors. Mr. Taube responded that since it is confidential information, only those allowed by statute can see it. Mr. Kalkwarf is carefully checking the work of the auditors and he is regularly meeting with TAX representatives. Mr. Taube stated that more changes and corrections are expected.

Regional Transportation Items

Update on Public Transit Access to the Pentagon Transit Center Bus Bays. Mr. Taube stated that Department of Defense (DOD) officials are seeking to alter bus bay assignments at the Pentagon Transit Center to favor DOD shuttles based in part on a flawed study. Mr. Taube stated that WMATA staff will be providing to DOD a proposed Memorandum of Understanding designed to clarify that WMATA has authority to determine access to the bus bays and layover yards. The comments on the study provided by NVTC, PRTC and WMATA were provided to DOD; however Pentagon staff has said they cannot comment on the study because the contract for the study consultant lapsed. They will be able to comment once the consultant is rehired. In response to a question from Mr. Zimmerman, Mr. Taube stated that staff will continue to monitor this issue. WMATA staff is taking the lead, but NVTC staff will update the commission at the next meeting to discuss whether NVTC should take further action.

Legislative Items. Mr. Taube announced that Congressman Mica introduced a reauthorization proposal for highways and transit totaling \$230 billion, which is significantly less than amounts previously provided. In this proposal, \$1 billion would be added to the TIFIA Grant program to strengthen it. It also references an attempt to

streamline transit grants and make it easier for the private sector to provide public transit services. In response to a question from Delegate Rust, Mr. Taube stated that the \$230 billion would be on an annual basis but it is 20-40 percent less than the current allocations. Mr. Fisetto asked staff to provide information on the impact of the Mica reauthorization proposal to the Metropolitan Washington region.

Bike Counting. Mr. Fisetto stated that Arlington County is conducting bicycle counting throughout Arlington and the data being gathered are already providing some interesting and useful information. Automatic bike counters were deployed in the fall of 2009 on the Custis and Four Mile Run Trails using in-ground loop detectors and infrared beams to collect data on trail usage, both pedestrian and bicycle. The peak use measured on the Custis Trail was almost 45,000 bike trips in June, 2010 and peak days of close to 2,000 trips. Spikes occur in morning and afternoon peaks indicating the trail (which parallels I-66) is a significant commuter route. He stated that bicycle commuting is growing. It is not just recreational usage anymore; people are biking as a commuting option. Mr. Zimmerman agreed. Mr. Fisetto stated that one can no longer dismiss cycling as a contribution to traffic congestion and air quality relief, as well as a quality of life issue.

Mrs. Bulova stated that as part of the HOT lanes project there are bicycle and pedestrian crossings over the Beltway. If the region keeps enhancing bicycle access, people will use it. Delegate Comstock asked if there is a way to determine the age of the riders. Mr. Fisetto replied that there may be some surveys that would have this information.

Report on VTA Conference. VTA held its annual conference on June 9-10, 2001 in Portsmouth. There were over 150 attendees. Chairman Euille's term as VTA president has now concluded. Among the area's awardees, in addition to Senator Whipple and Supervisor Hudgins, were Tom Whipple (Public Service), Loudoun County Transit and Arlington Transit (Honorable Mentions for Outstanding Programs), Arlington Transit (Outstanding Marketing) and VRE (Honorable Mention in Marketing). Next year's annual conference will be held in Tysons Corner and will feature a vendor exposition.

Potomac Ferry Service. The American River Taxi is the latest company to attempt to lure Washington area residents out of their cars and onto the water. In April, it launched an early morning water taxi service to shuttle workers from the Southwest waterfront to Georgetown. The 30-minute ride costs \$8 each way.

"Aging in Place, Stuck Without Options" by Transportation for America. This report examines the effects of "aging in place" on the baby boomer generation and their transportation options in the future. The study finds that the number of seniors with "poor access to transit" is increasing each year. The study recommends increased funding for transit options in areas where seniors and soon-to-be seniors are currently living. The study also calls for state DOTs and MPOs to make increased efforts to involve seniors in the planning process for future transportation services.

APTA's "Savings from Using Transit". The American Public Transportation Association publishes monthly estimates of savings due to using transit rather than driving a single-occupant automobile. As part of its efforts to promote "National Dump the Pump" day in June, APTA emphasized an average savings of \$10,074 annually based on the June 13th average price of gas nationwide (\$3.70 per gallon) and the national average rate of unreserved monthly parking in downtown business districts (\$161.56). The Washington, D.C. area is ranked 13th in the U.S. in savings (\$10,217 annually) which is well above the national average.

NVTC's Financial Items for May, 2010

Commissioners were provided with the financial report and there were no questions or comments.

NVTC's Next Meeting

Chairman Euille reported that the executive committee discussed changing NVTC's September 1st meeting to September 8th because of the Labor Day holiday. Mr. Taube stated that staff will contact commissioners to make sure a quorum can be reached for the revised date. WMATA General Manager Sarles will also be contacted since he had agreed to attend the September 1st meeting.

Adjournment

On a motion by Mr. Fisette and a second by Senator Whipple, the commission unanimously agreed to adjourn. Chairman Euille adjourned the meeting at 9:09 P.M.

Approved this eighth day of September, 2011.

William D. Euille
Chairman

Jeffrey McKay
Secretary-Treasurer