

MINUTES  
NVTC COMMISSION MEETING – FEBRUARY 6, 2014  
SPEAKER'S CONFERENCE ROOM – GENERAL ASSEMBLY BUILDING  
RICHMOND, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Smedberg at 4:30 P.M.

**Members Present**

Sharon Bulova  
John Cook  
Phil Duncan (alternate, Falls Church)  
James Dyke  
William Euille  
Jay Fisette  
Catherine Hudgins  
Mary Hynes  
Jeff McKay  
Jennifer Mitchell (alternate, DRPT)  
Paul Smedberg  
David Ramadan  
Thomas Rust

**Members Absent**

John Foust  
Ken Reid  
David F. Snyder  
J. Walter Tejada

**Attending General Assembly  
Session (Excused Absence)**

Richard Black  
Barbara Comstock

**Staff Present**

Kelley Coyner  
Kala Quintana  
Doug Allen (VRE)  
Changes to the Agenda

Chairman Smedberg suggested that the Commission consider action items before the rest of the agenda since several Commissioners need to leave early for other events. There were no objections.

#### Remarks by Secretary of Transportation Aubrey Lane

Chairman Smedberg introduced Secretary of Transportation Aubrey Layne and thanked him for attending NVTC's meeting.

Secretary Layne thanked NVTC for inviting him and observed that NVTC's 50<sup>th</sup> Anniversary is quite an accomplishment of leadership for Northern Virginia. WMATA and VRE were both started during NVTC's tenure. It doesn't stop there, because NVTC has a quite a bit more to do. He assured NVTC that the State will be there to support NVTC.

Secretary Layne stated that he has made it a priority to be in Northern Virginia at least one day a week during his first four weeks in his new role as Secretary of Transportation. He has had a chance to meet with some of the NVTC Commissioners present at this meeting and he looks forward to working with the entire NVTC Board. Secretary Layne stated that he has had a chance to see some of the transit systems in Northern Virginia, which are unlike any other transit system in the Commonwealth. Seventy-five percent of all the transit trips in the Commonwealth happen in Northern Virginia. He has an appreciation for the unique needs of this region.

Secretary Layne stated that he has a good team, including Jennifer Mitchell, Director of the Department of Rail and Public Transportation, and Doug Koelemay, who has just been named Director of the Office of Transportation Public-Private Partnerships (OTP3). Secretary Layne stated that he pledges to understand the needs of Northern Virginia. The actual physical roads are easy to understand but it's the political impact and the impact on the citizens of Northern Virginia that is really important to understand. It is important to not only build good systems but also make good policy decisions. He observed that most of the best decisions are made at the local level. He expects progress in the coming months on the I-66 study currently underway.

Secretary Layne stated that it is a priority for the Commonwealth to work with the local elected officials. This doesn't mean that there will be agreement on everything, but at least each side will understand each other's position to make the best decisions. The first responsibility of the Commonwealth is to make sure it is legal and compliant and then to provide advice on policy but ultimately local elected officials need to make the decisions. He pledged that he will always be here to listen and he looks forward to working with NVTC. He again congratulated NVTC on the last 50 years of hard work and he looks forward to NVTC's next 50 years.

Chairman Smedberg stated that on behalf of the Commission, NVTC welcomes Secretary Layne's words and the partnership it hopes to have with the Commonwealth over the coming years. NVTC looks forward to working with Secretary Layne and Director Mitchell on important transit related issues in Northern Virginia.

Mrs. Bulova stated that she is pleased to hear that Delegate Filler-Corn's HB957 legislation seeking delayed implementation of the VRE weighted vote issue is proceeding through the legislative process. Secretary Layne stated that he has also met with Congressman Connolly and discussed the WMATA voting issues. Secretary Layne stated that he sees his role as an advocate on how to get the region resources. However, the State has limited funds and funding from HB2313 doesn't fix all the problems. He very much wants to assist the region in keeping those funds flowing in order to keep Virginia's citizens moving throughout the state.

Chairman Smedberg also acknowledged the presence of Delegate Rust and Delegate Ramadan and thanked them for taking time out of their busy legislative schedules to come and participate in this meeting.

#### Approval of the Minutes

Mrs. Bulova moved, with a second by Mrs. Hynes, to approve the minutes of the January 8, 2014 NVTC Meeting. The vote in favor was cast by Commissioners Bulova, Cook, Duncan, Dyke, Euille, Fisette, Hudgins, Hynes, McKay and Smedberg. Delegate Ramadan and Delegate Rust abstained.

#### FY 2015 State Transit Assistance Applications

Ms. Coyner explained that Resolution #2238 approves NVTC's submission of state operating and capital transit assistance applications to the Virginia Department of Rail and Public Transportation (DRPT) on behalf of NVTC's five WMATA jurisdictions for regional and local bus and Metrorail service. The applications total \$559.0 million in eligible operating costs and \$231.7 million in total capital expenses. The resolution also approves the submission of state transit assistance applications on behalf of VRE including \$47.2 million in eligible operating costs, \$85.7 million in total capital costs, and \$2 million in costs for technical assistance. She reported that NVTC submitted the grant applications into the OLGA system by the deadline.

Ms. Coyner explained that these grant applications reflect the new capital allocation tiering model and new operating assistance model. However, there are still several unanswered questions that need to be resolved of how the funds will actually be applied and the WMATA ridership data issue remains unresolved. Ms. Coyner stated that the application amounts are considerably higher than in previous years because of the \$50 million was included for Virginia's portion of WMATA 2025 initiative. There are still discussions occurring by the jurisdictions on how the 2025 funding commitment is met by Virginia. In response to a question from Mr. Fisette regarding timing of the request for approval of the application, Ms. Coyner stated that it is consistent with past years to preserve the funding for this. Due to the work done on the capital allocation tiering model, there is now a better understanding of the rules. NVTC staff has been working closely with DRPT staff, especially Dave Awbrey, who has spent a great deal of

time with jurisdictional staff and has been reviewing the applications as they were submitted to NVTC.

Ms. Coyner stated that a Rail Enhancement Fund request was also filed on behalf of VRE. Authorization to execute an agreement will be sought upon approval of the request by DRPT. More information will be provided later in the agenda.

Mr. McKay moved, with a second by Ms. Hynes, to approve Resolution #2238 (copy attached). The vote in favor was cast by Commissioners Bulova, Cook, Duncan, Dyke, Euille, Fisette, Hudgins, Hynes, McKay, Ramadan, Rust and Smedberg.

#### NVTC Consent Agenda Policy and Guidelines

Chairman Smedberg observed that the consent agenda policy and guidelines were prepared by staff to show transparency and consistency in the consent agenda process. Mr. McKay stated that this is a major step forward that will allow NVTC to have more substantive discussions about policy and issues regarding transit and not spend as much time on administrative actions. He thanked Ms. Coyner for bringing this action forward.

Mr. McKay moved, with a second by Mrs. Bulova, to approve the NVTC Consent Agenda Policy and Guidelines. The vote in favor was cast by Commissioners Bulova, Cook, Duncan, Dyke, Euille, Fisette, Hudgins, Hynes, McKay, Ramadan, Rust and Smedberg.

#### VRE

VRE CEO Report and Minutes of the January 17, 2014 Meeting. Chairman Smedberg suggested that due to limited time the Commission forgo the CEO Report provided by Mr. Allen but he encouraged Commissioners to read the report and minutes. There were no objections.

Purchase of VRE Expansion Railcars. Mrs. Bulova reminded the Commission that NVTC had a lengthy discussion at its January meeting regarding NVTA funding for railcars as it relates to non-NVTA jurisdictions. The original funding plan assumed the purchase of the railcars would take place in two stages: 1) the first stage in FY 2014 would include the purchase of nine railcars primarily with NVTA funding and supplemented with federal formula funds and a VRE match; and 2) the remaining five railcars would be purchased in FY 2015 using state capital grant funds with the match provided by the VRE jurisdictions outside of NVTA along with supplemental system funds being used (federal formula funds and state and VRE match).

Mrs. Bulova reported that VRE staff determined that more work on the NVTA funding issue will be required and as a result VRE staff developed an alternate funding plan for the purchase of the 14 railcars. The plan calls for the purchase of five railcars in FY 2015 and nine railcars in FY 2016 and would rely on 68 percent state funding,

with the remaining 32 percent from a combination of federal formula funds and existing VRE funds. NVTA funds would not be used. The FY 2015 subsidy amount would not change and no additional contribution would be needed from any jurisdiction. Resolution #2239 will approve the revised funding plan for purchase of the 14 railcars and forward the plan to the local jurisdictions for inclusion in their budgets. The resolution also authorizes NVTC's Executive Director to submit to the Commonwealth the revised railcar funding plan as part of the FY 2015 state aid application.

In response to a question from Chairman Smedberg, Mr. Allen stated that the discussions over the past month have been very productive and VRE looks forward to advancing the purchase of the railcars.

Mrs. Bulova moved, with a second by Mr. Fisette, to approve Resolution #2239 (copy attached). The vote in favor was cast by Commissioners Bulova, Cook, Duncan, Dyke, Euille, Fisette, Hudgins, Hynes, McKay, Ramadan, Rust and Smedberg.

VRE System Plan. Mrs. Bulova reported that the VRE Operations Board adopted the VRE System Plan at its January 17<sup>th</sup> meeting. The System Plan provides a framework for future decision making by indentifying service initiatives and capital investments that support long-range VRE growth, grouped into three phases between 2015 and 2040. Mrs. Bulova reminded Commissioners that NVTC had a detailed presentation on the System Plan at a previous meeting. Mr. Allen stated that it is important as VRE goes forward to have a long-term strategic plan. Chairman Smedberg acknowledged all the staff time that has gone into the development of the System Plan.

Mr. McKay stated that he is glad to see that run-through service into Maryland is included in the VRE System Plan. He expressed his hope that discussions can occur quickly with VRE's regional partners, especially Maryland, so planning for this type of service can begin. He believes that run-through service can be part of a regional solution that has not yet been fully investigated. Mrs. Bulova noted that run-through rail service is also one of the Board of Trade's major priorities. She did observe that it is a complex issue.

Mrs. Bulova moved, with a second by Mr. McKay, to approve Resolution #2240, which approved the VRE System Plan. The vote in favor was cast by Commissioners Bulova, Cook, Duncan, Dyke, Euille, Fisette, Hudgins, Hynes, McKay, Ramadan, Rust and Smedberg. (A copy of Resolution #2240 is attached.)

New Members to the VRE Operations Board. Mr. Allen reported that NVTC Commissioner Walter Tejada from Arlington County and DRPT Director Jennifer Mitchell are both new members of the VRE Operations Board.

#### Legislative and Policy Developments

Ms. Coyner thanked Delegate Rust for hosting NVTC's meeting in the General Assembly Building and for introducing NVTC from the House floor earlier in the day.

Delegate Rust reported that his bill HB761, which is the WMATA Fare Enforcement Bill, was heard by the Courts of Justice Committee and passed by a vote of 6-4. He also reported that there were many bills that could have negatively impacted the Northern Virginia region but they all have been disposed. Mr. Fisette thanked Delegate Rust and Delegate Ramadan for their hard work during the General Assembly Session.

Ms. Coyner reported that she was invited by Delegate Rust to appear before the Northern Virginia Delegation to give a presentation on Northern Virginia transit issues. She also observed that jurisdictional staff have been very engaged in the legislative activities occurring during the Session. She introduced Amy Perron Siebert who is working for NVTC as well as part of the local liaison team during the General Assembly Session.

Ms. Coyner gave an update on HB2, which sets out an 18-month process for developing a multifactor prioritization framework.

Chairman Smedberg acknowledged the presence of Delegate Randall Minchew; Scott York, Chairman of the Loudoun County Board of Supervisors; Al Harf, Executive Director for PRTC; and Linda McMinimy, Executive Director for the Virginia Transit Association (VTA).

#### Remarks from Department of Rail and Public Transportation's Director Jennifer Mitchell

Chairman Smedberg introduced DRPT Director Jennifer Mitchell and welcomed her to NVTC. Director Mitchell congratulated NVTC on its 50<sup>th</sup> anniversary. She stated that she understands Northern Virginia issues because she is from Northern Virginia. She looks forward to working with NVTC. She stated that Jim Dyke will continue to serve as the Principal member on NVTC and she will serve as the Alternate. She reviewed several things that DRPT is focused on, including relooking at the SAM Allocation Model process and has asked her staff to work with NVTC to look at ways how to streamline the process. She has been involved in the TSDAC process over the last six months and there have been great strides made, especially with the operating formula. She acknowledged that there are still questions about the capital formula. DRPT has been directed by the Commonwealth Transportation Board to look at the capital allocation issue following the first year of allocations. DRPT plans to look at this in June. DRPT is committed to making sure it is a fair process. In regards to the WMATA ridership issue, she understands it is still an issue of great concern but feels that if we can get the right people around the table over the next few months to discuss this issue, an answer can be found.

Director Mitchell reported that DRPT has plans to commission research to look at the economic benefits of transit across the Commonwealth. This will have a great impact on Northern Virginia. DRPT's goal is to be able to demonstrate the impact on jobs, productivity and on overall economic development just not in Northern Virginia but across the entire Commonwealth. DRPT will also start a new strategic planning process this spring. DRPT will be asking for feedback from the grantees of what DRPT has

done well and what more it should be doing. This process will start after the General Assembly Session.

Director Mitchell observed that a major benefit of NVTC is its regionalism where local elected officials come together from across jurisdictional lines to work on regional issues. DRPT is very supportive of regional investments and wants to work with the existing regional organizations that are in place, such as NVTC and PRTC.

Delegate Ramadan stated that he had a chance to talk to Director Mitchell and he is thankful for the recognition from DRPT that there are problems with the formulas. He is confident that NVTC and DRPT can work together to fix the problem.

### NVTC Financial Items

The Financial Reports for December 2013 were provided to commissioners. There were no questions.

### Information Items

Chairman Smedberg noted that three new blue items were added to the information items. There was no discussion of these information items, except for the Rail Enhancement Funds (see below):

- Metrorail Moves Toward Resuming Automatic Train Control
- WWMATA Agrees to Recognize Advance Payments by NVTA for Anticipated Future Metro 2025 Investments Consistent with All Legal Requirements Applicable to NVTA
- VA Secretary Confirms Dyke and Mitchell as NVTC Members
- NVTA Ensures that NVTA Extraterritorial Funding Partners Pay or Commit to Pay Proportionate Share of Projects
- VVDOT Begins U.S. Bicycle Route 1 Study
- MWCOG Approves Region Forward Strategic Investment Plan Final Report
- TPB Forecasts Travel Demand Growth in Activity Centers
- Hampton Roads Proposal to Establish Transit Authority Advances (HB1253)
- Update on VDOT Evaluation and Rating of Significant Projects (Blue Item)
- VDOT Presents Performance Measurement Weights (Blue Item)

Rail Enhancement Fund (Blue Item). Mr. Allen stated that VRE has been in discussions with CSX for a few years on reaching agreement to allow the Potomac Shores Station to be built in Prince William County. The new agreement would essentially commit VRE to build second platforms along the entire Fredericksburg Line, with the help of jurisdictional and NVTA funding. Recently, VRE began discussions with DRPT about using Rail Enhancement Funds for this. The match would be provided with private sector funds used to build the Potomac Shore Station. VRE submitted a grant application in absentia. VRE will come back to the Operations Board and Commissions

as the process progresses to seek approval. DRPT was very helpful to VRE in identifying possible funding for this project. Chairman Smedberg observed that the Potomac Shores Station Project is a significant project for VRE and Prince William County.

Adjournment

Without objection, Chairman Smedberg adjourned the meeting at 5:03 P.M.

Approved this 6<sup>th</sup> day of March, 2014.

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Paul C. Smedberg  
Chairman

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Jay Fisette  
Secretary-Treasurer





## **RESOLUTION #2238**

**SUBJECT:** Approval of FY 2015 NVTC and VRE State Operating, Capital, and Related Grant Applications and Authority to Apply for Funds from the Commonwealth Transportation Board, Federal Transit Administration and other Grant Agencies.

**WHEREAS:** The Northern Virginia Transportation Commission (NVTC) wishes to obtain state and federal grants to help defray NVTC, WMATA, local bus systems and Virginia Railway Express (VRE) operating and capital costs.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission's executive director is authorized, for and on behalf of NVTC and as an agent for its members, 1) to execute and file an application to the Virginia Department of Rail and Public Transportation (DRPT), for grants of public transportation assistance for the fiscal year 2015 commencing July 1, 2014 in the amount of \$559.0 million in eligible operating costs to defray a portion of the public transportation cost of NVTC and its members for operations; 2) to accept from DRPT grants in such amounts as may be awarded; and 3) to furnish DRPT such documents and other information as may be required for processing the grant request.

**BE IT FURTHER RESOLVED** that NVTC's executive director is authorized, for and on behalf of NVTC and its members, 1) to file an application to DRPT, for grants of public transportation assistance for FY 2015 for capital expenses totaling \$231.7 million in costs (\$147.8 million non-federal) to defray the costs borne by NVTC and its members for equipment, facilities and the associated expenses of any approved capital grant, with a minimum 4 percent local participation required; 2) to revise the capital portion of the application to reflect refined estimates by WMATA or local governments when they become available; 3) to accept from DRPT grants in such amounts as may be awarded; and 4) to furnish to DRPT such documents and other information as may be required for processing the grant request.

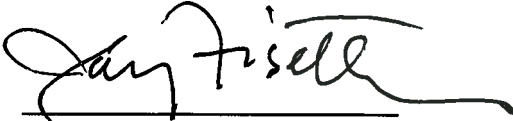
**BE IT FURTHER RESOLVED** that NVTC's executive director is authorized, for and on behalf of NVTC and PRTC and their members, 1) to execute and file FY 2015 VRE applications to DRPT in the amount of \$85.8 million for operating costs, 85.7 million in total costs for capital (\$35.7 million non-federal), and \$2 million in technical assistance costs; 2) to revise the application to reflect refined estimates by VRE; 3) to accept from DRPT grants in such amounts as may be awarded; and 4) to furnish to DRPT such documents and other information as may be required for processing the grant request.


**BE IT FURTHER RESOLVED** that NVTC certifies that the funds for all of the above grants will be used in accordance with the requirements of Section 58.1 638.A.4 of the Code of Virginia, that NVTC will provide matching funds in the ratio required by the Act, that the records of receipts of expenditures of funds granted to NVTC may be subject to audit by DRPT and by the State Auditor of Public Accounts, and that funds granted to NVTC for defraying the public transportation expenses of NVTC shall be used only for such purposes as authorized in the Code of Virginia.

**BE IT FURTHER RESOLVED** that NVTC's executive director is authorized, for and on behalf of NVTC and its members, to furnish to TPB, CTB and other state and federal funding agencies such documents, information, assurances and certifications as may be required for pursuing the above grant requests and continuing previously awarded grants.

**BE IT FURTHER RESOLVED** that NVTC's executive director is authorized to amend the above described applications at the request of NVTC's member jurisdictions to include the most recent information and project costs.

Approved this 6<sup>th</sup> day of February, 2014.

  
Jay Fisette  
Secretary-Treasurer

  
Paul C. Smedberg  
Chairman



## **Resolution #2239**

**SUBJECT:** Purchase of VRE Expansion Railcars.

**WHEREAS:** In December 2013, the VRE Operations Board adopted the revised FY 2014 VRE Operating and Capital Budget and the recommended FY 2015 VRE Operating and Capital Budget, and referred them to the Commissions for their consideration and subsequent referral to the jurisdictions for their formal review and adoption;

**WHEREAS:** The FY 2014 and FY 2015 budgets, as forwarded, included a funding plan for the purchase of 14 railcars;

**WHEREAS:** VRE recently learned that the use of Northern Virginia Transportation Authority (NVTA) funds and the use of state capital grant funds as components of that purchase presents issues the resolution of which could significantly delay procurement or efficient use of the railcars;

**WHEREAS:** Staff has presented a revised funding plan that would allow for the most expeditious purchase and deployment of all railcars; and


**WHEREAS:** The VRE Operations Board recommends the following action.

**NOW, THEREFORE, BE IT RESOLVED,** that the Northern Virginia Transportation Commission approves the revised funding plan for the purchase of 14 expansion railcars and forward the plan to the local jurisdictions for inclusion in their budgets and appropriations in accordance with procedures contained in the VRE Master Agreement.

**BE IT FURTHER RESOLVED** that NVTC authorizes its Executive Director to submit to the Commonwealth the revised railcar funding plan as part of the FY2015 state aid grant application.

Approved this 6<sup>th</sup> day of February, 2014.

  
Jay Fisette  
Secretary-Treasurer

  
Paul C. Smedberg  
Chairman



## **Resolution #2240**

**SUBJECT:** Adoption of the VRE System Plan.

**WHEREAS:** Population within VRE member jurisdictions is projected to grow by an average of nearly 40 percent by 2040 and employment is projected to grow by 50 percent;

**WHEREAS:** The Commonwealth of Virginia, the Northern Virginia Transportation Authority (NVTA) and other regional bodies have identified congestion relief as a pressing concern affecting long-term regional economic growth, competitiveness and quality of life;

**WHEREAS:** VRE is an essential regional asset that provides a safe, reliable, high-quality mobility option for commuter travel;

**WHEREAS:** In April 2013 the VRE Operations Board authorized the development of the VRE System Plan to identify critical VRE system needs in a comprehensive manner and prioritize the initiatives to advance VRE's long-term strategic vision over the next 20+ years of VRE service; and

**WHEREAS:** The VRE System Plan provides a framework for future decision making by identifying service initiatives and capital investments which support a ridership goal of 40,000-45,000 daily trips within the 2040 timeframe.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission adopts the VRE System Plan as the long-term vision and guide for VRE system growth and expansion.

Approved this 6<sup>th</sup> day of February, 2014.

Jay Fiset  
Secretary-Treasurer

Paul C. Smedberg  
Chairman