

MINUTES  
NVTC COMMISSION MEETING – MAY 3, 2012  
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Fisette at 8:05 P.M.

Members Present

Sharon Bulova  
Barbara Comstock  
John Cook  
James Dyke  
Jay Fisette  
John Foust  
Mark R. Herring  
Catherine Hudgins  
Mary Hynes  
Jeffrey McKay  
Thomas Rust  
Paul Smedberg  
David F. Snyder  
Christopher Zimmerman

Members Absent

William D. Euille  
Jeffrey Greenfield  
Joe May  
Ken Reid

Staff Present

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

## Minutes of the April 5, 2012 Meeting

Mr. Smedberg moved, with a second by Mrs. Bulova, to approve the minutes. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, Smedberg and Snyder.

### VRE Items

Report from the VRE Operations Board and Chief Executive Officer. Mrs. Bulova reported that the average daily ridership (ADR) for the month of March was 19,171, which is a slight drop as compared to previous months. March 2012 ADR was two percent lower than last March 2011. However, year-to-date ridership nine months into the fiscal year is still 7.9 percent higher than last year. Also, there were three days in March when ridership reached over 20,000.

PRTC/VRE Personnel Policy Amendments. Mrs. Bulova explained that three amendments to the PRTC/VRE Personnel Policy are being recommended for approval by PRTC. Because VRE staff members are PRTC employees, NVTC is not required to act on these changes. The three amendments would: 1) Modify the pay scale to create three higher classifications comparable to Fairfax and Prince William counties; 2) Increase to \$500 from \$250 the maximum award bonuses at the discretion of the VRE CEO; and 3) Allow a current employee to begin a new job with VRE at the same level as an outside candidate could start, even if the resulting salary increase exceeds the current limit, but only after notification to VRE's chairman. Mrs. Bulova explained that amendment #3 would no longer disadvantage current employees seeking promotions.

Third Year of Keolis's Contract. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #2189, which would approve a contract modification with Keolis Rail Services Virginia to provide an additional \$18,008,591 to fund the third year of that firm's VRE operations and maintenance. The total contract value would be increased to \$56,507,466. Funds are available in VRE's approved budget. The resolution would also authorize several administrative changes to the contract, the exact language of which will be approved by VRE's legal counsel.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2189 (copy attached). The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, Smedberg and Snyder.

Delegate Rust observed that VRE has experienced great ridership growth and he asked what VRE's maximum capacity is and whether VRE is looking ahead to long range planning to accommodate future growth. Mrs. Bulova responded that VRE continues to address ridership growth. VRE has replaced older railcars with bi-level railcars and the new locomotives can pull longer train consists. Platforms have been extended to accommodate longer trains. VRE is also looking at other solutions, such as express service, as part of its long range planning. Mr. Cook stated that VRE will reach

its capacity ceiling soon; however, it will take a substantial amount of funding to really grow the system. In response to a question from Chairman Fisette, Mrs. Bulova estimated that maximum capacity is between 24,000 – 25,000 daily trips. Mr. Taube noted that there is a peaking issue where some of the trains are over capacity while other trains are not full. He questioned whether there could be some kind of fare incentive to get riders to use the under-utilized trains.

Mrs. Hynes asked about the feasibility of running reverse commute service for BRAC employees to get them to Fort Belvoir and Quantico. Mr. Cook responded that the problem is other rail traffic during the day.

#### Local Match for Transit Alternatives Analysis in the Route 7 Corridor (Alexandria to Tysons Corner)

Mr. Taube stated that 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. Staff of each jurisdiction has provided written assurance that they will provide these funds, but in order to expedite the transfer, staff has suggested that the commission act to authorize a one-time transfer of funds off-the-top of incoming state aid (before it is allocated using NVTC's Subsidy Allocation Model) from the portion attributable to these four jurisdictions, unless a jurisdiction intends to provide its share from another source. Resolution #2190 would accomplish this.

Mr. Snyder moved, with a second by Mr. Dyke, to approve the resolution. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, Smedberg and Snyder.

#### Authorization to Apply for a Federal Grant for Alexandria

Mr. Taube stated that as a service to its jurisdictions, NVTC staff applies for and manages federal grants when requested. Alexandria has asked NVTC to apply for a \$1 million grant (including non-federal match) to fund transit improvements in Potomac Yard. Specifically, the grant will provide for an environmental evaluation, coordinating and conducting public hearings, and preparing concept sketches and engineering estimates for a new Metrorail station. Mr. Taube stated that the grant has already been approved. Resolution #2191 would authorize NVTC staff to apply for the grant and includes the standard protective language included each time the commission takes such action. Mr. Taube explained that the resolution was corrected to reflect that the funds being requested are from STP funds and not CMAQ funds.

Mr. Smedberg moved, with a second by Mrs. Hynes, to approve the resolution (copy attached). The vote in favor was cast by commissioners Bulova, Comstock,

Cook, Dyke, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, Smedberg and Snyder.

### NVTC Communications Plan

Chairman Fisette stated that the commission is asked to consider revised messages for target audiences to achieve goals of the plan and provide further direction to staff. Mr. Taube stated that the Commonwealth Transportation Board (CTB) has scheduled a public hearing tonight on its draft six-year program and whatever messages NVTC develops at this meeting can be incorporated into a set of written comments to be provided to CTB.

Mr. Foust stated that he likes that the suggested messages are directed at the business community. He noted that "inevitable" is not a user friendly word.

Mr. Zimmerman arrived and joined the discussion at 8:27 P.M.

Mrs. Hynes stated that it is a challenge to capture people's imagination and suggested conveying a message of "Life without Transit." WMATA has already compiled data of what would happen if the Metro system disappeared and NVTC could incorporate some of this data into its message. Delegate Comstock stated that the public does not believe that it will disappear. Mrs. Hynes responded that the system will break down without proper funding and maintenance. Delegate Comstock suggested refining the idea to what happens to the region if transit is lost for a day. She also asked if there are comparisons that can be made between WMATA and other transit systems across the country, in areas of wages, savings, improvements, usage, etc. Mr. Zimmerman stated that there are such statistics available. WMATA ranks second in the nation for delivering the most people but would be ranked lower in the level of investments made in the Metro system. Chairman Fisette stated that it could be a message that the region is spending taxpayers' money wisely.

Mr. Cook expressed his opinion that there cannot be one single message. It depends on the target audience. It is important to convince people to use transit because of quality of life issues, cost savings, more reliable service, etc. For the general public it is important to show how much traffic is taken off the roads and how that personally affects them. For elected officials, the message should be related to policy issues. He suggested developing 4-5 target audiences with individual stated goals. Mr. Snyder agreed that the message should be audience specific. He observed that many young people use the Metro system. He suggested conducting a survey (or using existing survey results) to be able to give an economic message, including the real costs of commuting by automobile.

Chairman Fisette asked for input from NVTC's General Assembly members. Delegate Rust stated that it is important to educate the general public and then urge them to talk with their General Assembly members. Senator Herring observed that there is a perception that Northern Virginia can afford everything and the region does

not need help from Richmond. Mrs. Hudgins agreed that it is important to educate the public. A survey may be a good idea. She agreed that a day without transit would be a good message.

Mrs. Hynes stated that it is important to communicate the message to other agencies, such as VML, VACO, VTA, etc., so they also see the need for more funding and to become advocates alongside NVTC. Mr. Dyke stated that it is also important to communicate the message to business groups in other areas of the state. On the flip side, it is important for this region to understand their issues in order to build better relationships.

Mr. Foust stated that he likes the use of the word “imagine,” such as to imagine a world without congestion. Mr. McKay stated that the younger generation focuses on environmental sustainability so it is important to not underestimate the environmental benefits of transit. Mrs. Bulova also observed that there are time savings associated with commuting. VRE service is attractive to riders because they can use their time efficiently and work while they commute. Mrs. Hynes noted that this why the Loudoun County Transit service is so successful.

Chairman Fisette stated that a picture is worth a thousand words. NVTC may need a professional consultant or focus groups to help craft the message. Mrs. Hynes suggested NVTC glean information from the focus groups already conducted by WMATA and the Mobility Lab in Arlington. She also suggested having a contest to get public participation. Delegate Comstock suggested using social media to reach out to the public.

Chairman Fisette suggested that this topic be discussed again at next month’s meeting.

#### Preliminary State Aid for Transit in FY 2013

Chairman Fisette directed staff to use creativity in the CTB testimony based on the last agenda item discussion. Mr. Taube reported that DRPT has recommended the allocation of state transit assistance for FY 2013 and CTB has included recommendations in its preliminary Six-Year Improvement Program. After considering public comments, CTB will adopt its final program in June, 2012. Mr. Taube stated that the Northern Virginia region will be receiving 86.3 percent of total state transit assistance in FY 2013. He asked if it is counterproductive to continue to point out statewide shortfalls of the 95 percent target established for transit assistance. Mrs. Hynes suggested another way to present it would be to show what the region could do with every additional \$10 million. Mr. Dyke agreed that it is important to craft the message differently.

## Legislative Items

State Legislative Update. Mr. Taube reported that a budget was approved with an additional \$9.9 million for transit operating assistance statewide. Governor McDonnell is expected to offer any of his amendments to the budget with a General Assembly session to consider any such amendments to be held on May 14<sup>th</sup>. Senator Herring asked staff to inform NVTC's General Assembly members of any changes prior to the special session.

Federal Legislative Update. Mr. Taube reported that the APTA legislative summary describes the action by the House of Representatives to approve a "skeleton" multi-year surface transportation authorization bill for the purpose of permitting a conference committee to begin work. The Senate version includes increased expenditures and restoring the monthly tax-free transit benefit to \$240.

Study of Northern Virginia Transportation/Planning Agency Efficiency and Consolidation. Chairman Fisette reported that Chairs and Vice-Chairs of NVTC, PRTC, NVRC and NVRTA were invited to a meeting (open to the public) to discuss how to proceed with the study requested by the Northern Virginia General Assembly Delegation. The meeting was held on May 2<sup>nd</sup> at NVRC. Chairman Fisette provided highlights of the meeting. He stated that the issue of hiring a consultant is still unresolved. Since there is a great deal of work to be done, it was decided to request an extension until mid-November to allow the issues to be fully vetted. He asked the General Assembly members about their views on an extension. Delegate Rust stated that he would support the extension.

Mr. Smedberg reported that there was a philosophical discussion of what constitutes this "region." It was suggested at the meeting that representatives of the McDonnell Administration be asked to attend a meeting and share their goals of a consolidation as well as a Northern Virginia MPO. Delegate Rust observed that other regional planning boards in the Commonwealth have comprehensive transportation planning. Mr. Zimmerman stated that this region is unique because it also encompasses Maryland and the District of Columbia. Mrs. Bulova observed that NVRTA serves as a sub MPO. Mrs. Hudgins stated that there are no cross jurisdictional issues in Hampton Roads and therefore, its MPO functions differently than it would in this region.

## WMATA Items

Mrs. Hudgins stated that the WMATA has engaged in discussions with Loudoun County. A 30-day extension has been granted for the "opt-out" piece since there are still outstanding questions that need to be answered.

## Regional Transportation Items

Transportation Demand Management Information Sharing Session. Mr. Taube reported that on March 30<sup>th</sup> TDM agency representatives met at PRTC to review best practices. Those agencies represented include GW Ride Connect, Rappahannock and Rapidan Regional Commission, Loudoun County, Fairfax County's Ridersources, Dulles Area Transportation Association, DRPT, Alexandria, PRTC and NVTC.

Mrs. Hudgins left the meeting at 9:39 P.M. and did not return.

Fairfax Countywide 2050 Transit Network Study. Fairfax County's DOT has begun its study with the goal of developing a long-range network of high quality transit corridors to accommodate economic growth. Modes and station locations will be developed for each corridor, as well as rights-of-way impacts, ridership, costs and revenue estimates. An initial on-line survey of residents will gather input on existing travel conditions and types of transit expansion of greatest value. The work will take 18 months to be completed in the summer of 2013.

Virginia Transit Association Conference. Mr. Taube reminded commissioners that VTA's annual conference will be held in Tysons Corner on May 17-18, 2012. Sharon Bulova will receive VTA's 2012 Public Official of the Year award.

SuperNova Transit/TDM Plan. A stakeholders meeting was held on April 25<sup>th</sup> in Arlington and a series of public meetings will occur in May, including one such meeting in NVTC's Navy League building on May 24<sup>th</sup> at 6:30 P.M. At the stakeholders meeting the consultants provided a summary of the progress of the study and reported on feedback received at earlier public meetings and from on-line surveys. Group discussions then occurred regarding big and innovative ideas for improving transit and TDM, assuming sufficient funds were available.

I-66 Multi-Modal Study (Inside the Beltway). Mr. Taube reported that VDOT and DRPT's study, to identify multi-modal solutions to reduce congestion in the I-66 corridor between I-495 and the Theodore Roosevelt Bridge, commenced in July 2011. The consulting team, with the assistance of the Participating Agency Representatives Committee (PARC) developed and evaluated 11 mobility options. The team has identified four packages of mobility options which it will continue to study. All proposed packages assume planned changes to HOV restrictions identified in MWCOT/TPB's 2040 National Capitol Region Long Range Transportation Plan (CLRP), including HOT Lanes on I-95 and I-495 and HOT 3+ for I-66 and the Dulles Toll Road. In response to a question from Mr. Snyder, Mr. Taube stated that NVTC has not commented on the study. Staff is continuing to monitor it.

Capital BikeShare. Arlington County and the District Department of Transportation (DDOT) launched Capital BikeShare (CaBi) in September 2010. CaBi provides members access to bicycles for short-term use. Users must purchase an annual or casual membership in order to use the service. Membership fees range from \$7 for a 24-hour membership to \$75 for an annual membership. The first 30 minutes

are free and then users are charged a usage fee. Members may use an available bicycle at any station in the system, and may return it to any station. Stations are currently located in the District and Arlington, and will be expanding to Alexandria later this year. In its first year of operations, CaBi registered 101,118 new members who logged 922,065 trips.

I-95 Express Lanes Transit/TDM Transportation Management Plan. VDOT is currently in the process of preparing a draft Transportation Management Plan (TMP) for the I-95 HOT (Express) Lanes project. The TMP will ensure that travelers, residents, and businesses are informed and the impacts of construction activities are mitigated in the corridor. The TMP Working Group is concentrating on transit and TDM strategies that can be implemented during the period of construction.

### NVTC Correspondence

Letters to NVTC from Mr. Tennyson. Mr. Taube directed the commissioners' attention to the letter received by Mr. Tennyson taking issue with several of WMATA's estimates contained in Making the Case for Transit. He finds annual cash benefits from Metrorail of \$6.5 billion, including a \$3 billion savings on fuel and \$3 billion from greater property tax receipts. Another letter from Mr. Tennyson provides further information about the relative performance of Bus Rapid Transit and passenger rail projects.

NVTC Letter to TAX and DMV. Mr. Taube reported that NVTC received a response from the Department of Motor Vehicles (DMV). The letter points out that DMV does not assume responsibility for administering the motor fuels tax on behalf of NVTC and PRTC until July 1, 2013. However, DMV Commissioner Holcomb stated that the department is committed to work with the commissions to develop a program that will assure the region's tax dollars are protected. He promised to convene a meeting to discuss the transition. No reply from the Department of Taxation has been received.

Letter from the Federal Railroad Administration. At the request of DRPT, NVTC wrote to FRA asking to shift a grant to FTA as a means to end an impasse over release of the funds for improvements that would benefit VRE. FRA's Administrator Szabo has responded negatively.

### NVTC's Public Outreach

Commissioners had no questions on the report provided.

### NVTC Financial Items for March, 2012

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



Adjournment

Without objection, Chairman Fisette adjourned the meeting at 9:44 P.M.

Approved this 7th day of June, 2012.

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Jay Fisette  
Chairman

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Paul C. Smedberg  
Secretary-Treasurer



## RESOLUTION #2189

**SUBJECT:** Third Year of Keolis's Contract.

**WHEREAS:** On October 16, 2009, the VRE Operations Board recommended a contract with Keolis Rail Services Virginia for VRE operating and maintenance services and mobilization in the amount of \$18,459,348 through June 30, 2011;

**WHEREAS:** A contract amendment was recommended on December 17, 2010 to add \$2,085,000 to the contract value to reflect service enhancements, higher than anticipated insurance costs, items added during negotiations, contingency funds, and to remove the requirement that Keolis indemnify VRE for all liability claims arising from the contract service with a value of up to \$5,000,000;

**WHEREAS:** On May 20, 2011, the Operations Board recommended the second contract year, through June 30, 2012, in the amount of \$17,954,527 for a total contract value not to exceed \$38,498,875; and

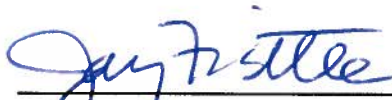
**WHEREAS:** On April 20, 2012, the VRE Operations Board recommended the third contract year as well as administrative contract amendments proposed by VRE staff.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to modify the contract with Keolis Rail Services Virginia, LLC for operating and maintenance services by approving up to \$18,008,591, for a total contract value not to exceed \$56,507,466, for the third year of operations through June 30, 2012.

**BE IT FURTHER RESOLVED THAT** the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to make administrative contract changes as approved by VRE Counsel to include maintenance of the new warehouse at Crossroads Yard, an update to procedures to specify staff level representatives by position, the replacement of staff names with position titles and an amendment to the invoice requirements for maintenance of equipment to support more comprehensive analysis of these costs.

Approved this 3<sup>rd</sup> day of May, 2012.

  
Paul C. Smedberg  
Secretary-Treasurer

  
Jay Fiset  
Chairman





## RESOLUTION #2190

**SUBJECT:** Local Matching Funds for Transit Alternatives Analysis in the Route 7 Corridor (Alexandria to Tysons Corner).

**WHEREAS:** The Northern Virginia Transportation Commission has agreed to obtain the federal grant and manage the project to complete a transit alternatives analysis in the Route 7 corridor (Alexandria to Tysons Corner);

**WHEREAS:** The \$350,000 federal grant requires a non-federal match of \$87,500;


**WHEREAS:** Staff of Alexandria, Arlington, Fairfax County and Falls Church have agreed to share equally in providing any remaining non-federal match after the Virginia Department of Rail and Public Transportation has provided half; and

**WHEREAS:** The federal grant expires in September, 2012 and to expedite the process of transferring any required non-federal match, staff of the four participating jurisdictions have requested that NVTC authorize a one-time transfer of funds off-the-top of state aid from the portion attributable to those four jurisdictions, unless a jurisdiction intends to provide its share from another source.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby authorizes its executive director to obtain any remaining required non-federal matching funds for the commission's high-capacity transit feasibility study in the Route 7 corridor between Alexandria and Tysons Corner, by taking up to \$10,937.50 off-the-top of state transit assistance received by NVTC on behalf of each of the cities of Alexandria and Falls Church and the counties of Arlington and Fairfax. However, any of those jurisdictions may state in writing that its share will be provided from some other source.

Approved this 3<sup>rd</sup> day of May, 2012.

  
Paul C. Smedberg  
Secretary-Treasurer

  
Jay Fisette  
Chairman





## **RESOLUTION #2191**

**SUBJECT:** Authorization to Apply for a Federal Grant for Alexandria.

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

**WHEREAS:** NVTC, as a service to its member jurisdictions, can also apply for, receive and manage federal transit grants 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 \$1.0 million of STP funds (including non-federal match) for transit improvements in Potomac Yard.

**BE IT FURTHER RESOLVED** that NVTC authorizes its staff to amend the commission's 2012 approved work program to include this grant application.

**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 this FTA grant.



Approved this 3<sup>rd</sup> day of May, 2012.

A handwritten signature in blue ink, reading "Paul C. Smedberg".

Paul C. Smedberg  
Secretary-Treasurer

A handwritten signature in blue ink, reading "Jay Fisette".

Jay Fisette  
Chairman