

MINUTES  
NVTC COMMISSION MEETING – APRIL 3, 2014  
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Smedberg at 8:09 P.M.

**Members Present**

Richard Black  
Sharon Bulova  
John Cook  
James Dyke  
William Euille  
Jay Fisette  
John Foust  
Jeff Greenfield  
Catherine Hudgins  
Mary Hynes  
Jeff McKay  
David Ramadan  
Ken Reid  
Paul Smedberg  
David F. Snyder  
J. Walter Tejada

**Members Absent**

Barbara Comstock  
Thomas Rust

**Staff Present**

Kelley Coyner  
Rhonda Gilchrest  
Claire Gron  
Scott Kalkwarf  
Jillian Linnell  
Kala Quintana  
Melissa Walker  
Doug Allen (VRE)  
Tom Hickey (VRE)  
Bryan Jungwirth (VRE)  
Steve MacIsaac (VRE)  
Joe Swartz (VRE)

## Presentation by WMATA General Manager and CEO

Mrs. Hudgins introduced Richard Sarles, WMATA's General Manager and CEO. Mr. Sarles thanked the Commission for giving him an opportunity to update NVTC on WMATA activities and issues. He reported that progress is being made on Momentum, WMATA's strategic plan. He noted that the District of Columbia, Maryland and Virginia have committed to provide \$75 million for a down payment on Momentum to be used for FY 2015. The key points of Momentum are:

- Increased capacity of Metrorail to meet growth by 35 percent in peak periods, especially addressing the growth in Virginia. This includes making improvements to the supporting infrastructure, yard and station improvements, and upgrading traction power to support eight-car railcars.
- Increased bus service (existing service, Bus Priority Network, transit ways).
- Increased track capacity, which will be even more important as the Silver Line opens.

Mr. Sarles observed that the Metro system has had a big impact on this region and is now a game changer for Tysons Corner as Metro service moves into that area. Virginia residents save over a half a million dollars each year because of public transit, with half of that attributable to Metro service. If Metro did not exist, the region would have to spend billions of dollars to construct highways and parking facilities. There is no better way to understand the regional importance of Metrorail than by looking at ridership in the Core. Mr. Sarles displayed a poster that shows how many Virginia residents are using Metro in the Core. Many of the stations in the Core show that Virginia residents make up to more than half of the ridership. The only Core station that has a majority of D.C. residents is DuPont Circle.

Mr. McKay joined the meeting at 8:14 P.M.

Mr. Sarles stated that over the next six to eight months the jurisdictions need to agree on a Capital Funding Agreement (CFA). There is also a window of opportunity to purchase additional railcars before the final options expire in July and August 2015. After that it will be five years before another procurement can be done.

Mr. Sarles reported that the WMATA Board approved the FY 2015 Operating Budget. The Capital Budget will be adopted in the next few months. He reviewed the fare changes, which were approved as part of the budget, which will go into effect July 1, 2014:

- Metrorail fares: Increased by an average of three percent (about 10-cents per trip).
- Metrobus fares: Regular fares will become \$1.75, regardless of whether using cash or SmarTrip compared to the current fares of \$1.60 for SmarTrip

and \$1.80 cash. Express bus fares will increase from \$3.65 to \$4.00. Senior/disabled fares will increase to 85-cents from 80-cents. There are no changes to existing transfer discounts.

- Parking: Rates will increase by 10-cents at all Metro-operated facilities. At selected stations in Prince Georges County, parking rates will increase another additional 50-cents.
- MetroAccess: The maximum MetroAccess fare will be lowered to \$6.50 from \$7.00.

Mr. Sarles gave a brief update on the New Electronic Payment Program (NEPP), which will serve as the fare system for the entire region. In January, WMATA awarded a contract to Accenture to replace the existing fare collection systems for Metrorail, Metro-operated parking facilities, Metrobus and MetroAccess services. Accenture is currently working on the design of the system. The pilot program will be tested next year before final design and production is completed.

Mr. Euille arrived at 8:18 P.M.

Mr. Sarles briefed the Commission on the progress being made on the Silver Line. The Metropolitan Washington Airports Authority (MWAA) is constructing the line and will turn the system over to WMATA to operate the system. Once WMATA takes over, it will take 90-days to implement service. During that time WMATA will run system tests, conduct emergency service provider drills, and initiate major outreach to the public.

Mr. Sarles also reported that the Federal Transit Administration (FTA) just released a draft Financial Management Oversight Review Report on WMATA examining the period between April 2012 to March 2013. FTA conducts these oversight reviews every five year. FTA has sent a letter to WMATA restricting draw down of federal grant money and requiring WMATA to now submit documentation. Mr. Sarles stated that WMATA plans to fully cooperate and provide all the necessary documentation. WMATA is preparing an official response to the draft FTA report on what initiatives WMATA has already implemented and what it will do over the next 90-days to bring WMATA into compliance. WMATA accepts the findings and will fix the problems and move forward. The WMATA Board is holding a special public meeting on Monday, April 7<sup>th</sup> to discuss its draft response to FTA. Mr. Sarles stated that safety continues to be WMATA's number one priority.

Mr. Reid stated that he is impressed with Mr. Sarles hard work as he has had to address a lot of issues. He expressed concern over the amount of revenue lost (\$9 million) when the federal government shut down due to weather. He also asked if WMATA is working with the Metropolitan Washington Airports Authority (MWAA) to get the Silver Line operational and to address the issues that have caused the delays. Mr. Sarles stated that WMATA staff and engineers have been working hard for many months to try to resolve the issues that are delaying the opening of the line. He stated that Jack Potter, MWAA President/CEO, has made assurances that the Silver Line will

be turned over to WMATA in good shape and ready for service. In response to a question from Mr. Foust, Mr. Sarles responded that WMATA will not take over the Silver Line until it is confident that service will be successful. He expects only minor issues during the 90-day period that can be easily mitigated by WMATA.

Mr. Fisette also noted that the region is fortunate to have Mr. Sarles in the role of General Manager and CEO of WMATA. Mr. Fisette stated that a few years ago Arlington County created a community energy plan task force that looked at sustainability and efficiency and WMATA was part of that initiative. Since WMATA is the major transit provider in the region and uses a lot of energy, he asked what WMATA is doing to improve energy efficiency of the Metro system, which usually ultimately results in cost savings.

Mr. Sarles responded that WMATA continues to look for ways to improve energy efficiency. For example, WMATA recently awarded a contract to change the lighting at all parking garages, which is not only more energy efficient but also resulted in savings that paid for the installation. WMATA also uses regenerative braking which means that the heat/energy is being captured and used as energy for things like lighting. WMATA has an employee that is focused on sustainability issues. Mr. Sarles said he would be happy to have WMATA provide a briefing to NVTC on its energy efficiencies. Mr. Fisette state that he would like more information on the progress WMATA is making in this area.

Chairman Smedberg thanked Mr. Sarles for his presentation and for taking time to answer Commissioner's questions.

Delegate Ramadan arrived at 8:35 P.M.

### Changes to the Agenda

Chairman Smedberg noted that several Commissioners requested that action items be discussed first. There were no objections.

### Approval of the Minutes

Mr. Dyke moved, with a second by Mr. Snyder, to approve the minutes of the March 6, 2014 NVTC Meeting. The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Fisette, Foust, Hudgins, Hynes, McKay, Smedberg, Snyder and Tejada. Commissioners, Euille, Greenfield, Ramadan and Reid abstained.

### Consent Agenda

On a motion by Mrs. Hynes and a second by Mr. Snyder, the Commission unanimously approved the Consent Agenda, which includes the following items:

- Authorize the Chairman to Send a Letter Regarding Implications of the Exhaustion of Highway Trust Funds (MAP-21)
- Resolution #2241: Authorize the Executive Director to Execute a Project Agreement with the Northern Virginia Transportation Authority (NVTA) for Transit Alternatives Analysis Study in the Route 7 Corridor (Phase II)
- Authorize the Chairman or His Designee to Submit Testimony on the Preliminary Six-Year Improvement Program (SYIP) for FY 2015 at the Commonwealth Transportation Board (CTB) Meeting

The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Ramadan, Reid, Smedberg, Snyder and Tejada.

#### Request from Loudoun County for NVTC Support of TIGER Grant Application

Ms. Coyner stated that NVTC received a request today from Loudoun County for a letter of support from NVTC for the County's TIGER grant application for the development of three regional transit hubs throughout Loudoun County.

Mr. Reid moved, with a second by Delegate Ramadan, to authorize NVTC's Chairman to send a letter supporting Loudoun County's application for this TIGER Grant.

Chairman Smedberg asked if there is precedence for NVTC supporting these types of grant applications. Ms. Coyner stated that NVTC has supported similar requests in the past. In 2010, NVTC supported and partnered with Fairfax County for a TIGER grant application. Loudoun County's request would have no financial or legal obligation to NVTC. Mr. Fisette asked if any other jurisdictions are submitting TIGER grant applications. If there are other applications from member jurisdictions, then NVTC should also support their applications even if they are competing for the same funding. There was discussion of timing since the applications are due April 28<sup>th</sup>. Chairman Smedberg stated that it is his understanding that Alexandria is submitting an application and Mrs. Bulova noted that Fairfax County is also submitting an application.

Mr. Reid amended his motion to include NVTC support of any member jurisdiction seeking the Commission's support for their TIGER grant application. Delegate Ramadan agreed to the amendment.

The Commission then voted on the amended motion and it passed. The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Ramadan, Reid, Smedberg, Snyder and Tejada.

Chairman Smedberg stated that NVTC may want to look at formalizing some sort of policy moving forward.

## NVTC's FY 2015 Budget

Ms. Coyner gave an overview of the FY 2015 Budget. She explained that the proposed budget provides resources to allow NVTC to promote high quality, high capacity transit to the region and to sustain activities that were begun last year, as well as to make progress in reaching objectives set forth in the Work Program. Two new permanent positions are being proposed to provide important internal management of NVTC's team as well as programmatic and transit expertise. The new positions and the costs associated with accommodating them account for the largest share of the \$400,000 increase in total expenditures over the FY 2014 Budget.

Ms. Coyner explained that the two positions include a hybrid executive officer/senior program officer and a mid-to senior transit professional. Along with the Transit Fellows, these positions will fill gaps in core capacities such as management and coordination of the NVTC team, internal management in areas such as performance management and professional development as well as allowing NVTC to both complete specific projects and implement new strategies in case making and regional planning. These activities support high value matters to the region and the state, items that have millions of dollars at stake.

Ms. Coyner stated that the proposed increase would be funded by the portion taken off the top of the state assistance NVTC receives on behalf of its member jurisdictions. Local direct contributions would remain constant in total at the FY 2014 and FY 2013 levels. She stated that NVTC staff is committed to being accountable for the investments that are made. She will continue to work closely with the Commission as a whole and the Executive Committee to ensure NVTC is applying its resources frugally and efficiently.

Delegate Ramadan observed that the budget is increasing by 50 percent but there are only two positions being added. Ms. Coyner explained that the budget increase is not entirely personnel costs. Mr. Kalkwarf explained that the FY 2015 Budget builds off the FY 2014 Budget which converted two part-time employees into full-time, so it's more than just adding two new positions. Mr. Kalkwarf stated that the main increase is from the salary line (\$221,000) which is a 28 percent increase representing the two new positions and the full budget year of the two converted part-time to full-time employees, and a small increase for existing staff. The Transit Fellows Program is anticipated to be funded 95 percent from a DRPT grant and shows up as a source of revenue. He explained that benefit costs increased by 56 percent, with the biggest increase in health insurance. NVTC has a budget provision for each full-time employee to provide the cost of health insurance coverage regardless of whether an employee claims that benefit. In response to a question from Mr. Euille, Mr. Kalkwarf stated that employees contribute 10 percent towards their health insurance benefit.

Senator Black sought clarification about whether NVTC is increasing its personnel costs by \$400,000 for two new positions. To put it into context, Virginia's Governor only makes \$175,000 a year. He also asked if the new position is a lobbying position. Ms. Coyner explained that the budget assumes up to \$135,000 for the hybrid executive officer position and up to \$80,000 for the senior planner position. These

positions are not lobbyist positions. Ms. Coyner stated that the FY 2014 Budget approved in November authorized her to retain legislative and agency liaison services for a very modest amount to provide support to the jurisdictional staff in Richmond, as well as working with the General Assembly. It is a modest investment but very important. The other outreach activity has been primarily done by the Executive Director in working directly with General Assembly members and providing support through Northern Virginia Delegation briefings. Senator Black expressed his opinion that staff is doing a good job and he does not see the need to add other positions.

Mr. Reid stated that in regards to the lobbying efforts, the Loudoun County Board of Supervisors was very clear in December 2011 when it sent a letter to NVTC opposing NVTC's proposal to add \$250,000 for legislative representation in Richmond. At that time, NVTC removed it from consideration. He stated that this seems to be resurfacing again and being couched in different terms like "case making" and "General Assembly outreach" but it sounds like lobbying to him.

Chairman Smedberg replied that he remembers the NVTC meeting in December 2011 and it was a whole different outreach proposal being discussed. He stated that to be fair to staff they are not trying to sneak through a lobbyist position with this proposed budget. He explained that it is about creating a core capacity to pursue and enhance transit in Northern Virginia through the Work Program adopted by the Commission at the last meeting and to bring some technical expertise to help achieve these goals. For the small investment being requested, the return could be large.

Mr. Reid stated that he has no direction from his Board except for the December 11, 2011 letter and therefore he is opposed to a position that includes lobbying. Unfortunately, he was not able to participate in the Planning Session and the last few NVTC meetings for several different reasons, including knee surgery.

Mr. McKay stated that although he is sympathetic to the concerns raised, for those Commissioners who have been fully engaged in these discussions, the world has changed since 2011. The region has a transportation plan in place with HB2313 being passed with more money flowing to the region for transit; NVTC has come through some difficult times and now can focus on moving forward; the December Planning Session included discussion about aspects of those high value high impact activities and the future direction NVTC should take; NVTC hired a new Executive Director; and the Executive Committee members feel it is time to take this organization to the next level, which includes being more involved in the legislative process in Richmond and among the localities. For jurisdictions who have rail service, like Fairfax County and soon for Loudoun County, the stakes are higher than ever to make sure the transit presence is well known and the message about how important transit is to the region is being conveyed.

Mr. McKay stated that these items did not just "pop up" for this budget request. They were discussed last summer in discussions about the Work Program, at the Planning Session in December, and most recently when the Commission adopted the 2014 Work Program. He stated that if NVTC is going to implement what was agreed to at the Planning Session and in the Work Program, as well as what the Commission

hired the new Executive Director to do, then it is not possible to do all that without additional resources. He is open to discussing the salary amounts and descriptions of the new positions, but he is not open to discussing whether NVTC should return to a position in 2011 without recognizing the great number of changes that have occurred since then. He observed that many Commissioners want to move this organization forward and capitalize on some of its recent successes.

Mrs. Bulova stated that she has some concerns about whether NVTC needs two new positions. She agreed that the December Planning Session discussion articulated where Commissioners wanted to see NVTC headed and it is important to support that. She expressed her opinion that she can clearly see that the senior planner position is critical to carrying out the Work Program and the enhanced vision of NVTC. She is not sure about the executive officer position and is not convinced that this position needs to be filled right now. She suggested NVTC approve the senior planner position and evaluate the other position at a later time.

Mrs. Bulova moved to adopt the FY 2015 Budget and fund only the senior planner position. Chairman Smedberg asked if she was suggesting putting the second position in contingent reserve. Mr. Euille asked for clarification if the motion is to approve the full funding of the proposed FY 2015 Budget with a caveat that the executive officer position be put on hold and funds put in a contingent reserve or to reduce the total budget and take out the costs associated with the executive officer position. Mrs. Bulova clarified her motion is to approve the FY 2015 Budget without the costs associated with the executive officer position. Mr. Reid seconded the motion.

Delegate Ramadan observed that Mrs. Bulova's motion is reasonable. However, the numbers don't add up on the personnel and benefit amounts listed in the budget. He also asked why the budget is funded "off the top" and not taken proportionately from the jurisdictions.

Ms. Coyner reviewed the proposed budget changes regarding benefits. Health insurance is budgeted for each employee irrespective of the employee taking the benefit. The funds are not drawn down unless the benefit is claimed by the employee. There is also an \$18,000 increase in retirement benefits to allow the two part-time employees converted to full-time to participate fully and fairly in the retirement benefits program. Mr. Greenfield stated that Commissioners should not assume that overall health care coverage has not increased. Mr. Kalkwarf confirmed that the budget includes an assumption of a premium increase.

Ms. Coyner stated that "off the top" is off the portion of funding that comes to NVTC on behalf of its jurisdictions. It is a local decision of how the funds are used. It is not funds for state project funding.

Mrs. Hynes stated that she keeps coming back to the small inset graph on Page 7 which shows that the proposed FY 2015 Budget is equivalent of one percent of the state assistance received by Northern Virginia. She asked how many other organizations can function at a one percent overhead level. She has been a member of NVTC for six and a half years and the first five years of that was basically starving the



organization. Her view is this is not about lobbying but is about Northern Virginia being able to articulate to itself the incredible benefit that comes back to our taxpayers from these signification investments made in transit. It gives advantages to our businesses as well as money back to the Commonwealth and this region. She looks at this one percent as a small amount in light of the fact that NVTC has a talented Executive Director, as well as the amount of time the Commission has spent talking about how to change this organization from being a “rubber stamp” into something that helps build the transit case for the people who live in this region. To put it in perspective, Mrs. Hynes observed that Commissioners are arguing over a \$135,000 expenditure that could in fact help NVTC take an important step forward for transit in the region.

Mrs. Hudgins stated that there have been vast changes in NVTC over the last year. The Planning Session gave NVTC an opportunity to talk about what Commissioners want NVTC to accomplish and the direction it should take. The challenge is to recognize the enormous return on investment the region realizes and why transit is so critical. She observed that the executive officer position may need some clarification but she is concerned that if it is removed from the budget then there is no way to add it back in the budget. She expressed her opinion that it would be wiser to adopt the full budget and keep the funds in contingency.

Mr. McKay asked what activities won't be accomplished if the positions are not funded. Ms. Coyner responded that the senior planner position is critical to meeting the commitments NVTC made last year in supporting the implementation of HB2313, working on the Project Selection Model (PSM), participating in NVTA's Project Implementation Working Group (PIWG), working on the TransAction 2040 Plan and the implementation of HB2. These are not new activities in the 2014 Work Program; they are part of the goals established by NVTC last summer. If the executive officer position is not funded, the Transit Fellows Program won't be able to be managed, business outreach beyond what NVTC has done to this point won't be completed, and NVTC won't be able to move forward on basic groundwork in identifying existing gaps and ways to establish transit ways. All this work would be delayed. She explained that this position is not solely a senior management position. It is modeled after an executive officer in the military or Department of State to marry very senior executive experience with technical expertise. She stated that if the Commission chooses to not fund these positions, she will provide a reprioritized Work Program. This budget increase is really not enough to do the things NVTC has talked about doing at the Planning Session and Work Program. This is meant to be a focused targeted effort to move NVTC forward.

Mr. Dyke stated that when NVTC was searching for a new Executive Director, there were discussions about the future direction of NVTC. Following the Planning Session, he thought the Commission was prepared to move forward as an organization. This budget seems modest in light of everything that has been discussed of where we want to see NVTC moving forward. He is frankly surprised by the lengthy discussion and assumed this budget proposal would be adopted. He acknowledged that there may need to be some clarification about the position descriptions. NVTC hired Ms. Coyner to move NVTC forward and in his opinion she has made a modest and reasonable proposal and he is ready to approve the proposed budget.

Mr. Cook stated that he supports Mrs. Bulova's motion. He stated that he is not opposed to adding staff but does not feel that it all has to be done in a single calendar year. The senior planner position makes sense but he would like to have a better understanding of the executive officer position. He also suggested to Ms. Coyner that it would be helpful to understand how the work load is divided among current staff, which could help assess the needs of what the next position should be. He suggested having another discussion later this year after staff better defines the executive officer position and then include funding in next year's proposed budget. He stated that he is also hesitant to vote on big salary increases since Fairfax County has to make tough budget decisions that affect its own employees.

Chairman Smedberg noted that some of what is proposed in this budget just begins to bring NVTC back to a basic level. This organization was financially starved for a long time and it is important to bring it to a level respectful to current employees and on par with what is done for its own member jurisdictions.

Mr. Reid stated that he supports Mrs. Bulova's motion to approve the budget without the executive officer position. In response to a question from Mr. Reid, Ms. Coyner explained that the Transit Fellows Program cannot be managed with the current staff capacity. She also noted that the proposed budget changes reflect the priorities that the Commission set last summer in July and identified four key areas: financial management, regional planning, collaboration with NVTa, and maintaining a high level of performance. The budget proposal reflects increased engagement and an oversight role that Commissioners have asked for with respect to VRE and WMATA. NVTC cannot do the work it committed to do with respect to activities such as the VRE Management Audit and the Capital Funding Agreement without increased staff capacity. She reiterated that these new positions are not lobbyist positions. The Work Program was developed with input from jurisdictional staff and the Executive Committee. She is glad to answer any questions and be accountable for every penny of the budget increase. If NVTC does not address some of these resource issues NVTC cannot move forward. Mr. Reid observed that the Metropolitan Washington Council of Governments (MWCOC) does planning work and can be a resource. He thanked Mrs. Bulova for her compromise motion.

Delegate Ramadan also agreed that Mrs. Bulova's motion is a good compromise. Regardless of the details, the budget is increasing in personnel by 50 percent, and he expressed his concern that this is a huge increase for any organization.

Mr. Foust stated that he will support the motion. He stated that there is little detail in the budget, which is increasing by 32 percent and he would like to see more information provided. He asked what constitutes a small salary increase for existing staff. Mr. Kalkwarf replied that the budgeted amount is up to five percent but the average is approximately 3.5 percent based on performance.

Mr. Greenfield moved to defer action out of respect for staff to give them another month to answer some of these questions. Mr. Tejada seconded the motion. He stated that he wished he could have attended the Planning Session. He is interested in NVTC

moving forward as an organization and would like staff to have more time to provide answers to the questions raised.

Mrs. Hudgins also expressed her support for the substitute motion because she would like to see the Commission come to consensus. She asked staff to provide past budgets for comparison. She agreed that for years NVTC did not compensate its past Executive Director or approve staff increases and did not think strategically about the future direction of NVTC. It is important to have a discussion of where Commissioners want to see NVTC go in the future and the costs needed to fund that. She expressed her hope that Commissioners come back next month without their jurisdictional hats on and discuss what can be done as a region. The Northern Virginia region is changing but NVTC is changing even more.

Delegate Ramadan expressed his opinion that receiving clarification will not change the vote. However, if action is deferred, he would like to see two budget options brought back, including one without the executive officer position.

Mr. Snyder stated that the real value of NVTC is coordination, which means pooling resources together so individual jurisdictions aren't all doing the same thing and spending more funds. Secondly, it is important to engage in initiatives to improve public service and this proposed budget provides for a higher technical level of assistance in project management to deliver those initiatives that the public expects. Finally, he stated that there is a communication and information element needed to reach the general public, which in his mind also includes the General Assembly. He supports the original proposed budget because it is essential that NVTC does these initiatives. He is willing to vote for Mrs. Bulova's motion out of respect for her, but he does not think deferring action will do any good. He believes in NVTC and what it does and its strong track record and knows the organization can do even more, but it needs to be adequately funded.

Mr. Reid stated that he will not support the substitute motion to defer and encouraged Commissioners to vote for Mrs. Bulova's compromise motion to move the budget forward. He personally would like to see NVTC do more oversight of WMATA and its budget. Chairman Smedberg clarified that it's not NVTC's role to oversee WMATA and if that were the case, NVTC would be looking at a budget probably double to what is being proposed.

Mr. McKay stated that if the budget is deferred then staff should come back with more details on the job descriptions of the new positions, as well as a list of activities that won't happen if these positions are not funded. The vote next month should reflect whether Commissioners want NVTC to move forward or not.

Senator Black stated that with respect to the substitute motion, he feels that NVTC has spent a great deal of time talking about the budget at this meeting and there seems to be consensus for Mrs. Bulova's motion, so he will support her motion.

Mr. Fisette stated that he will support Mr. Greenfield's substitute motion out of respect for staff to give them a chance to make their best argument. He asked staff to

defend or advocate for the budget increase and clearly revise it based on tonight's discussion. He encouraged staff to define the two positions and their responsibilities and how they connect to the Work Program; provide budget options; clarify the increased benefit costs; identify an average from surveying the jurisdictions regarding their proposed salary increases; reevaluate if \$135,000 is needed to accomplish all or many of these tasks for the executive officer position since it seems high; and get feedback from MAC members. Ms. Coyner stated that at the direction of the Executive Committee, she did engage with MAC members and had one-on-one discussions with representatives from each jurisdiction. Mr. Euille observed that even if the Commission votes on Mrs. Bulova's motion, he will not vote on a budget that does not have a final number.

Mrs. Bulova stated that she appreciates all the support for her motion but she is going to support Mr. Greenfield's substitute motion because it is fair to allow staff to provide the additional information prior to approving the budget.

The Commission then voted on the substitute motion. The motion passed. The vote in favor was cast by Commissioners Bulova, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder and Tejada. Senator Black and Mr. Reid voted no and Delegate Ramadan abstained.

The substitute motion to defer then became the main motion. The Commission voted on that motion and it passed. The vote in favor was cast by Commissioners Bulova, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder and Tejada. Senator Black and Mr. Reid voted no and Delegate Ramadan abstained.

Delegate Ramadan requested staff come back with two budget options, including a budget option that does not include the executive officer position. Ms. Coyner confirmed her understanding of what information the Commission has requested:

- Profiles of the two new positions, as well as what work will be completed under each position.
- If not funded, what activities will not be addressed.
- Clarification in writing, as well as an offer to meet with each Commissioner either individually or together, to explain the benefits in further detail.
- Provide two different budget options, with additional details in budget notes.
- Further clarification of what "draw down" means.

Mr. Foust also requested some explanation of how the executive officer position differs from the current Executive Director position description. Ms. Coyner stated that when she was hired, performance objectives were established. Although these are not the same as a job description, they are important. She has been evaluated against these and will continue to be.

## VRE

Operating Access Agreement with Norfolk Southern. VRE has reached agreement with Norfolk Southern on an Amended Operating Access Agreement for track access in the Manassas to Alexandria corridor. The original agreement from 1989 has been amended and extended numerous times with the most current extension to July 31, 2014. The agreement maintains the current level of liability insurance at \$250 million. Also, Norfolk Southern has required the effective date of the new agreement become retroactive to July 1, 2013. The VRE Operations Board recommends Commission approval of Resolution #2242, which authorizes the VRE CEO to execute the VRE Operating Agreement with Norfolk Southern.

Mrs. Bulova moved, with a second by Mr. Cook, to approve Resolution #2242 (copy attached). The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Ramadan, Smedberg, Snyder and Tejada. Mr. Reid abstained.

Authorization to Execute the Northern Virginia Transportation Authority (NVTa) VRE Project Agreements. NVTa has developed a Standard Project Agreement for Funding and Administration that needs to be executed for each approved project. The VRE Operations Board recommends that the Commission approve Resolution #2243, which will authorize the VRE CEO to execute the agreements for the following projects:

- Alexandria station tunnel and platform improvements (\$1.3 million)
- Lorton station second platform (\$7.9 million)
- Gainesville-Haymarket expansion project development (\$1.5 million)

Mrs. Bulova moved, with a second by Mr. Cook, to approve Resolution #2243. The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Ramadan, Smedberg, Snyder and Tejada. Mr. Reid abstained.

## VRE Management Audit

Ms. Coyner gave a brief update on the progress that has been made on the VRE Management Audit. Following a competitive procurement process, the Evaluation Committee, comprised of NVTC's and PRTC's Executive Directors, recommends the contract be awarded to Parsons Brinckerhoff for \$170,000, as well as a contingency allowance of \$30,000 for follow-on tasks as the Joint Audit Committee may recommend. An updated Resolution #2244 was provided to Commissioners.

Ms. Coyner stated that the audit is expected to take six months to complete. Mr. Cook, Chairman of the Joint Audit Committee (JAC), explained that part of the audit will look at the oversight role of the two Commissions. He stated that any NVTC Commissioners who has an interest in speaking with the consultant is welcome to participate. Mrs. Hynes asked for more information about NVTC's current role in VRE.

Mr. Cook moved, with a second by Mrs. Bulova, to approve Resolution #2244 (copy attached). The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Ramadan, Smedberg, Snyder and Tejada. Mr. Reid abstained.

#### Personnel Item

Chairman Smedberg stated that the VRE Operations Board concluded an evaluation of Doug Allen for the first year of his service as VRE's Chief Executive Officer and the Board recommends that the Commissions approve an amendment to Mr. Allen's employment contract. Resolution #2245 would accomplish this. A copy of the amendment was handed out to Commissioners.

Mrs. Bulova moved, with a second by Mr. Tejada, to approve Resolution #2245 (copy attached). The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Ramadan, Smedberg, Snyder and Tejada. Mr. Reid abstained.

Mr. Reid left the meeting at 10:07 P.M. and did not return.

#### Virginia Department of Rail and Public Transportation (DRPT)

Mr. McKay reminded the Commission that jurisdictions are now required to process individual project funding agreements because of a past DRPT policy change. Currently, Fairfax County has to process 19 different agreements. This is not efficient. He requested that NVTC ask DRPT's new Director, Jennifer Mitchell, to evaluate the process and work with NVTC staff to find a more efficient solution. Mr. Dyke stated that Ms. Mitchell is aware of these issues and looks forward to discussing this with NVTC. He stated that it would certainly be appropriate for NVTC to send a letter. Mrs. Bulova agreed that this new process is more cumbersome and takes more staff time than the previous process.

Mr. McKay moved, with a second by Mrs. Bulova, to authorize the Chairman to send a letter to DRPT Director Mitchell requesting DRPT work with NVTC to seek a solution to the funding agreement issue. The vote in favor was cast by Commissioners Black, Bulova, Cook, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Ramadan, Smedberg, Snyder and Tejada. Mr. Dyke abstained.

#### Executive Director's Report

Ms. Coyner stated that Aimee Perron Seibert, NVTC's legislative liaison, was prepared to give a presentation on recent General Assembly activity. Due to the lateness of the hour, Ms. Coyner suggested that the update be postponed. She directed Commissioner's attention to a handout showing a timeline recapping General Assembly

activity and NVTC significant activities with respect to its Legislative and Policy Agenda, specifically highlighting high impact and high value activities.

Ms Coyner announced that NVTC's Legislative and Policy Committee is planning to meet on May 1<sup>st</sup> at 7:00 P.M. followed by NVTC's regular meeting at 8:00 P.M. She invited all Commissioners to attend this committee meeting. Mr. McKay continues to serve as Chairman of this committee and now Mr. Greenfield has agreed to Co-Chair alongside Mr. McKay.

#### NVTC Financial Items

The Financial Reports for February 2014 were provided to Commissioners. There were no questions.

#### Adjournment

Mrs. Bulova moved, with a second by Mr. McKay, to adjourn the meeting. Without objection, Chairman Smedberg adjourned the meeting at 10:14 P.M.

Approved this first day of May, 2014.

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Paul C. Smedberg  
Chairman

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Jay Fisette  
Secretary-Treasurer