

MINUTES
NVTC COMMISSION MEETING – MAY 5, 2011
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Secretary-Treasurer McKay at 8:10 P.M.

Members Present

Sharon Bulova
Kelly Burk
Barbara Comstock
Thelma Drake
Adam Ebbin
John Foust
Mark R. Herring
Catherine Hudgins
Mary Hynes
Joe May
Jeffrey McKay
Thomas Rust
Paul Smedberg
Lawrence Webb (alternate, City of Falls Church)
Christopher Zimmerman

Members Absent

John Cook
William D. Euille
Jay Fisette
Jeffrey Greenfield
David F. Snyder
Mary Margaret Whipple

Staff Present

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

Minutes of the April 7, 2011 NVTC Meeting

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

VRE Items

Report from the VRE Operations Board and VRE CEO. Mr. Zehner reported that for April average daily ridership reached over 19,126 trips each day. Ridership continues to climb. April 12th was the highest to-date ridership day with 21,496 passenger trips and all 10 top ridership days have occurred in the last several months. On-time performance is at 88 percent on the Manassas Line and 95 percent on the Fredericksburg line for the month of April. Mr. Zimmerman noted that it is remarkable that VRE has had its top highest ridership days in the history of VRE over the last few months. Mrs. Bulova reported that the VRE Operations Board is convening a Strategic Planning Retreat this summer to address capacity issues.

Delegate Comstock left the room.

Financial Plans for the Spotsylvania Third Track and Railcar Project. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #2169, which would authorize the allocation of additional funding for the Spotsylvania Third Track project and the procurement of additional railcars. DRPT is making available an additional \$26.8 million from bond funds and VRE will require an additional \$2.2 million of matching funds (\$1.9 million for the third track and \$0.3 million for the railcars). VRE staff proposed that \$1.2 million of reserved matching funds in the FY 2011 budget, \$1.4 million of unprogrammed capital reserve funds and \$1.4 million of anticipated above budget FY 2012 fare revenue are possible sources of the new matching requirement. Mrs. Bulova explained that the third track project could be accelerated by two years.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2169 (copy attached). The vote in favor was cast by commissioners Bulova, Burk, Drake, Ebbin, Foust, Herring, Hudgins, Hynes, May, McKay, Rust, Smedberg and Zimmerman.

Mr. Webb arrived and joined the meeting.

Transit Elements of Virginia's Draft Six-Year Improvement Program for FY 2012-2017

Mr. Taube reported that Chairman Euille designated Mr. McKay to give NVTC's testimony at the public hearing on May 4, 2011. Mr. Taube stated that according to the

current draft, the total FY 2012 DRPT program (including federal funds) is up slightly from last year at \$400.4 million, which is a 2.1 percent increase from FY 2011. Also worthy of note is that NVTC's per capita transit ridership is 10 times greater than the rest of the commonwealth and its local level of effort to fund transit is more than 10 times greater than any other district. Mr. McKay observed that NVTC jurisdictions have a combined local effort of \$293 per person compared to Hampton Roads at \$36 per person. Mr. Taube also stated that highway construction in the six-year program is \$8 billion but it does not include maintenance costs, compared to rail and public transportation at \$2.3 billion and operating costs are included.

Mr. Taube stated that SJR 297 directs DRPT to conduct a study of performance, prioritization, stability and allocation, all of which could affect NVTC's state transit assistance. Mrs. Drake reported that the study is already underway. DRPT is accepting names to serve on a panel of stakeholders. She also stated that intercity passenger rail operating funds will not be looked at as part of this study.

Metro Items

WMATA Governance Update. Mrs. Hynes reported that the WMATA Governance Committee has finished the first draft of the WMATA By-Laws, which have been sent out for public comment. She encouraged NVTC to submit comments. She explained that the By-Laws are written in concrete and need to stand the test of time. WMATA's Procedures, which can be changed easier, will be used in association with the new By-Laws. The draft of the WMATA Procedures will be available May 12th for comment. Potential changes to the WMATA Compact are not addressed in the By-Laws.

Mrs. Hynes reviewed some of the highlights. She stated that the committee looked at whether to rotate the chairman position among the jurisdictions and took out wording of "serve a year" to create a possibility for change. There is also a commitment to a robust role of alternates. The Compact calls for eight voting members on the Board and that cannot be changed without legislation, but on the committee level, principals and alternates participate and vote. The By-Laws are scheduled to be approved by the WMATA Board in June, 2011.

Mrs. Burk expressed her concern that Loudoun County wants a voice on the WMATA Board when the county begins to pay for Metro service with the Dulles Metrorail Extension.

Mrs. Drake stated that the governors/mayor of Virginia, Maryland and the District of Columbia are working together to look at Compact changes, but they are waiting for the GAO Report.

Mrs. Hynes noted that there will be a roundtable discussion on May 23rd, which will be audio streamed live for anyone who is interested in listening to the discussion. Mrs. Hudgins stated that the WMATA working group would like to be engaged in

Compact change discussions with the Governors' group, because it needs to be a collaborative effort.

Delegate Comstock returned to the meeting.

Delegate May stated that he is glad to see that the By-Laws are being worked on and he asked when was the last time the By-Laws have been amended. Mrs. Hynes explained that WMATA did not have By-Laws, just Procedures. Also, WMATA is working on updating its Code of Ethics, which will also be sent out for comment. Secretary-Treasurer McKay offered to circulate a current copy of the Code of Ethics.

Mrs. Drake announced that Governor McDonnell signed the budget bill and names are being considered for the person to represent the commonwealth on the WMATA Board. She encouraged commissioners to submit names to be considered. She also reported that DRPT will be hiring a staff member to cover WMATA issues.

FY 2012 WMATA Budget. Mrs. Hudgins stated that the budget had a deficit of \$72 million but the General Manager has identified another \$6 million in cost savings, which reduces the deficit to \$66 million. Public hearings have been announced on proposed service changes. Commissioners discussed the locations of the public hearings and the need to be accessible by transit. Mrs. Hynes stated that, for Virginia, WMATA is not advertising any bus service reductions, just changes to the weekend operating hours of Metrorail service.

Vital Signs. Mrs. Hudgins stated that Vital Signs is a good tool to monitor Metro ridership and performance.

Alexandria DASH's Real-Time Bus Arrival Information System

Mr. McGavock explained that NVTC is managing the consulting project that has developed the real-time bus arrival/passenger information system currently installed and operating on Alexandria DASH. He gave an update on the project.

BRAC Developments

Ms. Quintana reminded commissioners that at the last meeting, staff was asked to investigate impediments that the Department of Defense may have to cooperating with public transit agencies. Specifically, concern was expressed regarding laws and/or regulations that prevent BRAC facilities administrators from contracting with local transit systems. Staff has concluded that there are no known current federal laws or regulations that prohibit local transit systems from providing transit service to the BRAC facilities. However, staff did discover several issues that have proved to be impediments, including Base security/ID policy, funding issues, and a fundamental disconnect regarding objectives of the Base facility and the practical needs of employees who are using transit to get to and from these facilities.

In response to Secretary-Treasurer McKay, Ms. Quintana stated that Fort Belvoir does not charge for parking. Currently, BRAC employees are transitioning over in small numbers and continue to drive alone with little challenge or difficulty in finding parking. However, once the entire transition is complete there will be roughly 30 percent fewer parking spaces than people. Instead of using the opportunity to get people into new commuting patterns, they are currently allowed to continue with the status quo, likely resulting in some serious parking problems in the very near future.

Secretary-Treasurer McKay stated that WMATA will have problems accommodating additional private shuttles at the Franconia/Springfield Metrorail station, which is the station most Mark Center employees will use. He stated that there is a limit to the number of private shuttles that can access the station without major capital improvements.

Secretary-Treasurer McKay stated that Pentagon officials have announced that they will provide \$20 million for highway improvements around the Mark Center at Seminary Road in Alexandria. But a decision by FHWA to require an environmental assessment of the proposed HOV ramp there will delay its construction for eight months. He suggested NVTC ask that FHWA reconsider. Since the ramp is being built in the existing I-395 right-of-way, a Categorical Exclusion should be used. If an Environmental Assessment is needed, the process should be shortened.

Secretary-Treasurer McKay moved, with a second by Mrs. Bulova, to authorize that a letter be sent to FHWA and the Northern Virginia congressional delegation concerning this issue.

Mrs. Bulova noted that the region is not objecting to going through proper environmental reviews, but in the I-395 corridor, it has already been reviewed. Mr. Smedberg observed that the EA review would be the same as a CE, but there would be a public review process in the EA.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Burk, Comstock, Ebbin, Drake, Foust, Herring, Hudgins, Hynes, May, McKay, Rust, Webb and Zimmerman. Mr. Smedberg abstained.

Mrs. Burk left the meeting at 9:10 P.M. and did not return.

Legislative Items

Mr. Taube stated that Congress has honored its commitment to provide \$150 million in FY 2011 for WMATA's safety and other vital capital improvements. The FY 2011 budget deal eliminated high speed rail funding (\$2.5 billion). The House-passed Budget Resolution for FY 2012 (and framework through 2021) would also impose substantial cuts in transit funding. On the state level, Governor McDonnell has signed HB 2527/SB 1446 that creates a framework to invest almost \$4 billion for Virginia's roads, rails and transit over the next three years.

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

Mr. Taube stated that NVTC wrote to TAX Commissioner Burns on March 3, 2011 approving the recommended personnel changes and reiterating concerns with misallocations of revenue. He announced that NVTC received a response from Commissioner Burns and progress is being made on the reallocation issues.

Regional Transportation Items

I-95 Transit Stakeholders Meeting. On April 12th DRPT convened a meeting of transit system representatives to discuss a consulting project underway to revisit transit improvements in light of the revised HOT Lanes project. The objective of the study is to determine cost effective transit and Transit Demand Management improvements for the I-95 corridor for 2015, 2035 and beyond. The final report is due by mid-August, 2011. Mrs. Drake stated that public hearings will be conducted this summer.

Route 7 Multi-Modal Study. NVTC staff is working to verify sources of required matching funds for the study. In response to a question from Mr. Smedberg, Mr. Taube stated that there are no immediate federal deadlines for this project. NVTC staff is also completing a draft scope of work for discussion with the stakeholders group.

NVTC Rail-Volution Proposal. Mr. Taube reported that NVTC staff submitted several proposed session topics to the Rail-Volution program committee. A decision is expected soon and if any are selected, NVTC staff will work with the appropriate jurisdictions/agencies to develop the sessions.

Dulles Metrorail Extension Lawsuit. The grounds for the class action suit on behalf of users of the Dulles Toll Road appear to mirror the challenge to regional transportation taxes that were struck down by the Virginia Supreme Court a few years ago. Those bringing the suit argue that the toll increases are a tax that is levied by an unelected body (MWAA) and are therefore unconstitutional. A refund to motorists of \$130 million is requested.

Regional Bus Priority Projects. NVTC and jurisdiction staff spoke on April 19th with representatives of the D.C. Department of Transportation about the status and implications of one such important project in the 14th Street and Theodore Roosevelt entrances to the city. Using Federal TIGER money, 82 intersections are scheduled to be part of the Traffic Signal Priority (TSP) system in which transit buses will be able to influence the signal timing to facilitate faster transit trips. As many as 200 additional intersections will receive optimization. The initial design of TSP will benefit Metrobuses but open architecture in the design will allow other transit systems to purchase compatible equipment. VDOT will be installing TSP in the Route 7 corridor.

Governor McDonnell's Transportation Challenge. As part of Virginia's celebration of Earth Day, Governor McDonnell has challenged people to use alternative transportation once every two weeks, rather than drive alone. The challenge is designed to help Virginia residents begin to shift the way they look at their daily commute and make small changes that can have a big impact on congestion on Virginia highways and the quality of the environment.

NVTC's Financial Items for March, 2010

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

Adjournment

Without objection, Secretary-Treasurer McKay adjourned the meeting at 9:18 P.M.

Approved this second day of June, 2011.

William D. Euille
Chairman

Jeffrey McKay
Secretary-Treasurer