

MINUTES  
NVTC COMMISSION MEETING – APRIL 4, 2013  
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

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

Members Present

Sharon Bulova  
John Cook  
James Dyke  
Jay Fisette  
John Foust  
Catherine Hudgins  
Mary Hynes  
Jeffrey McKay  
Ken Reid  
Thomas Rust  
David F. Snyder  
Christopher Zimmerman

Members Absent

Richard H. Black  
Barbara Comstock  
William D. Euille  
Jeffrey Greenfield  
Mark R. Herring  
Joe May  
David Ramadan  
Paul Smedberg

Staff Present

Doug Allen (VRE)  
Kelley Coyner  
Rhonda Gilchrest  
Claire Gron  
Scott Kalkwarf  
Kala Quintana

Chairman McKay suggested that while the Commission waits for a jurisdictional quorum, they discuss the agenda items that do not require action. There were no objections.

### Legislative Items

Chairman McKay announced that on March 25<sup>th</sup> Governor McDonnell proposed amendments for the transportation funding bill (HB 2313), budget, and other bills that were considered during the General Assembly veto session held April 3, 2013. Delegate Rust stated that the amendments were non-controversial and were passed by both houses during the veto session.

Noelle Dominguez of Fairfax County staff reported that the final vote was 64-35 in the House and 26-12 in the Senate. NVTA will begin meeting more regularly and working groups will be convened in anticipation of receiving the new revenue.

Mrs. Hynes asked about the VRE Operations Board weighted voting issue included in HB 2152. Ms. Dominguez reported that HB 2152 passed and was signed by the Governor, and that the enactment of the weighted voting issue is not effective until July 1, 2014. Mrs. Bulova stated that delayed implementation will give VRE time to work through the issue. Mrs. Hynes asked whether this legislation affects NVTC's quorum requirements. Ms. Dominguez replied that the legislation does affect transportation commissions and their quorum requirements.

In response to a question from Mr. Fisette, Delegate Rust stated that Attorney General Cuccinelli initially questioned the regional components of the bill because they were defined by geographic areas. The bill was rewritten in the Governor's amendments to be defined by certain metrics including population, vehicle miles traveled, transit trips, etc. Attorney General Cuccinelli stated this addressed his concerns about the constitutionality of the legislation.

Commissioners discussed the possibility of litigation against HB 2313. Mr. Snyder recalled that the past litigation regarding NVTA funding caused administrative problems after the courts ruled against it. Mr. Zimmerman noted that the dilemma is whether NVTA should wait on possible litigation or proceed as it did before. Delegate Rust stated that he would counsel NVTA to be ready to implement, but not spend funds now.

### WMATA Items

Mrs. Hudgins announced that as part of its Customer Service Action Plan, WMATA has launched a new mobile website to give quick access to Metro information for customers through their smart phones.

Chairman McKay asked Mrs. Hudgins for more information on the revenue variance. Mrs. Hudgins replied that revenues are still below budget projections. Mrs. Hynes stated that furloughs caused by sequestration may decrease revenues. It is anticipated that the greatest impact will be in the next fiscal year since the \$240 transit benefit will continue through this calendar year. There is a decline in both rail and bus ridership which is due to several weather-related incidents.

Chairman McKay reported that WMATA General Manager Richard Sarles is scheduled to attend NVTC's May 2nd meeting to provide a briefing on WMATA's strategic plan called Momentum.

### DRPT Report

Mr. Dyke reported on several DRPT initiatives. He stated that the Commonwealth is committed, irrespective of the outcome of sequestration, to paying its \$50 million share for Metro service. Mr. Dyke also said that it is his understanding that Maryland and the District of Columbia are also committed to providing their share. The SuperNova study is complete and the consultant procurement process is underway. Mr. Dyke stated that the word "may" was changed to "shall" in the Governor's Biennial Budget Bill in regards to the VRE track lease payment issue.

Mr. Dyke reported that the first meeting of the Transit Service Delivery Advisory Committee (TSDAC) is scheduled for April 8<sup>th</sup>. Chairman McKay asked if there is any indication as to how long the advisory committee will meet and if there is a deadline for the committee's recommendations. Joe Swartz of DRPT stated that he is not aware of an actual timeline but DRPT wants to issue the extra operating funds by the end of the calendar year. Therefore, decisions need to be finalized in November in order for the funds to be released by January 1, 2014. In response to another question from Chairman McKay, Mr Swartz stated that the revenue flow of existing funds will not be impacted even if the committee's recommendations take longer. Mr. Dyke stated that he will report back to NVTC on any timeline or completion date.

Mr. Zimmerman asked if more members will be appointed to the TSDAC committee. Mr. Dyke stated that he believes the committee roster is complete. Mr. Zimmerman questioned the lack of representation from Northern Virginia. Mr. Dyke stated that the region is indirectly represented by VML, VACO and VTA. Ms. Dominguez of Fairfax County reviewed the committee membership which was defined in the legislation:

<u>Organization</u>	<u>Appointment</u>
VML	Cindy Mester (City of Falls Church)
DRPT	Steve Pittard (DRPT)
	Kevin Page (DRPT)
	Roger Cole (CTB)
VACO	John McGlennon (James City County)
VTA	Al Harf (PRTC)
	Donna Shaunessey (JAUNT)
CTAV	Ken Pollock (Bay Aging)

Mr. Zimmerman noted that 75 percent of all transit in the Commonwealth is located in Northern Virginia and one-third of all transit trips in the Commonwealth begin and end in Arlington County. The amount that is paid by Fairfax County, Arlington County and the City of Alexandria dwarfs the rest of the Commonwealth in all aspects of transit. This committee has been charged with critical task and doesn't have representation from the most transit-intensive, transit paying jurisdictions in the entire Commonwealth. Mrs. Hynes stated that NVTC should be represented in some manner on the committee.

In response to a question from Mrs. Hudgins, Chairman McKay stated that TSDAC will be dealing with the performance metrics, which will drive the allocation of all future funding above today's baseline.

Mr. Reid arrived at 8:36 P.M. and joined the discussion. With his arrival, NVTC reached its quorum requirements.

Mrs. Hudgins moved, with a second by Mrs. Bulova, to authorize NVTC to send a letter formally requesting representation on the TSDAC committee. Mr. Fisette asked for clarification if NVTC is requesting a member of NVTC or a representative of one of the jurisdictions to serve on the committee. Chairman McKay stated that the first step is for NVTC to seek a seat at the table and then NVTC could determine whom to select. Mr. Fisette stated that it is his understanding that the legislation included specific language regarding which organizations would be represented and how many members would be appointed by that body. Ms. Dominguez concurred. Mr. Dyke observed that NVTC is looking for an avenue to have significant input into the process, which does not necessarily have to be an official member of the committee. The initial step should be for NVTC to approach these organizations to see if they would change their appointments to allow NVTC to have a place at the table.

Chairman McKay reviewed the motion which would authorize NVTC's chairman to send a letter to VML, VTA, VACO and DRPT (with a copy to CTAV) asking that NVTC be represented on the TSDAC committee.

Mrs. Hynes observed that the TSDAC committee agenda does not include any discussion about the concerns expressed over the last year by transit operators and other entities. NVTC should also request that this be added to the TSDAC agenda so

that all the members receive a compilation of those concerns. Chairman McKay stated that most of the concerns were captured and cataloged by VTA and he is optimistic that the VTA representative would bring these to the attention of the committee. Mrs. Hynes stated that it is also important to make these concerns known to the public.

The comments made by Commissioners were accepted as friendly amendments. The Commission then voted on the motion and it passed. The vote in favor was cast by Commissioners Bulova, Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Reid, Rust, Snyder and Zimmerman.

#### Minutes of the March 7, 2013 Meeting

Mr. Zimmerman moved, with a second by Mrs. Hynes, to approve the minutes. The vote in favor was cast by Commissioners Bulova, Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Rust, Snyder and Zimmerman. Mr. Reid abstained.

#### VRE Item

Report from the VRE Operations Board and Chief Executive Officer. Mr. Allen reported that VRE has experienced 18 continuous months of 90 percent or over of on-time performance (OTP), which is largely due to new equipment, VRE's contract operator Keolis and the railroads (CSX, Norfolk Southern and Amtrak). Ridership remains strong with just under 19,000 average daily riders for the month of March. Last month VRE introduced a reduction in the step-up fare from \$5 to \$3. This initiative is part of the congestion mitigation effort for the I-95 Express lanes construction project and VDOT and DRPT have provided the funding. For the first month, usage of the step-up fare increased by 60 percent.

Mr. Allen also stated that VRE has held seven public hearings on the proposed fare increase. VRE staff is also closely monitoring ridership trends, which shows daily ridership dropping on Fridays. VRE is considering implementing an "S" schedule on Fridays if this trend continues in order to reduce costs and stay within budget if revenues begin to drop.

Mr. Allen reported that VRE has issued a Notice to Proceed for the General Engineering Contracts (GEC) and one of the first tasks will be the creation of a system plan. VRE is committed to working with other transit agencies in the region (MARC, WMATA, etc.) to provide a coordinated regional effort.

Mrs. Bulova stated that the VRE Operations Board created a Capital Committee to review the capital needs of VRE. Jonathan Way is chairing the committee and the other committee members are John Cook, Chris Zimmerman, John Jenkins, Paul Milde and Gary Skinner. Mr. Zimmerman explained that the immediate goal of the committee is to create a set of financial principles, which are expected to be acted on by the VRE Operations Board at its June 2013 meeting followed by action from NVTC and PRTC at their July meetings. The recommendations will ultimately be reflected in the FY 2015

VRE budget. Mr. Cook noted that the work of this committee is timely particularly as well because one-third of VRE's debt due to be paid off in the next few years and there is an opportunity for additional capital funding from the Commonwealth.

Insurance Brokerage Services for VRE. Mrs. Bulova reported that the VRE Operations Board recommends approval of Resolution #2214, which would approve a three-year contract, with two additional one-year options, with Aon Risk Services, Inc., of Maryland, for the provision of insurance brokerage services. The total contract value will not exceed \$645,000 over the five-year period.

Mr. Snyder recused himself from participation in the discussion and action of this item since he works in the insurance industry.

Mr. Reid asked if a Virginia based company was considered. Ms. Bulova stated that there was a competitive bid process and six proposals were received and evaluated. The selection committee was composed of staff from VRE, the Commonwealth's Division of Risk Management and the Prince William County Division of Risk Management. Interviews with the top three respondents were held and Aon Risk Services was selected as the top-ranked firm.

Mrs. Bulova moved, with a second by Mr. Cook, to approve Resolution #2214 (copy attached). The vote in favor was cast by Commissioners Bulova, Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Reid, Rust and Zimmerman. Mr. Snyder did not participate in the vote.

#### Designation of NVTC Signatories and Pension Trustees

Ms. Coyner expressed her appreciation in being selected as NVTC's new Executive Director and noted that she had started as of April 3<sup>rd</sup>. In order for her to be able to sign NVTC documents, including financial transactions, she needs to be added to the list of official NVTC signatories. Resolution #2215 would designate her as a signatory as well as a pension trustee. In response to a question from Chairman McKay, Ms. Coyner explained that Mr. Kalkwarf and Mr. Snyder were previously designated as signatories and pension trustees at the January 2013 meeting.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the Commission unanimously approved Resolution #2215 (copy attached). The vote in favor was cast by Commissioners Bulova, Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Reid, Rust, Snyder and Zimmerman.

## Regional Transportation Items

Route 1 Study. Ms. Gron reported that DRPT has initiated this multimodal study for the Route 1 corridor in Fairfax County, which is still in the preliminary phase. Chairman McKay stated that it is his understanding that although the study cannot be divided into two tiers as originally planned because of FTA issues, this should not slow down the process.

Crystal City-Potomac Yard Transitway Update. The region's first Transitway route is now under construction. The Crystal City-Potomac Yard Transitway (CCPY) is expected to begin service in 2014. It is a five-mile long planned transit corridor extending between the Braddock Road Metrorail station in the city of Alexandria and the Crystal City Metrorail station in Arlington County. A future extension to the Pentagon City Metrorail is planned.

## NVTC Financial Items for February 2013

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

## Other NVTC Business

A copy of the press release announcing Ms. Coyner's appointment as NVTC's Executive Director was provided to Commissioners. Ms. Coyner reported that the Eno Foundation, which is a think tank organization on transportation issues, ran a profile about her NVTC appointment. Chairman McKay noted that it would be helpful for jurisdictional staff involved in transit issues to meet Ms. Coyner. He asked Commissioners to help facilitate getting this contact information to NVTC staff.

## Adjournment

Without objection, Chairman McKay adjourned the meeting at 9:04 P.M.

Approved this 2<sup>nd</sup> day of May, 2013.

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Jeffrey McKay  
Chairman

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David F. Snyder  
Secretary-Treasurer