

MINUTES  
NVTC COMMISSION MEETING – JUNE 6, 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  
Barbara Comstock  
John Cook  
James Dyke  
William D. Euille  
Jay Fisette  
John Foust  
Jeffrey Greenfield  
Mary Hynes  
Jeffrey McKay  
Ken Reid  
Thomas Rust  
Paul Smedberg  
David F. Snyder  
Christopher Zimmerman

Members Absent

Richard H. Black  
Mark R. Herring  
Catherine Hudgins  
Joe May  
David Ramadan

Staff Present

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

## Minutes of the May 2, 2013 Meeting

Mrs. Bulova moved, with a second by Delegate Rust, to approve the minutes. The vote in favor was cast by Commissioners Bulova, Comstock, Cook, Dyke, Euille, Foust, Hynes, McKay, Reid, Rust, Smedberg, Snyder and Zimmerman.

## WMATA Items

New Electronic Payment Program (NEPP) Presentation. In July, WMATA plans to award a contract for this new program which will replace the SmarTrip fare collection system. The new system is designed to provide a seamless regional payment system and to reduce system costs. Chairman McKay introduced WMATA's Chief Financial Officer Carol Kissal and WMATA's Virginia Government Relations Officer Greg Potts, who were present to give a briefing on NEPP in Closed Session.

Mr. Smedberg moved that NVTC convene a Closed Session, as authorized by Virginia Code sections 2.2-3711.A. 6 and 29, for the purpose of discussing a matter involving the award of a public contract by WMATA for a fare collections system, and the investment of public funds by NVTC members requiring competition and bargaining, where, if made public at this time, the financial interests of NVTC members, and the bargaining position of WMATA on behalf of NVTC members, would be adversely affected. Mrs. Bulova seconded the motion. The vote in favor was cast by Commissioners Bulova, Comstock, Cook, Dyke, Euille, Foust, Hynes, McKay, Reid, Rust, Smedberg, Snyder and Zimmerman.

The Commission began the Closed Session at 8:14 P.M. Mr. Greenfield arrived at 8:16 P.M. and Mr. Fisette arrived at 8:42 P.M. and both joined the meeting during the Closed Session.

The Commission returned to an Open Meeting at 9:01 P.M. Mr. Smedberg moved, with a second by Mr. Zimmerman, the following certification:

The Northern Virginia Transportation Commission certifies that, to the best of each member's knowledge and with no individual member dissenting, at the just concluded Closed Session:

- 1) Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed; and
- 2) Only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered.

The vote in favor was cast by Commissioners Bulova, Comstock, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hynes, McKay, Reid, Rust, Smedberg and Zimmerman. Mr. Snyder was out of the room for the vote.

WMATA Momentum Plan. Mrs. Hynes stated that at last month's meeting WMATA's General Manager Richard Sarles briefed NVTC on Momentum: The Next Generation of Metro, which is WMATA's proposed strategic plan for 2013-2025. Resolution #2218 would put NVTC on record as supporting in concept the Momentum Plan and the actions associated with Metro 2025.

Mrs. Hynes moved, with a second by Mr. Euille, to approve Resolution #2218.

Mr. Snyder requested adding "to enhance reliability and safety" to the end of the 5<sup>th</sup> whereas clause. Mrs. Hynes and Mr. Euille both accepted this friendly amendment. The Commission then voted on the amended resolution and it passed. The vote in favor was cast by Commissioners Bulova, Comstock, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hynes, McKay, Rust, Smedberg, Snyder and Zimmerman. Mr. Reid was not in the room for the vote. (A copy of the resolution is attached.)

Mrs. Hynes reported that the committee of the whole will consider approving Momentum on June 13<sup>th</sup> and will forward it to the full WMATA Board for adoption at its June 27<sup>th</sup> meeting. There will be speakers at the June 13<sup>th</sup> meeting, including representatives from the various local agencies and organizations, business leaders and elected officials. NVTC is invited to send a representative to provide remarks. Mrs. Hynes reported that WMATA is receiving positive feedback regarding the Momentum Plan from the business community, philanthropic organizations and the federal government. Mr. Dyke also stated that since this is an election year, WMATA's General Manager plans to brief Virginia's gubernatorial candidates on the Momentum Plan.

Vital Signs/WMATA Dashboard Reports. Mrs. Hynes announced good news that expenditures are below revenue levels so that WMATA is expecting a budget surplus of about \$20 million at the end of the fiscal year. She also reported that ridership has not reached projected levels, although it has increased since the federal transit benefit was reinstated. Chairman McKay requested a report at a future NVTC meeting regarding data on parking utilization. He would like to see if there is a usage correlation to the changes in parking charges. Mrs. Hynes stated that it is her understanding that the WMATA Board will be briefed on this issue in July.

In response to a question from Mr. Fisette about over-time compensation, Mrs. Hynes explained that the WMATA Board wants to pay closer attention to this issue and requested that it be included in the regular Dashboard Report. WMATA is spending less than past years on over-time costs but is still not as low as the Board would like it to be. However, WMATA is filling open positions, which also keeps over-time costs contained.

Mr. Reid rejoined the meeting at 9:08 P.M.

Metrobus Off-Board Add-Value Machines RFP. Ms. Coyner reported that WMATA has observed delays on buses where there is high ridership and/or a high use of cash. At the end of June, WMATA intends to issue a Request for Proposals for 100 SmarTrip off-board fare loading machines. The machines will be installed at targeted locations throughout the bus network, which will provide an opportunity for customers to add value to their SmarTrip cards before boarding the bus. Ms. Kissal explained that there are 19 target areas in Virginia, including Columbia Pike, Army-Navy, Arlington Road, Seven Corners, Shirlington, Ballston, and King Street. Several Commissioners requested the complete list of target areas.

Chairman McKay stated that Mr. Dyke has requested that the agenda be amended to move the DRPT Report up in the agenda. There were no objections.

### DRPT Report

Mr. Dyke reported that for future NVTC meetings DRPT will provide a written report to be available with the other agenda materials. He also reported that DRPT has initiated the Route 1 Multimodal Alternatives Analysis and continues to collaborate with Fairfax and Prince William Counties, WMATA, as well as local and state elected officials through the critical advancement of this analysis. DRPT will brief NVTC on this project at its July meeting.

Mr. Dyke reported that the Transit Service Delivery Advisory Committee (TSDAC) has met twice over the last month. The Advisory Committee's goal is to brief the General Assembly committees this summer or early fall to have the funds allocated and under contract by late fall. He stated that NVTC staff will provide a more detailed update on TSDAC activities in a later agenda item. Chairman McKay noted that NVTC will be working with Mr. Dyke regarding NVTC's comments in response to the TSDAC final recommendations when they are released.

### VRE Items

Report from the VRE Operations Board and Chief Executive Officer. Mrs. Bulova reported that VRE ridership is up compared to the same time last year. Systemwide on-time performance (OTP) was at 97 percent for the month of May, which is the 20<sup>th</sup> consecutive month OTP has reached 95 percent or higher. Mr. Allen announced that on June 5<sup>th</sup> VRE reached 20,000 in ridership, which is the first time ridership has peaked to this level in two years. He stated that VRE is experiencing capacity issues. Many of VRE trains have standees in the aisles. Mr. Allen stated that VRE is working on a System Plan which will address capacity issues.

Mr. Allen provided highlights of several VRE activities. He announced that VRE will run excursion trains for the Manassas Railway Festival on June 8<sup>th</sup>. He also attended the APTA Rail Conference in Philadelphia where he participated in

discussions of Positive Train Control (PTC). VRE is fortunate that it can rely on the host railroads, CSX and Norfolk Southern, to implement most of the PTC network. Mr. Allen reported that Caroline County has expressed possible interest in joining VRE and PRTC in the future. VRE staff have been meeting with developers regarding a transit-oriented development, including a potential VRE station, at Potomac Shores in Prince William County.

Mr. Allen reported that NVTA convened a VRE Subcommittee to look at the regional issues relating to VRE and HB 2313, since VRE service extends outside of the NVTA jurisdictional area. He also reported that NVTA's proposed project list for FY 2014 includes VRE's Alexandria Station Pedestrian Tunnel and Platform Improvements, VRE's Lorton Station Second Platform, and the Gainesville-Haymarket Extension Project Development. The second platform project will provide more access for pedestrians and passengers and allow VRE to serve the station from a number of different tracks. This in turn provides more flexibility for the operations of passenger trains as well as a benefit to the freight railroads. In response to a question from Delegate Rust, Mr. Allen stated that CSX will not financially contribute to the cost of the second platform. However, through a complex modeling system VRE is able to determine the operational benefits to CSX and VRE, and thus will be able to determine the "value back" to VRE which will result in additional train slots.

Authorization to Extend the Norfolk Southern Operating/Access Agreement. Mrs. Bulova stated that the VRE Operations Board recommends that NVTC authorize the VRE CEO to execute an extension of the existing May 5, 2000 Amended Operating/Access Agreement with Norfolk Southern from July 31, 2013 to January 31, 2014. Work is currently underway to conclude discussions on a few outstanding issues. Resolution #2219 would approve this extension.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2219 (copy attached.) The vote in favor was cast by Commissioners Bulova, Comstock, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hynes, McKay, Rust, Smedberg, Snyder and Zimmerman. Mr. Reid abstained.

Authorization to Execute an Agreement with VRE for National Transit Database (NTD) Consulting Services. Mrs. Bulova reported that as a recipient of Federal Urbanized Area Formula (Section 5307) grant funds, VRE is required to report ridership, passenger miles and other performance data to NTD on an annual basis. VRE's GEC consultant currently provides these data collection services for VRE. NVTC provides similar data collection services to six Northern Virginia transit systems (ART, DASH, Alexandria Trolley, Fairfax Connector, CUE and Loudoun County Transit) via a consultant contract. By VRE procuring these services through NVTC, it will allow for greater competition and the potential for financial and other efficiencies if those services are combined with other regional transit data collection efforts. NVTC is currently in a procurement process for these consulting services and a contract award is anticipated in June 2013. NVTC will contract with the selected consultant on behalf of VRE. The agreement between NVTC and VRE outlines the general terms of the services to be

provided and the procedures for VRE to remit payment to NVTC for those services. Resolution #2220 would accomplish this.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve the resolution (copy attached). The vote in favor was cast by Commissioners Bulova, Comstock, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hynes, McKay, Rust, Smedberg, Snyder and Zimmerman. Mr. Reid abstained.

#### Northern Virginia Transportation Authority (NVTa) Update

Ms. Coyner gave a report on recent NVTa activities. An open house and public hearing on NVTa's proposed project list for funding have been scheduled for NVTa's June 20<sup>th</sup> Meeting at City Hall in the City of Fairfax. Working Groups continue to meet and NVTC staff has been actively participating.

Mr. Zimmerman, who is chair of the Project Implementation Working Group, reported the target date for adoption of the project list has been extended to the end of July to allow for two rounds of public hearings. He explained the criteria used and the process by which the projects were chosen to be included in the project list. He also noted that jurisdictional open houses are being conducted for more public input.

Ms. Quintana reviewed the materials provided to Commissioners. She also noted the various ways the public can provide comments. All the comments will be collected and made part of the public record. She urged commissioners to attend the local open houses, as well as the June 20<sup>th</sup> events.

Ms. Coyner reminded NVTa members to notify staff if they plan to attend any meeting regarding NVTa since there are open meeting requirements. If more than two NVTa members attend a meeting, it is considered an open meeting. Mr. Cook suggested that NVTa's website list all the meetings to avoid any problem. oMr. Zimmerman explained that it is a complex issue because if two or more NVTa members attend any meeting there are reporting requirements and notices that need to be issued. Delegate Comstock asked if there needs to be a legislative solution to better define "doing business."

Mr. Euille, as chair of the Financial Working Group, reported that his group and the Legal Working Group continue to work on the bonding issues. NVTC will receive a briefing on this at a future meeting. Mr. Snyder asked Commissioners to provide any questions or concerns to him prior to the next Legal Working Group meeting on June 19<sup>th</sup>. In response to a question from Mr. Reid, Mr. Zimmerman stated that NVTa is not expected to vote on the project list before July 24<sup>th</sup>.

### Preliminary State Aid for Transit in FY 2014

Ms. Coyner reported that on May 15<sup>th</sup> Vice Chairman Smedberg provided testimony on behalf of NVTC and VRE at the Commonwealth Transportation Board (CTB) public hearing on the draft FY 2014-2109 Six-Year Improvement Program (SYIP). Mr. Smedberg noted that NVTC's jurisdictions also testified on their own behalf. Ms. Coyner stated that after considering public comments, the CTB is expected to adopt its final program in June 2013.

Mr. Kalkwarf highlighted some of the financial implications of the SYIP:

- The Draft FY 2014 SYIP totals \$2,951 million for rail and transit, a \$574 million or 24 percent increase over the FY 2013 approved SYIP.
- The Draft FY 2014 program includes \$66.5 million in new sales tax revenue for the Mass Transit Trust Fund (MTTF) and \$44.3 million for the Intercity Passenger Rail Operating and Capital Program (IPROC).
- SB 1140 set a \$160 million threshold for performance based allocations from the MTTF, with \$54.3 million in new operating assistance available for supplemental FY 2014 allocations subject to performance service delivery metrics.
- Operating assistance programmed at 17 percent of actual costs, a 9.6 percent decrease in statewide funding from FY 2013. If a supplemental allocation takes place during FY 2014, the statewide operating assistance would show a 28.7 percent increase over FY 2013.
- State capital funding provided at 80 percent for non-federal share of replacement rolling stock and 55 percent blended rate for all other assets.

### Authorization to Submit NVTC's FTA Title VI Compliance Report

Ms. Coyner reported that the Federal Transit Administration (FTA) requires that all recipients document their compliance to Title VI regulations by submitting a Title VI Program and Compliance Report to FTA once every three years. NVTC's Title VI Program and Compliance Report is due June 11, 2013. A new requirement is that subrecipients need to have their own Title VI Program and submit them to the primary recipient from whom they receive funding. NVTC staff worked with the Cities of Alexandria and Falls Church to develop their Title VI Programs. Both City Councils approved their programs at their May 28<sup>th</sup> meetings and NVTC has appended the programs as an attachment to its report. Ms. Coyner also announced that staff has outlined its monitoring compliance practices and will continue to look for ways to improve the compliance program over the next three years.

Mr. Zimmerman moved, with a second by Mr. Snyder, to approve Resolution #2221, which authorizes staff to submit NVTC's Title VI Program and Compliance Report to FTA. The vote in favor was cast by Commissioners Bulova, Comstock,

Cook, Dyke, Euille, Fiset, Foust, Greenfield, Hynes, McKay, Reid, Rust, Smedberg, Snyder and Zimmerman.

### Legislative Items and the Transit Service Delivery Advisory Committee (TSDAC)

Ms. Coyner provided an update on the activities of the Transit Service Delivery Advisory Committee (TSDAC). At its meeting of June 3<sup>rd</sup>, the Advisory Committee considered options for operating assistance funding formula, data needs, and how to proceed with respect to capital tiering. NVTC and jurisdictional staff identified criteria for data needed to implement a performance measurement based on allocation funding; shared ideas regarding principles that should be taken into account in any performance measurement concept that would be the basis for an allocation formula for the distribution of new transit dollars; and assessed whether various proposed metric scenarios adequately measure the key objectives of localities and transit systems. It is the Advisory committee's aim to define a concept performance measurement system at its June 17<sup>th</sup> meeting. A July 1<sup>st</sup> meeting has also been scheduled.

Ms. Coyner explained that at the June 3<sup>rd</sup> meeting, DRPT was asked to focus on two approaches. Both concepts focus on self comparison, namely the improvement of a system compared to past performance. Peer groups would not be a factor. The challenge is to have enough data to run the models and to make sure definitions are clear. NVTC staff is working with jurisdictional staff to review data and look at measures that look at performance with respect to improving service and capacity. The measures being run primarily focus on cost recovery. Ms. Coyner stated that NVTC's Management Advisory Committee is holding a special teleconference on June 7<sup>th</sup> to discuss these issues.

### Regional Items

Changes in Regional Commuter Patterns. Ms. Coyner stated that the Transportation Planning Board (TPB) recently completed an analysis of new U.S. Census Bureau data concerning commuting patterns in the region. The data indicate a slight shift away from driving to and from work using other forms of transportation. From 2000 to 2011, occupancy vehicles and carpool mode shares decreased, while transit, walking, biking and telework rates increased. The transit mode share increased in all Virginia jurisdictions in the region.

Virginia Transit Association (VTA) Conference. Ms. Coyner reported that the annual VTA conference was held May 30-31 in Alexandria, Virginia. NVTC staff participated in the conference, including Ms. Quintana moderating two panel discussions. There was a productive discussion regarding TSDAC at VTA's business meeting.



### NVTC Financial Items for April 2013

The financial reports were provided to Commissioners. Ms. Coyner reported that NVTC's fiscal year ends June 30, 2013. The auditors completed their preliminary field at NVTC's offices over the last few days and will be back again in August for more audit work. Commissioners had no questions.

### Other NVTC Business

Mr. Reid stated that the D.C. City Council is proposing to charge a daily five-dollar fee for commuter buses coming into the District of Columbia. Loudoun County is sending a letter expressing the county's opposition to such a fee. He requested that NVTC also send a letter. Chairman McKay asked staff to investigate this issue. Ms. Coyner noted that although it is unclear, action may be taken by the D.C. City Council before NVTC meets again. Chairman McKay directed staff to draft a letter for his signature and if time allows, bring it back for discussion at the next NVTC meeting. If not, the letter could be sent. There were no objections.

### Adjournment

Mr. Euille moved, with a second by Mr. Greenfield, to adjourn. There were no objections. Chairman McKay adjourned the meeting at 9:52 P.M.

Approved this 11<sup>th</sup> day of July, 2013.

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Jeffrey McKay  
Chairman

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David F. Snyder  
Secretary-Treasurer