

MINUTES
NVTC COMMISSION MEETING – JULY 5, 2012
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Fisette at 8:04 P.M.

Members Present

Sharon Bulova
Barbara Comstock
John Cook
James Dyke
William D. Euille
Jay Fisette
John Foust
Mark R. Herring
Catherine Hudgins
David Ramadan
Ken Reid
Thomas Rust
David F. Snyder
Christopher Zimmerman

Members Absent

Richard H. Black
Jeffrey Greenfield
Mary Hynes
Joe May
Jeffrey McKay
Paul Smedberg

Staff Present

Rich Dalton (VRE)
Mariela Garcia-Colberg
Rhonda Gilchrest
Claire Gron
Christine Hoeffner (VRE)
Scott Kalkwarf
Kala Quintana
Rick Taube

Oath of Office for New NVTC Commissioner

Chairman Fisette announced that Delegate David Ramadan has been appointed to serve on NVTC to fill a vacant seat. Chairman Fisette administered the oath of office to Delegate Ramadan and commissioners welcomed him to NVTC.

Minutes of the June 7, 2012 Meeting

Ms. Bulova moved, with a second by Delegate Rust, to approve the minutes. The vote in favor was cast by commissioners Bulova, Cook, Dyke, Euille, Fisette, Foust, Herring, Hudgins, Reid, and Rust. Commissioners Ramadan, Snyder and Zimmerman abstained.

VRE Items

Report from the VRE Operations Board and Chief Executive Officer. Mrs. Bulova reported that VRE's year-to-date ridership is 4.76 million passenger trips, which is an increase of 250,000 more trips compared to the same time last year. Farebox recovery is over 60 percent, which is one of the best in the commuter rail industry. Year-to-date on-time performance (OTP) is 95.3 percent systemwide, which is eight percent better than FY 2011.

Mr. Dalton, VRE's Acting CEO, stated that for the month of May the average daily ridership was 19,322. There were six days in May and nine days in June where ridership exceeded 20,000. On-time performance for the month of May kept pace with the annual average. However, in June OTP decreased slightly because of two major events, including flood restrictions on June 1st and an Amtrak incident at Union Station on June 11th which delayed 15 out of 16 VRE trains. Mr. Dalton reported that with the severe storms over the past weekend, VRE was impacted but was able to run full service on Monday morning at 100 percent on-time.

In response to a question from Delegate Rust, Mr. Dalton explained how hot weather impacts service. Speeds need to be decreased to avoid heat kinks in the rail. The speed restrictions imposed by the railroads are fully safety related.

In response to a question from Mr. Reid about how many Loudoun County residents ride VRE, Mr. Dalton stated that the VRE annual survey determines riders' place of origin and the survey results are on VRE's website.

Extension of the Norfolk Southern Operating Access Agreement. Mrs. Bulova reported that the VRE Operations Board recommends approval of Resolution #2192B, which extends the existing agreement with Norfolk Southern to January 31, 2013. The current agreement expires July 31, 2012. The purpose of the extension is to allow more time to negotiate unresolved insurance issues.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve Resolution #2192B. The vote in favor was cast by commissioners Bulova, Cook, Dyke, Euille, Fisette, Foust, Herring, Hudgins, Ramadan, Reid, Rust and Zimmerman. Mr. Snyder abstained.

Hamilton to Crossroads Third Track Project. An information memo explained that at its June 15, 2012 meeting, the VRE Operations Board approved the execution of a force account agreement with CSX for additional design work that must be undertaken by CSX for the Hamilton to Crossroads third track project. The force account agreement is in the amount of \$918,000, plus a 10 percent contingency, for a total amount not to exceed \$1,009,800.

Draft Agreement with Spotsylvania County for VRE Station Platform and Head-House. Another information memo stated that the VRE Operations Board also authorized the VRE CEO to execute a project agreement with Spotsylvania County on behalf of the commissions, in a form approved by counsel, for the design and construction of the new Spotsylvania VRE station platform and head-house. The county requested that VRE assume project management responsibility for the platform and head-house portion of the new station project including contracting for the design and construction. The cost for the design and construction will be borne by Spotsylvania County. VRE will perform the management and coordination activities on a reimbursable basis, as outlined in the project agreement.

I-66 Multi-Modal Study (Inside the Beltway)

Chairman Fisette stated that VDOT staff and consultants are in attendance to give a presentation on the final report, which was released on June 18th. Garrett Moore of VDOT introduced the study consultant, Jay Evans from Cambridge Systematics, as well as Valerie Pardo from VDOT and Amy Inman from DRPT.

Mr. Evans reviewed the highlights of the final report of the 12-month study. He explained that four multimodal packages were developed with significant transit and roadway elements, which all include bicycle/pedestrian projects, enhanced TDM strategies, and Integrated Corridor Management (ICM). The four packages are:

Multimodal Package #1 – Convert existing I-66 to a Bus/HOV/HOT lane system.

Multimodal Package #2 – Convert I-66 to a Bus/HOV/HOT lane system and add a lane in each direction.

Multimodal Package #3 – Add a Bus/HOV lane to I-66 in each direction.

Multimodal Package #4 – Enhance bus service and U.S. Route 50 Bus on Shoulder lane.

Mr. Evans explained that the report recommendation is a tiered approach for long-term improvements, which are organized into two categories: core recommendations and package recommendations. The package recommendations, which are long-term planning, are not intended to “leap frog” over the core recommendations. The core recommendations are considered top priority and include:

- Implement improvements already contained in the 2011 Constrained Long Range Plan (CLRP).
 - increasing HOV2+ to HOV3+;
 - spot improvements along westbound I-66;
 - completing the Silver Line Metrorail extension; and
 - implementing the active traffic management element of an ICM approach.
- Implement bus services and TDM measures from the 2009 DRPT I-66 Transit/TDM Study.
- Implement components of the WMATA Core Capacity Study.
- Implement I-66 Bus-on-Shoulder Pilot over the next two years. (This is outside of the I-66 Multimodal Study.)

Chairman Fisette observed that the study points to the strength of the CLRP. The tiered structure is a thoughtful approach to make progress both short and long-term. In response to a question from Mr. Zimmerman, Mr. Evans stated that the study did look at the proposed interline switch improvements at the Rosslyn Metrorail station and noted that there are some operational benefits to this switch improvement, but it was not brought forward as a recommendation. Mr. Zimmerman stated that right now it might not be justified, but for long range planning there would be substantial ridership benefit.

In response to a question from Delegate Rust, Mr. Evans stated that packages #1 and #2 convert I-66 entirely to toll and HOV usage and package #3 is basically what I-66 is today with a reversible peak lane. There are no tolls in package #3. Mr. Foust asked if the study considered what would be the impact on other roadways if I-66 was converted to a toll road. Mr. Evans replied that I-66 is an unique roadway since it is currently restricted during peak periods, so it would not push cars off I-66 as a HOV-3 or HOT facility. It actually is seen as a positive and will divert automobiles onto I-66 as HOT lanes allow for using previously unused capacity. However, for the off peak periods there would be a diversion onto other roadways.

In response to a question from Delegate Ramadan, Mr. Evans stated that the study looked at synchronization by 2040. Mr. Moore stated that this study strictly looked at I-66 inside the Beltway. Mr. Reid asked if the surveys were conducted regionwide. Mr. Evans explained that the surveys were sent to targeted zip codes and in addition special market surveys and bicycle intercepts on some bike trails were conducted. Mr. Reid asked to see the survey results. He observed that there are a lot of people

commuting on I-66 out to the Dulles Corridor and questioned if package #3 would impact these commuters. Mr. Evans stated that in the morning peak period there would still be two HOV lanes going westbound.

In response to a question from Mr. Zimmerman, Mr. Evans stated that the bicycle and pedestrian network is part of the package of goals of the study to enhance mobility and reduce congestion.

Mr. Snyder stated that he does not see the need for 24/7 HOV/HOT lanes on I-66 because it will flood traffic onto other arterial roads. Mr. Evans clarified that the study acknowledges that it may be recommended for peak period only as the appropriate way to implement it. Chairman Fisette asked staff to provide the website link to respond to Mr. Reid's request about survey results.

DRPT's Distribution of Transit Assistance for FY 2013

Chairman Fisette reviewed what has transpired since the May 15th announcement from DRPT that state transit assistance will be sent directly to WMATA and NVTC's jurisdictions. On June 20th, the Commonwealth Transportation Board (CTB) met and adopted the final SYIP including DRPT's revised policy but also passed a resolution delaying the receipt of transit assistance to NVTC and its jurisdictions until a final decision at the CTB meeting on July 18th. Tasks were identified for CTB members to work with localities and DRPT to identify a way to move forward. On June 25th Chairman Fisette met with Director Drake, CTB member Gary Garczynski and Mr. Dyke. It was a productive discussion that resulted in agreement that the primary option for a compromise would be that, with official letters from NVTC's jurisdictions, all DRPT funds would continue to be directed to bank accounts controlled and accessed by NVTC so that the NVTC Subsidy Allocation Model (SAM) could continue to be applied.

Delegate Comstock arrived at 8:46 P.M.

In response to a question from Mrs. Bulova, Chairman Fisette stated that there will be a meeting next week of finance staff of the five WMATA jurisdictions, WMATA, NVTC and DRPT. There will also be a follow-up meeting with the CTB members. In regards to DRPT's concerns about the trust fund balances, jurisdictional staff provided DRPT with an explanation. The trust fund levels are decided by the localities and not NVTC. CTB next's meeting is July 18th and in the meantime, all allocations to the five jurisdictions have been suspended.

Chairman Fisette explained that it was discovered that the final SYIP does not include any direct DRPT assistance for NVTC in FY 2013 and beyond. The draft SYIP did include \$180,000 for FY 2013 and with \$9.9 million added to the overall DRPT program, NVTC's allocation should now be \$194,000. NVTC received no notification of this change. The services provided for its jurisdictions are clearly eligible for DRPT funding. The consequence is that NVTC's approved FY 2013 budget is now \$180,000

underfunded and it is unclear who has received those funds and whether Northern Virginia has had its DRPT transit assistance reduced as a result.

Mr. Dyke reported that DRPT has stated that NVTC will be made whole in this issue. Chairman Fisette observed that this is good news. He also thanked Mr. Foust for speaking before the CTB on June 20th. All five WMATA jurisdictions were represented at that meeting.

Mr. Snyder thanked Mr. Dyke and CTB members for attempting to resolve this issue. He does not see how the public has benefited from this. The notion of withholding the return of Northern Virginia funds back to the original taxpayers, who sent much more to Richmond, is not a positive thing from the public's standpoint. However, one positive that has come out of all this is that it has united Northern Virginia. This has taken huge amounts of resources and time away from service to the public. It is not the commonwealth's money; it is the taxpayers' money. He concluded that it is important to quickly resolve this issue.

Chairman Fisette observed that learning how the SAM was developed over the last 30+ years really does reflect regional cooperation. The reality is that the Virginia Code requires NVTC's Subsidy Allocation Model to be used for WMATA funds. The Northern Virginia region is different than any other region in the commonwealth for many reasons. The fact that the localities worked together to create this formula by which they share opportunities and solve problems, is a great example of regional cooperation. It is his hope that this will not be undermined.

Authorization to Issue a Request for Proposals for a Transit Alternatives Analysis in the Route 7 Corridor (Alexandria to Tysons Corner)

Mr. Taube stated that the commission is asked to authorize staff to issue a RFP for consultants to perform an alternatives analysis in the Route 7 corridor. The RFP would be issued in July and a contract award would be recommended for approval at the October meeting. NVTC has agreed to obtain the \$350,000 federal grant money and manage the project for this alternatives analysis of high-capacity transit. Non-federal matching funds of \$87,500 are required and DRPT has accepted NVTC's request to provide half of that amount. NVTC jurisdictions (Alexandria, Arlington, Fairfax County and Falls Church) have been asked to share in providing any required non-federal match up to \$10,937.50 each.

Mr. Euille moved, with a second by Mr. Snyder, to authorize staff to issue the RFP.

In response to a question from Delegate Rust, Mr. Taube explained that the initial earmark was pursued by the city of Falls Church but now four NVTC jurisdictions are participating. In response to a question from Delegate Ramadan, Mr. Taube stated that the earmark was obtained three years ago and is due to expire in September 2012. NVTC has already begun applying for the funds.

The commission then voted on the motion and it passed unanimously. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Euille, Fisette, Foust, Herring, Hudgins, Ramadan, Reid, Rust, Snyder and Zimmerman.

NVTC Communications Plan

Chairman Fisette reported that NVTC staff has had zero time to work on the communication plan because staff has been required to devote extensive efforts to cooperate with the efficiency and consolidation study and to respond to DRPT's unexpected change in its allocation procedures. Therefore, he suggests work be temporarily suspended on this project and have staff return to the commission with a revised schedule most likely in September, 2012.

Mr. Cook stated that it seems to him that viewpoints may have changed concerning the original intent of the communications plan and he suggested revisiting what NVTC wants to accomplish. Mrs. Bulova agreed and stated that it is important to convey that NVTC is the "go to" place as a regional forum for transit. There needs to be a better label or name change to make it clear what NVTC does. Chairman Fisette agreed that views of the communication plan have evolved over the past six months.

Virginia Vanpool Incentive Program

Mr. Taube explained that by adopting Resolution #2193 NVTC would be approving a Memorandum of Understanding (MOU) with PRTC and the George Washington Regional Commission (GWRC), the sponsors with NVTC of the new vanpool program. The resolution would also authorize seeking a bridge loan in FY 2014, if needed, to the Vanpool Incentive Program of up to \$1.1 million to complete required funding and qualify for \$3.4 million in state and federal aid awarded by the CTB. The recommended source of the FY 2014 loan is state aid received by NVTC and/or NVTC jurisdiction trust funds. For FY 2013, PRTC would lend funds to the program from its undesignated, unrestricted assets. It would also lend funds in FY 2014, if needed. The loans would be repaid off the top of net Vanpool Program earnings, which are expected to be at least \$4 million annually within not more than three years following the initiation of the program. Mr Taube explained that CTB, with the strong support of DRPT, has provided the bulk of funding needed to get this project started. The funding for bridge loans may not be needed because CTB could approve additional funding next year.

Mr. Taube explained that Congress has passed the reauthorization bill which includes language concerning "soft match" that is favorable to this project. The bill allows the investments of the private sector to count as local match for federal funds. This change has been reflected in the MOU.

Mr. Zimmerman moved, with a second by Mrs. Bulova, to approve Resolution #2193, with clarification that it references the updated MOU.

In response to a question from Mr. Foust, Mr. Taube explained that the “profit” is the new federal funding coming to the region less the project expenses. Vanpoolers will be induced to participate by \$200 monthly stipends per van to compensate the owner/operators for their time and effort necessary to collect and report the data for the FTA National Transit Database. This will result in “profit” from increased formula allocations of federal transit assistance for this region that would otherwise go to the rest of the U.S. The profit will be split among the three sponsors (NVTC, PRTC and GWRC) based on the level of vanpools operating in those territories. This program does not interfere with the operations or the market rates of the private operators. Mr. Taube also explained that the program will purchase at least two vans to service disabled passengers.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Euille, Fisette, Foust, Herring, Hudgins, Ramadan, Reid, Rust, Snyder and Zimmerman.

Federal Grants for an Alternatives Analysis/Environmental Assessment in the Van Dorn/Beauregard Corridor

Mr. Taube explained that as a service to its jurisdictions, NVTC staff applies for and manages federal grants and funds when requested. Alexandria has asked NVTC to apply for a \$1 million grant (including non-federal match) to fund an alternatives analysis transit study in the Van Dorn-Beauregard corridor.

Alexandria has received a grant award of \$800,000 from FTA to fund this study of high capacity transit options. The amount will be matched by \$200,000 of local funds. This study is to be a prelude to future FTA capital funding of a project in the corridor. Alexandria has reached agreement with FTA, which will allow this effort to be a joint Alternatives Analysis and Environmental Assessment. The environmental assessment part will be funded with RSTP and CMAQ funds. Alexandria has asked DRPT to flex the funds to FTA. NVTC has been asked to apply for the FTA grant which will be funded by these flexed funds. This grant application will be made at a later date and will be in the amount of \$1,414,937.

Resolution #2194 authorizes NVTC to apply for both grants and to manage the funds. It includes the standard protective language included each time the commission takes such action. Alexandria will manage the actual work.

Mr. Euille moved, with a second by Delegate Rust, to approve Resolution #2194.

Delegate Ramadan asked why Alexandria does not manage its own grant. Mr. Taube explained that NVTC provides this specialized service to its jurisdictions and

NVTC is a designated federal grant recipient. Mr. Euille noted that Alexandria is not a designated recipient.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Euille, Fisette, Foust, Herring, Hudgins, Ramadan, Reid, Rust, Snyder and Zimmerman.

Northern Virginia Transportation and Planning Agency Efficiency and Consolidation Study

Chairman Fisette reported that work is continuing on the study requested by the Northern Virginia General Assembly delegation. The steering committee met on June 28th, which included a comprehensive presentation by TPB Director Ron Kirby who reviewed the reasons why it is not feasible to create a sub MPO in the region. The way MPO's are created makes it very difficult to make changes or to allow for a region to leave an MPO. A sub MPO could not receive any federal funding. The steering committee will share this information in its report back to the General Assembly delegation.

Chairman Fisette reported that based on a discussion between Scott York and Secretary Connaughton, it was surprising to hear that the Secretary is interested in combining all four agencies (NVTC, PRTC, NVRC and NVTA). As a result the steering committee will explore this option to determine if there is a functional way to do it or if there are reasons to do it. The options to be explored are:

- 1) Combining all four agencies (NVTC, PRTC, NVRC and NVTA);
- 2) Incorporating NVTA into NVRC;
- 3) Incorporating NVTA into NVTC.

Chairman Fisette stated that the committee is still trying to determine whether to hire a consultant to assist staff. According to Mr. York, Secretary Connaughton has offered to pay for a consultant. Chairman Fisette expressed his opinion that a consultant would need to be independent and not be working for DRPT.

Mr. Zimmerman observed that a consultant would be important for technical expertise but the consolidation issue is a governance issue. The question is if NVTC jurisdictions want to plan PRTC jurisdictions' bus service and vice versa, do PRTC jurisdictions want to discuss WMATA issues when they don't belong to WMATA. Mrs. Hudgins stated that the simplicity of this governance issue may not be easily conveyed to the General Assembly. A consultant could evaluate it and make sure the rationale makes sense.

Chairman Fisette asked General Assembly members if there needs to be a consultant to provide credibility to the process. Delegate Ramadan observed that a third party consultant would be able to look at conflicting issues, such as legal issues, and could provide more credibility. Senator Herring stated that it seems like the

steering committee is making good progress with a difficult task. Having a consultant won't make it more credible in his eyes. Delegate Rust expressed his opinion that it doesn't make a difference. He questioned whether there is enough time to hire a consultant. He expects that there is in-house expertise with jurisdictional staff that can do the work. At the end of the day, he doesn't feel that the General Assembly delegation will care who did the study. Delegate Comstock stated that she does not see that a consultant is needed to validate the study. It will be validated by including alternative ways to streamline and make efficiencies.

Mr. Cook stated that the steering committee has been focusing on the governance issues but there could be benefits to combining staff, office space, etc. A consultant could help with these types of issues from an objective perspective. Chairman Fisette stated that ultimately the recommendation will come to NVTC for discussion and approval. The commission will review this in more detail at the September meeting.

Delegate Rust asked if there are any legal, financial, or bonding issues that are "show stoppers." Chairman Fisette stated that legal counsel will be exploring the issues associated with each option and will bring it all back to the next meeting. The information received from Ron Kirby makes the sub MPO issue a "show stopper."

Mr. Zimmerman asked for one example or benefit why consolidation is a good idea. Chairman Fisette stated that one reason is travel and meeting times. Mr. Zimmerman responded that that this is an incorrect assumption because it will get worse if NVTC jurisdictions have to meet to discuss Manassas, Manassas Park and Prince William County issues and vice versa for PRTC jurisdictions. The meetings will be longer and the meeting locations will be farther away. Chairman Fisette stated that he was referring to the time savings already realized with conducting NVTA meetings prior to NVRC meetings. Mr. Zimmerman agreed that there are some advantages to these two meetings being coordinated. However, NVTA meets 2-3 times a year. He asked how many meetings have there been on this consolidation issue.

Mr. Reid expressed his opinion that the Maryland model works and he would in theory like to see the Commonwealth of Virginia follow the Maryland model and take over WMATA's subsidy.

WMATA Items

Mrs. Hudgins announced that WMATA received a 2012 Innovation Award from the American Public Transportation Association (APTA) for its approach to managing the demand for transportation for paratransit service. By streamlining its eligibility process and fine-tuning its travel training program, WMATA has enabled customers with disabilities to travel more independently, improved the rider's experience, and saved the transit agency and its stakeholders millions of dollars.

Mrs. Hudgins reported that on June 18th WMATA started enhanced rush hour service called “Rush Plus” in preparation for service on the Silver Line and to address overcrowding on the Orange Line. Rush Plus is an expansion of rush hour service that will result in additional trains, which includes 18 new Orange Line trains—three per hour in each direction. Rush Plus service is also available on the Blue, Green and Yellow Lines.

Mrs. Hudgins stated that WMATA has recognized Dominion Power for working hard to restore power to provide Metrorail service following the severe storms last weekend. There were trees and power lines down on the tracks. She also announced that the Loudoun County Board of Supervisors voted to opt in to the Rail to Dulles Phase 2 Project. There may be some changes needed to the SAM allocation model as a result. Mr. Reid expressed Loudoun’s concern about the \$13 billion WMATA overall capital plan. The county hopes it will only be billed for MetroAccess bus capital.

Regional Transportation Items

SJR 297 Study. Mr. Taube asked commissioners to look at the staff comments that were submitted. Although there are concerns, this study can be a chance to demonstrate why there needs to be more state funding for transit.

Mr. Dyke left the meeting at 9:50 P.M. and did not return.

Northern Virginia's Jobs and Tax Contributions. NVTC staff has updated calculations of state income tax yields from jobs in Northern Virginia. With about 22 percent of the Commonwealth’s population, NVTC’s jurisdictions include 27.9 percent of Virginia’s jobs, but generate 39 percent of the state income taxes (as of 2009, the most recent year available). Combined with PRTC’s jurisdictions, this region has 34.1 percent of the jobs and pays 48 percent of the income tax. On an income tax per job basis, NVTC’s and PRTC’s combined jurisdictions have a ratio 179 percent greater than the rest of the Commonwealth.

NVTC’s Staff Comments on VDOT’s Proposed New Policy to Charge a Monthly Fee for Transponders. Mr. Taube stated that NVTC staff noted the impact on carpoolers that now travel free on certain facilities but would have to rent a transponder in order to continue to avoid tolls on new Express toll facilities.

NVTC Correspondence. NVTC received a letter from Ed Tennyson commenting on DRPT’s ongoing SJR 297 study and the use of performance measures. A letter was also received from TAX Commissioner Burns to PRTC reiterating the need for a meeting with PRTC and NVTC when TAX and DMV are ready.

Other NVTC Business. Mr. Snyder recognized the work of local staff responding to the aftermath of the severe storms last weekend. He also thanked Arlington and Alexandria for sending emergency responders to assist in a critical barricade incident in Falls Church, which ended well.

NVTC Financial Items for May, 2012

The financial reports were provided to commissioners and there were no questions.

Adjournment

Chairman Fisette reminded commissioners that there is no August meeting. The next scheduled meeting is September 6, 2012. Without objection, Chairman Fisette adjourned the meeting at 9:53 P.M.

Approved this 6th day of September, 2012.

Jay Fisette
Chairman

Paul C. Smedberg
Secretary-Treasurer



RESOLUTION #21928

SUBJECT: Extension of Norfolk Southern Operating Access Agreement.

WHEREAS: The commissions currently have an operating/access agreement with Norfolk Southern relating to VRE operations in the Manassas to Washington corridor, with said agreement ending on July 31, 2012;

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

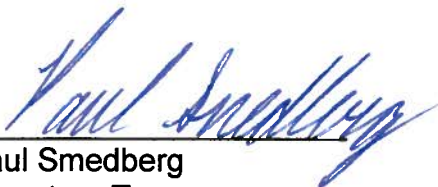
WHEREAS: A proposal to extend the existing agreement to January 31, 2013, without any changes to the existing agreement is expected from Norfolk Southern;

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

WHEREAS: Necessary funding has been incorporated into the FY 2012 and FY 2013 budgets 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, 2013.

Approved this 5th day of July, 2012.


Paul Smedberg
Secretary-Treasurer


Jay Fisette
Chairman





RESOLUTION #2193

SUBJECT: Execution of a Virginia Vanpool Incentive Program Memorandum of Understanding, Authorization of a Bridge Loan for FY 2014 and Approval of Implementation of the Project.

WHEREAS: The Northern Virginia Transportation Commission (NVTC), Potomac and Rappahannock Transportation Commission (PRTC) and George Washington Regional Commission (GWRC) are jointly sponsoring the Virginia Vanpool Incentive Program (VIP);

WHEREAS: The purpose of VIP is to promote increased vanpooling, provide assistance through marketing, rate publication, ride-matching, and payment of \$200 per vanpool for assembling and submitting data necessary to qualify for federal Section 5307 funding from the Federal Transit Administration's (FTA) National Transit Database (NTD) program;

WHEREAS: A detailed consulting study has produced a business plan, schedule and budget for VIP, which will be administered by PRTC on behalf of the three program sponsors;

WHEREAS: That consulting study estimates annual net earnings of about \$4 million approximately two and a half years after the start of the program, which will be shared among the program sponsors in proportion to vanpool miles operated in their respective territories, with NVTC's share going directly to WMATA;

WHEREAS: Given the gap between the start of the program and the receipt of federal funds, bridge funding is required, with CTB approving \$3.4 million for the FY 2013-18 Six-Year Improvement Program, leaving a current balance of \$1.6 million to be identified;

WHEREAS: Of the required bridge funding balance of \$1.6 million all but \$72,000 is not needed until FY 2014 but DRPT has asked for assurances that the entire balance is accounted for by August 1, 2012;

WHEREAS: PRTC is being asked to lend \$72,000 for FY 2013 from undesignated, unrestricted assets and both NVTC and PRTC are being asked to lend any remaining balance up to \$1.6 million for FY 2014, with two-thirds of the balance to be lent by NVTC and one-third by PRTC;



WHEREAS: PRTC's legal counsel has prepared a Memorandum of Understanding (MOU) setting forth the rights and responsibilities of the program sponsors, including terms for repaying any loans to the program; and

WHEREAS: NVTC, PRTC and GWRC are being asked to approve the implementation of the VIP program for FY 2013, with start-up work to commence early in that year and vanpool participation to start in the second half of that year.

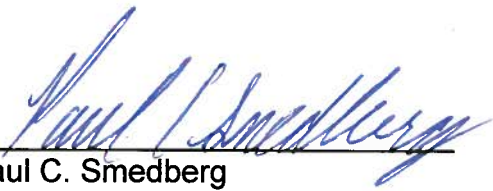
NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the Executive Director of PRTC on NVTC's behalf to begin implementation of the Vanpool Incentive Program in FY 2013 according to the procedures, budget and schedule provided by consultants in the final project business plan.

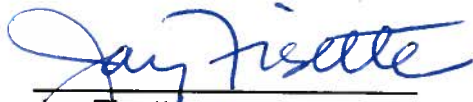
BE IT FURTHER RESOLVED that NVTC authorizes its Executive Director to execute the Vanpool Incentive Program's Memorandum of Understanding that has been prepared by legal counsel;

BE IT FURTHER RESOLVED that NVTC authorizes its Executive Director to obtain approval from its five WMATA jurisdictions to lend sufficient funds from incoming state aid taken off the top of NVTC's Subsidy Allocation Model and/or trust fund balances held at NVTC or other sources to cover NVTC's share of any balance between available revenues and budgeted program costs prior to receipt of anticipated federal Section 5307 revenues approximately two and a half years after the program implementation.

BE IT FURTHER RESOLVED NVTC authorizes PRTC's Executive Director to report to DRPT by August 1, 2012 that sufficient funds are pledged by NVTC to cover its share of any bridge funding balance required.

Approved this 5th day of July, 2012.


Paul C. Smedberg
Secretary-Treasurer


Jay Fisette
Chairman



RESOLUTION #2194

SUBJECT: Authorization to Apply for Federal Alternatives and Environmental Analysis Grants for the Alexandria Van-Dorn-Beauregard Corridor.

WHEREAS: The Northern Virginia Transportation Commission is eligible to apply for, receive and manage federal transit grants and funds;

WHEREAS: NVTC, as a service to its member jurisdictions, can also apply for, receive and manage federal transit grants and funds on behalf of those members;

WHEREAS: The Federal Transit Administration (FTA) requires grant recipients to comply with all grant requirements, including a certification from the Department of Labor regarding labor protection (Section 13(c)); and

WHEREAS: Staff of Alexandria has asked NVTC to apply for federal transit funds on their behalf and indicated that Alexandria is willing to protect NVTC against any and all 13(c) labor protection claims and related expenses using state transit assistance funds held in trust by NVTC.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission authorizes its executive director to apply to FTA for transit funding and complete all required certifications on behalf of Alexandria for \$1,000,000 (including non-federal match) to do an Alternatives Analysis Study and for \$1,414,937 (including non-federal match) to do an Environmental Assessment of the Van Dorn-Beauregard Corridor, and to manage the grant funds when received.

BE IT FURTHER RESOLVED that NVTC authorizes its staff to amend the commission's 2012 approved work program to include these grant applications and grant management tasks.

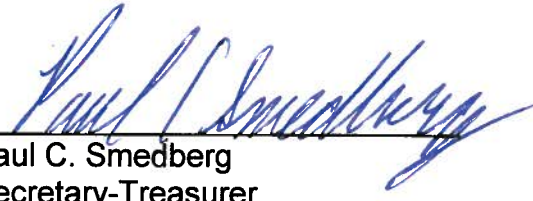
BE IT FURTHER RESOLVED that NVTC authorizes its executive director as trustee of state transit assistance received by Alexandria at NVTC, to use funds from Alexandria's accounts at NVTC and/or from future receipts of such funds, to pay any and all expenses arising from 13(c) labor protection claims and related costs (including legal fees) associated with these federal grants, after first informing Alexandria and providing appropriate documentation of the expenses.

BE IT FURTHER RESOLVED that NVTC requires its executive director to obtain from Alexandria a signed standard sub-recipient agreement before execution of these FTA grants.

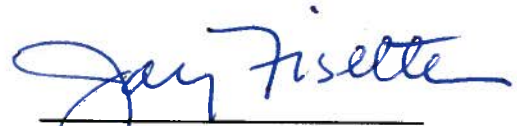


RESOLUTION #2194 cont'd

Approved this 5th day of July, 2012.



Paul C. Smedberg
Secretary-Treasurer



Jay Fiset
Chairman