

MINUTES  
NVTC COMMISSION MEETING – MARCH 1, 2012  
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Fisette at 8:07 P.M.

Members Present

John Cook  
James Dyke  
Jay Fisette  
John Foust  
Catherine Hudgins  
Mary Hynes  
Jeffrey McKay  
Ken Reid  
Paul Smedberg  
David F. Snyder  
Christopher Zimmerman

Members Absent

Sharon Bulova  
Barbara Comstock  
William D. Euille  
Jeffrey Greenfield  
Mark R. Herring  
Joe May  
Thomas Rust

Staff Present

Mariela Garcia-Colberg  
Rhonda Gilchrest  
Claire Gron  
Scott Kalkwarf  
Kala Quintana  
Rick Taube  
Dale Zehner (VRE)

## Minutes of the February 9, 2012 NVTC Meeting

Mr. Foust moved, with a second by Mrs. Hynes, to approve the minutes. The vote in favor was cast by commissioners Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Reid, Smedberg and Zimmerman. Mr. Snyder abstained since he did not attend that meeting.

### VRE Items

Report from the VRE Operations Board and Chief Executive Officer. Mr. Zehner reported that ridership for the month of February averaged 19,598 trips per day, which is down two percent or about 300 trips. VRE staff is monitoring this. The change could be linked to the decrease in the amount of the federal transit benefit from \$230 to \$125 per month. On-time systemwide performance for February was 97 percent (96 percent on the Manassas line and 98 percent on the Fredericksburg line). Mr. Zehner stated that a three percent fare increase is proposed in the FY 2013 budget. VRE will conduct seven public hearings between March 13-29 and will also be accepting written comments through April 6, 2012. Also, VRE will be celebrating its 20th anniversary this June.

In response to a question from Mr. Zimmerman, Mr. Zehner announced that VRE has partnered with Kato Model Trains to create an "N" scale model train of VRE's new locomotive and railcars. The set will be available for sale through local model train stores by the end of March. VRE has no current plans to produce "HO" scale trains.

Chairman Fisette asked about the recruitment process for a new VRE CEO, since Mr. Zehner has announced his retirement effective July 1, 2012. Mr. Zehner stated that the VRE Operations Board decided at its last meeting that VRE should hire an executive search firm to assist in the process. A RFP was issued and the Operations Board should make a recommendation for a firm at its meeting of March 16, 2012. Mr. Smedberg stated that it is a short timeframe to get someone in place before Mr. Zehner retires.

Letter to FRA/FTA Regarding a \$75 Million Grant. Mr. Zehner explained that VRE received full federal funding for a rail enhancement grant for the Arkendale Powell's Creek project. The project was put on hold because of an issue between CSX and FRA, which has not been resolved. DRPT has asked FRA to flex the funds over to FTA to be used for the third track at Cherry Hill. DRPT has asked for NVTC's support. A draft joint letter to FTA and FRA has been prepared for discussion. Other jurisdictions and agencies are also sending letters of support.

Mr. Smedberg moved, with a second by Mr. Zimmerman, to authorize NVTC's chairman to sign and send the letter. The vote in favor was cast by commissioners Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Reid, Smedberg, Snyder and Zimmerman.

### Support for Loudoun County for Phase 2 of the Dulles Rail Project

Mr. Taube stated that staff from Loudoun County, NVTC and its other jurisdictions have worked over several months to craft an agreement stating the terms that Loudoun County will receive from NVTC when Metrorail service reaches the county. Also, consistent with the terms of the Memorandum of Understanding between Loudoun County and NVTC when the county joined NVTC in 1990, NVTC will be asked to assist the county as it goes to the WMATA Board to define the terms by which the county will begin to pay for WMATA service if the county decides to proceed with the project.

Mr. Taube explained that Resolution #2187 includes a set of criteria that NVTC WMATA Board members would be asked to discuss with the rest of the WMATA Board and reach agreement. Loudoun County would pay for the Metrorail service that it receives. However, the county does not intend to receive Metrobus service and would not expect to be charged for Metrobus service. The county would also not participate in WMATA's paratransit operating fund allocations until Loudoun County decided or WMATA was required to operate that service. The exact same resolution was passed by the Loudoun County Board of Supervisors and the county formally forwarded a request to NVTC to approve the identical resolution. The resolution also deals with several NVTC issues, including the provision that Loudoun County would be eligible immediately to appoint an alternate member to NVTC and when the county "opts" into the Dulles Metrorail project the county would be eligible to vote at NVTC on Metro-related items.

Mr. Reid stated that Loudoun County wants to ensure that it receives the subsidy allocation information in time for its FY 2013 budget process and thus has requested that this information be provided within 30 days after the completion of the preliminary engineering for Phase 2 of the Dulles Corridor Metrorail project. The county would have preferred to have this request as part of the resolution. Chairman Fisette stated that since NVTC has to approve identical language, he suggested that the resolution not be changed. NVTC could still provide guidance on this issue. Mr. Reid stated that in fairness to Fairfax County, they also need to have this information.

Mr. McKay observed that there is no precedent that exists for including Metrorail-only jurisdictions in the Capital Funding Agreement Formula. He asked if Loudoun County intends at some point to have Metrobus and/or paratransit service. Mr. Reid responded that Loudoun County Transit has the highest fare box recovery ratio in the region and the county intends to maintain that bus service. He does not see Loudoun County initiating Metrobus service, although it is possible at some point for the county to opt for paratransit service. Mr. McKay noted that it would be more cost effective for Fairfax County to run only Connector buses, but the intention of regional bus service is to provide connectivity between jurisdictions. Chairman Fisette stated that it is important not to send a message that we are discouraging regional integration of bus service. Mrs. Hudgins stated that part of WMATA's long-term planning is integration of bus service.

Mr. Zimmerman stated that the bigger issue is the WMATA Compact and the need for jurisdictions to be adequately represented on the WMATA Board. If Loudoun County “opts” in to join WMATA it raises this issue again and NVTC needs to advocate for more representation on the WMATA Board.

Mr. Dyke moved, with a second by Mrs. Hudgins, to approve Resolution #2187. The vote in favor was cast by commissioners Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Smedberg, Snyder and Zimmerman. Mr. Reid abstained from the vote. (A copy of the resolution is attached.)

#### Disadvantaged Business Enterprise Policy, Program and Goal

Mr. Taube reported that federal regulations require NVTC to adopt a DBE policy, program and goal for the next three years and to provide regular reports to the Federal Transit Administration (FTA) on progress in meeting the goal. This was discussed at NVTC’s January meeting, which followed a public comment period. No comments have been received to date. Resolution #2188 would adopt the DBE policy, program and goal for a three-year period and directs staff to regularly report to FTA on progress in meeting the goal.

Mrs. Hudgins moved, with a second by Mr. Smedberg, to approve the resolution (copy attached). The vote in favor was cast by commissioners Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Reid, Smedberg, Snyder and Zimmerman.

#### NVTC By-Law Amendments

Mr. Taube explained that NVTC’s current By-Laws require action at two meetings of NVTC before any changes are adopted. The commission considered the proposed By-Law changes at its January meeting. However, since then one change has been added and on the advice of legal counsel, the commission is being asked to consider this new language at this meeting and to approve the entire package of changes at its April 5th meeting. The change is proposed to make NVTC’s By-Laws consistent with new legislation (HB480) passed in the current General Assembly session, which amends the Virginia’s Freedom of Information Act to clarify that a member of a public body is eligible to attend and observe a closed session of a committee or subcommittee of that body. The previous language considered by NVTC in January would have given NVTC’s Chairman the discretion to decide who is permitted to attend such closed meetings.

In response to a question from Mr. Smedberg, Mr. Taube stated that NVTC’s bonding levels are standard within the size of NVTC’s budget and conform to state law and therefore staff would not recommend any change.

Mr. Snyder stated that opening all meetings to commission members is a good idea. However, this amendment is listed under the Section “Other Committees” and if it applies to the Executive Committee as well, it should stand alone in the By-Laws. Mrs.

Hynes agreed that it should be separate and the section "All Committees" should be at the beginning of "Committees."

Mrs. Hynes moved, with a second by Mr. Dyke, to accept these wording changes to be considered for action at NVTC's April 5<sup>th</sup> meeting.

Mr. Snyder stated that he has no problem with adding the Fairfax County chair to the Executive Committee, but theoretically he has a problem if one jurisdiction has a majority on the Executive Committee. Mr. Taube stated that because of the way NVTC rotates its officers and the way WMATA Board members are rotated, Fairfax County would rarely if ever have a majority. Chairman Fisette stated that NVTC can always amend the By-Laws if this becomes an issue.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Reid, Smedberg, Snyder and Zimmerman.

### Legislative Items

Mr. Taube reported that in regards to HB1291, which calls for the consolidation of NVTC and NVTA, an amendment was adopted that directs NVTA to study the consolidation of NVTA, NVTC and NVRC into one or two agencies. The Senate version has the three agencies working together on the study. Chairman Fisette noted that the Senate version treats all three agencies as equals in coordination and decision making. Chairman Fisette stated that as he reads the legislation it would result in some kind of consolidation. Mr. Snyder expressed his continued opposition to consolidation. Chairman Fisette stated that NVTC is clearly on record opposing consolidation. This amendment will require NVTC to be a part of the discussion and provides time and opportunity for NVTC to help shape a better and more effective consolidation than what was originally proposed. NVTC is now "at the table" to help shape the outcome. Mr. McKay stated that there were some General Assembly members who were unaware of the financial and legal implications of a consolidation. Mr. Snyder stated that presumably with all the legal and financial ramifications, it could be recommended that consolidation should not occur. Chairman Fisette noted that there are three agencies listed and it's not clear which would be merged more logically together.

Mr. Taube stated that HB601 codifies the Commonwealth having a representative on the WMATA Board of Directors. The legislation includes some criteria for length of service of board members (maximum of two four-year terms). The Senate added language that a principal member must reside in a locality served by WMATA.

Mr. Taube also reported that legislation was passed by the House and Senate that would change the administration of the gas tax from the Department of Taxation to the Department of Motor Vehicles, which would go into effect July 1, 2013. There will be time during the next General Assembly Session to revisit this issue. With the current errors in taxpayer reporting of points of sale, staff is concerned about the lack of auditing during the transition period.

### WMATA Items

Mrs. Hudgins stated that the report “Making the Case for Transit” documents Metro’s value to the region. She also stated that according to the Vital Signs Report, Metrobus ridership is increasing. Public hearings began this month on the proposed fare increase. She stated that she will ask WMATA staff to forward the public hearing documents to NVTC and asked that NVTC commissioners forward it on to their staffs and constituents. Mr. Reid noted that railcar reliability decreased three percent during the fourth quarter and he asked if this fluctuates. Mrs. Hudgins responded that there is some fluctuation. NTSB recommended that WMATA remove the 1000 series railcars from service. WMATA has to rehabilitate some of them until they can all be replaced with newer railcars. Broken equipment results in delays. Mr. Reid asked about the projections of the fare box recovery for the Silver Line. Mrs. Hudgins stated that there are no fixed numbers, but only projections at this point. Estimates have been prepared of required activities and costs and revenues to begin operations of Metrorail in the Dulles Corridor by the middle of FY 2014.

### NVTC Communications Plan

Chairman Fisette stated that NVTC added an ambitious communications plan to its work program for 2013. The purpose is to involve NVTC’s commissioners and staff in an active effort to improve NVTC’s internal and external communications. In order to accomplish this, staff has prepared an outline which functions as a scope of work. Commissioners will play an important role in shaping its content as the plan is developed and implemented over the next several months. He stated that it will be important for commissioners to do their part and direct the process. Mr. Taube stated that the plan will guide the commission as it takes the initiative and exerts leadership to assure that NVTC is viewed across the Commonwealth as a “go-to” organization for transit strategy and innovation related to relieving congestion and accomplishing transit’s many other benefits. Mr. Taube reviewed the details of the draft plan.

Mrs. Hynes thanked staff for putting the draft plan together. She stated that it is important that the message resonate throughout the region and to get different agencies and the public to become partners working with NVTC. She suggested making connections with Chambers of Commerce, businesses and the general public. If transit goes away, everyone’s life would get bad. She stated that it is important to finalize this plan within a year. Mrs. Hudgins agreed that there is an urgent message that needs to be made about the value and transit and the need to invest in it. If transit continues to be unfunded, the system cannot be maintained.

Mr. Reid expressed his concern about this being an overly ambitious plan by hiring additional staff because it could create issues down in Richmond. Much of this work could be handled by WMATA staff which has a much larger outreach budget. He also suggested having a conference for local and state elected officials on how WMATA is funded. Chairman Fisette stated that the draft plan is meant to be big and broad and it is the job of NVTC commissioners to narrow it down and shape it over the next

months. Mr. Zimmerman reminded everyone that advocacy is one of the statutory obligations of NVTC and it would be good to cite this in any documents NVTC produces. Mr. Snyder observed that the report "Making the Case for Transit" gives NVTC the raw material to use for the content of the message.

### Regional Transportation Items

Super Nova Transit/Transit Demand Management Vision Plan. Mr. Taube reported that DRPT conducted a very well attended stakeholders' meeting. He explained that sources of funding are not included in the study, which gives rise to a fear that DRPT will choose to place recommended Super Nova improvements into the six-year program without additional sources of funding, thereby diluting the funds available for operating existing transit/TDM services. If local governments must pay for the improvements, it is impossible to ignore boundaries as is the stated mission of the study.

Mr. Zimmerman asked if NVTC is planning on weighing in on this study. Mr. Taube replied that although NVTC has not submitted formal comments, staff was invited by DRPT to participate in the stakeholders meetings where staff made comments. Mr. Zimmerman noted that it is transportation planning for a mega-region. NVTC needs to weigh in on this, including VRE service, such as third track development and reverse service; 14th Street Bridge; and Bus-On-Shoulder projects. Mr. Taube stated that NVTC could formally go on record with a letter including a list of recommendations. Chairman Fisette directed staff to prepare draft comments. Mr. Reid stated that it would be helpful to have the WMATA Board and NVTa also provide comments. The study is looking at transit but without any additional road capacity.

Chairman Fisette stated that it would be interesting to know the key points of the comments provided by the jurisdictions. In response to Mrs. Hynes, Mr. Taube stated that the plan is a vision study without concern for funding sources. Mrs. Hynes suggested jurisdictions share their comments with NVTC and its jurisdictions.

Virginia's Evacuation Transportation Plan. On January 19, 2012, VDOT and the Virginia Department of Emergency Management conducted a meeting with transit agencies to review the part of the plan addressing traffic management support functions. The goal of this project is primarily to help commuters return home in a "no-notice evacuation of the District of Columbia and surrounding areas." The emphasis is on identifying traffic control devices and necessary personnel to serve the evacuation routes and highest priority traffic control points. During discussion, several issues were brought to the attention of the consultants, including the availability of NVTC's earlier key station emergency response plans for several Metrorail stations and the existence of regional bus subcommittees at MWCOC and MATOC.

VTRANS 2035 Update. Consultants to Virginia's Office of Intermodal Planning and Investment are conducting meetings for stakeholders and requesting comments on the update. An interesting outcome of the December 14th forum was the strong association of transit, commuter and high-speed rail investments with many of the

stated goals of the plan. An exception was the Dulles Rail project which participants in other parts of the Commonwealth did not perceive as of much value to the entire state. Highway investments were viewed as being less strongly linked to the goals. Other comments included the need for dedicated funding for transit and the need to specify which “smart systems” the Commonwealth should purchase and with what funding sources. BRAC congestion and devolution were particularly hot topics among the Northern Virginia participants. The plan update will attempt to create a “performance based plan,” with evaluation measures for investment priorities. A second set of regional forums will be held later this winter and the final report is anticipated by fall of 2012.

I-95/395 Integrated Corridor Management. On February 3, 2012 NVTC hosted a table top exercise for transit operators conducted by VDOT and its consulting team, with participation from representatives of USDOT and DRPT, among others. The project is to create a concept of operations that will integrate traffic management tools and agencies using the latest technology and facilitate interoperability. The plan should take into account the physical infrastructure as well as management and operating agencies. Each transit system had the opportunity to describe their own technological innovations so that the VDOT project could include them in the concept of operations.

Value Capture Opportunities in Northern Virginia. On February 12, 2012, Stewart Schwartz of the Coalition for Smarter Growth convened a forum on value capture opportunities for funding transit, primarily in Northern Virginia. Chris Zimmerman and Rob Krupicka addressed several projects in Arlington and Alexandria. At the forum there was particular interest in identifying how to involve the Commonwealth and then encourage the General Assembly to provide incentives to local governments to use value capture techniques to fund transit. It was noted that NVTC’s study of the value of Metrorail to the Commonwealth done in 1985 helped with increased state transit assistance in the 1986 special session of the Virginia General Assembly and NVTC’s follow-up study in 1994 forecast an annual internal rate of return for the Commonwealth on its Metrorail investment of 20 percent. Participants suggested that NVTC should consider updating its earlier studies, perhaps in cooperation with Hampton Roads.

### NVTC’s Public Outreach

Mr. Taube reported that each month staff provides examples of communication with the media, the public, transit allies and others that comprise NVTC’s public outreach work program. There were no questions.



### NVTC's 2012 Handbook

Mr. Taube stated that the Handbook provides a detailed description of NVTC's history, statutory responsibilities, accomplishment, work program, legislative agenda, subsidy allocation model, By-Laws, and board member biographical sketches, among other pertinent topics. In response to a question from Chairman Fisette, Mr. Taube replied that only a few Handbooks are copied since it is available on NVTC's website.

### NVTC Financial Items for December, 2011 and January, 2012

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

### Other Administrative Items

Mr. Taube reviewed the new procedures for parking in the parking garage beneath the building. NVTC staff has asked building management to alert NVTC when the garage is filled so that staff can contact persons who plan on driving to NVTC and direct them to alternate parking locations. Mr. Taube also announced that the conference room in NVTC's office will soon have a wireless connection for the convenience of guests.

Chairman Fisette also noted that summaries of the recent NVTC's Management Advisory Committee Meetings were given to the Executive Committee, which show that much of the work is done at the staff level before even coming before the full commission.

In response to a question from Mrs. Hynes, Mr. Taube stated that the NVTC board package is available electronically on NVTC's website. Chairman Fisette directed staff to email commissioners to ask their preference in receiving their package by mail or as an email notification when it is available on-line.

### Adjournment

Without objection, Chairman Fisette adjourned the meeting at 9:35 P.M.

Approved this 5<sup>th</sup> day of April, 2012.

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Jay Fisette  
Chairman

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Paul C. Smedberg  
Secretary-Treasurer



## **NVTC RESOLUTION #2187**

**SUBJECT:** NVTC Agreement on Loudoun County's Participation in the Washington Metropolitan Area Transit Authority with the Extension of Metrorail into Loudoun County.

**WHEREAS:** The WMATA Compact requires recipients of Metro transit service to be included in the Transit Zone which requires membership in NVTC;

**WHEREAS:** When Loudoun County joined NVTC in 1990 both parties signed an agreement regarding the terms and conditions of its entry into NVTC and the WMATA Transit Zone;

**WHEREAS:** As part of that 1990 agreement, Loudoun County agreed to inform NVTC prior to its application to use or contract with WMATA for transit service or facilities so that NVTC may consider a unified proposal to the WMATA Board regarding the appropriate terms and conditions under which Loudoun County would use or contract WMATA transit service or facilities;

**WHEREAS:** The 1990 agreement between NVTC and Loudoun County recognizes that in accordance with WMATA's July 6, 1989 Resolution enlarging the NVTC geographical area that Loudoun County will not owe any duty or responsibility to WMATA at that time or until it applies for permission to use or contract with WMATA for transit services or facilities;

**WHEREAS:** NVTC staff has facilitated discussion among staff of its jurisdictions in which Loudoun County staff has proposed several conditions for which it seeks the support of other NVTC jurisdictions;

**WHEREAS:** Discussions have also occurred with WMATA staff regarding the terms by which Loudoun County would begin to receive Metrorail and possibly other WMATA transit services;

**WHEREAS:** By resolution Loudoun County has not participated in the NVTC subsidy allocation model (SAM) through which jurisdictions contracting with WMATA for transit services or facilities share state transit aid and gas tax revenues;

**WHEREAS:** Staff examined together projections of future transit expenditures and subsidies and the resulting allocations of state aid through NVTC's SAM to Loudoun County and NVTC's other jurisdictions, compared to the scenario in which Loudoun County would receive state aid directly;



- WHEREAS:** Under the most current transit projections, Loudoun County will receive less state aid initially through SAM than if the County applied directly for state aid;
- WHEREAS:** Staff of NVTC and its jurisdictions believe that the loss of state aid would be mitigated if Loudoun County were allowed to continue to apply directly for state aid for Loudoun County Transit, as it does currently, and for any other non-WMATA local transit services (e.g., feeder bus routes and ADA Paratransit services), with only Loudoun County's WMATA-related expenses included in NVTC's SAM;
- WHEREAS:** Staff recognizes that the most recent ridership survey results (2007) show that about 0.65 percent of Metrorail riders reside in Loudoun County and that in accordance with the 1990 Agreement, the County has not previously shared in the subsidies of those riders;
- WHEREAS:** Accordingly, staff is recommending that when Loudoun County begins contracting with WMATA for transit use or facilities, the County should participate in NVTC's SAM on the same terms as NVTC's other members, with the exception that only Loudoun's WMATA-related expenditures and subsidies will be included in SAM;
- WHEREAS:** With respect to the desired terms by which Loudoun County would contract with WMATA for the operating costs of Metrorail and other WMATA transit services, staff of NVTC and its jurisdictions agree that Loudoun County should be a full participant in WMATA's Metrorail operating formula when rail service to the county begins; should not be a participant in the bus operating subsidy allocation formula until/unless Loudoun County contracts with WMATA for Metrobus service and such service becomes operational; and should not be a participant in WMATA's paratransit operating funding allocations until/unless WMATA provides federally required paratransit services directly or under contract to Loudoun County;
- WHEREAS:** With respect to the desired terms by which Loudoun County would contract with WMATA for the future capital costs of Metrorail and other WMATA transit services operational in Loudoun County, staff of NVTC and its jurisdictions agree that Loudoun County should be a full participant with all privileges and rights accorded to other NVTC jurisdictions in negotiations for WMATA's next multi-year capital funding agreement covering FY 2016 and beyond; should begin to pay an equitable share of the future Metrorail projects included in that capital funding agreement beginning in the year in which Metrorail becomes operational in the County (now expected in FY 2018), and should not participate in the Metrobus-only components of the capital funding agreement unless/until Loudoun County contracts with WMATA for Metrobus service; and

**WHEREAS:** WMATA staff recognizes that no precedent exists for including a Metrorail-only jurisdiction in the Capital Funding Agreement formulas designed to allocate costs for future mixed Metrorail-Metrobus-Paratransit capital projects, or other future capital projects with system-wide benefits; further discussion is needed of various methods through which Loudoun would contribute an equitable share to these future projects based on its receipt of Metrorail-only services.

**NOW, THEREFORE BE IT RESOLVED** that the Northern Virginia Transportation Commission confirms the following:

- 1) Loudoun County is eligible immediately to appoint an alternate member to NVTC from the elected members of its County Board of Supervisors;
- 2) When Loudoun County "opts" into the Dulles Metrorail Project the County will be eligible to vote at NVTC on Metro-related items;
- 3) NVTC supports representation on the WMATA Board for Loudoun County, but not at the expense of the other NVTC jurisdictions;
- 4) When Loudoun County contracts with WMATA for Metrorail service and such services become operational in Loudoun County, the County will use the services of NVTC to submit the County's WMATA-related operating and capital reimbursement requests to DRPT (as do all other NVTC jurisdictions);
- 5) NVTC agrees to exclude from its Subsidy Allocation Model (SAM) the expenses and subsidies for Loudoun County Transit and any other non-WMATA local transit service in the County (e.g. feeder buses and ADA Paratransit service). Loudoun County has previously been a direct applicant for and recipient of Virginia Department of Rail and Public Transportation state assistance for transit services;
- 6) With the exception of #5 above, Loudoun County will be a full participant in NVTC's SAM when the County begins contracting with WMATA for transit use or facilities.

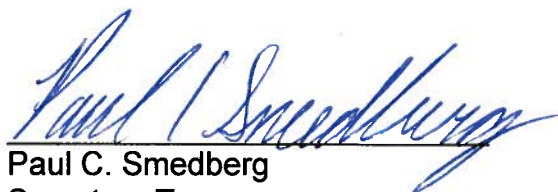
**BE IT FURTHER RESOLVED** that the objective of this action is to perpetuate an effective regional transit partnership within NVTC's district.


**BE IT FURTHER RESOLVED** that the members of NVTC agree to exercise their best efforts to seek WMATA Board approval of the following terms by which Loudoun County would begin to contract with WMATA and pay WMATA for transit services:

- 1) Loudoun County should be a full participant in WMATA's Metrorail operating subsidy allocation formula, when service becomes operational to Route 772 in the County;
- 2) Loudoun County should not be a participant in WMATA's bus operating subsidy allocation formula until/unless the County contracts with WMATA for Metrobus service, and such service becomes operational;
- 3) Loudoun County should not be a participant in WMATA's paratransit operating funding allocations until/unless WMATA provides such federally required ADA paratransit services directly or under contract to Loudoun County;
- 4) Loudoun County should be a full participant with all privileges and rights accorded to other NVTC jurisdictions in negotiations for WMATA's next multi-year capital funding agreement covering FY 2016 and beyond. Subsequent to the time that Loudoun County contracts with WMATA for services and such services become operational in the County, Loudoun County should be a full funding participant in the Metrorail-only components of that capital funding agreement. Loudoun County would not pay for the Metrobus-only components of WMATA's capital funding agreement. Loudoun County would not pay for the ADA Paratransit components of WMATA's capital funding agreement until/unless WMATA provides such federally required services directly or under contract to the County;
- 5) NVTC members will continue to encourage WMATA to discuss equitable methods to integrate a jurisdiction contracting for Metrorail-only services into WMATA's current funding formulas and practices (since those formulas and practices currently assume all jurisdictions contract for and receive the full-range of WMATA transit services).

**BE IT FURTHER RESOLVED** that the terms and conditions of the resolution apply unless the Loudoun County Board of Supervisors opts out of the Dulles Rail Project.

Approved this 1<sup>st</sup> day of March, 2012.

  
Paul C. Smedberg  
Secretary-Treasurer

  
Jay Fisette  
Chairman



## **RESOLUTION #2188**

**SUBJECT:** NVTC's Disadvantaged Business Enterprise Policy, Program and Goal.

**WHEREAS:** The Federal Transit Administration (FTA) requires recipients of federal transit assistance to adopt a three-year program, policy and goal for procurements from Disadvantaged Business Enterprises (DBE's) and to report regularly to FTA on progress in meeting the goal;


**WHEREAS:** Previously the Potomac and Rappahannock Transportation Commission adopted DBE goals and reported to FTA on behalf of itself, the Virginia Railway Express and the Northern Virginia Transportation Commission;


**WHEREAS:** FTA now is requiring NVTC to separately adopt a three-year policy, program and goal by March 1, 2012 and to regularly report to FTA on progress in meeting the goal; and

**WHEREAS:** NVTC considered its draft DBE policy, program and goal at its January 5, 2012 meeting and directed staff to seek public comments through published newspaper notices and posting on NVTC's website.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission, with due regard for the comments of the public, hereby adopts the DBE policy, program and goal for a three-year period as described in the NVTC document dated March 1, 2012, and directs its staff to regularly report to FTA on progress in meeting the goal.

Approved this 1<sup>st</sup> day of March, 2012.

  
Paul C. Smedberg  
Secretary-Treasurer

  
Jay Fisette  
Chairman

