



MINUTES
NVTc COMMISSION MEETING – OCTOBER 2, 2014
NVTc CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Smedberg at 8:22 P.M.

Members Present

Richard Black
Sharon Bulova
John Cook
James Dyke
William Euille
Jay Fisette
Catherine Hudgins
Mary Hynes
James LeMunyon
Jennifer Mitchell (DRPT alternate)
Ken Reid
Thomas Rust
Paul Smedberg
David F. Snyder
Jennifer Wexton

Members Absent

John Foust
Jeff Greenfield
Jeff McKay
J. Randall Minchew
J. Walter Tejada

Staff Present

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

Approval of the Minutes

Mrs. Bulova moved, with a second by Delegate Rust, to approve the minutes of the September 4, 2014 NVTC Meeting. The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Hudgins, Hynes, LeMunyon, Rust, Smedberg, Snyder and Wexton. Mr. Reid abstained.

Consent Agenda: Authorize NVTC's Chairman or His Designee to Present Testimony at the Commonwealth Transportation Board's Fall 2014 Hearing

Delegate LeMunyon asked if a copy of NVTC testimony will be made available to Commissioners. Ms. Coyner explained that the bullet points provided indicate the nature of the testimony and staff is in the process of coordinating testimony with NVTC's jurisdictions and VRE. Commissioners will receive a copy of the testimony after it is finalized.

Mr. Reid observed that estimated statewide FY 2015 revenues are down six percent (\$13.7 million) from the approved SYIP. In response to a question from Delegate LeMunyon, Ms. Coyner explained that the CTB has indicated a two-fold purpose for the hearing: 1) for the CTB to talk about the projects that are being put on hold while waiting for the work of HB2 to be completed; and 2) to take comments on transportation needs in Northern Virginia. Delegate LeMunyon asked if there are any projects that are being put on hold that should be commented on specifically. Ms. Coyner responded no, not from a transit perspective.

Mr. Reid moved, with a second by Mrs. Hudgins, to authorize NVTC's Chairman or his designee to present testimony on behalf of the Commission at the CTB Fall 2014 hearing on October 16, 2014. The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Hudgins, Hynes, LeMunyon, Reid, Rust, Smedberg, Snyder and Wexton.

VRE

Report from the VRE Chief Executive Officer. Mr. Allen reported that there was an unfortunate incident on September 29th in Fairfax County which required VRE to cancel trains on the Manassas Line and run bus bridges. He also reported that VRE on-time performance (OTP) for the month of August was 95 percent, which was up from the previous month. Ridership for the month was an average of 18,000 which is typical during the August vacation season. He stated that four of the initial eight replacement railcars were delivered and put into service, which resulted in four Legacy railcars being retired. Three of the Legacy railcars have been shipped to Chicago as part of the six car purchase by Metra.

Mr. Allen thanked DRPT and Director Mitchell for their assistance in advancing an amendment to the SYIP for the next expansion railcar purchase. Mr. Allen also announced that VRE received confirmation that the TIGER Grant from the U.S.

Department of Transportation was approved to advance environmental work on the Long Bridge project.

Authorization to Refer the Preliminary FY 2016 VRE Operating and Capital Budget to the Jurisdictions. Mrs. Bulova stated that the VRE Operations Board recommends Commission authorization to refer the Preliminary FY2016 VRE Operating and Capital Budget to the Jurisdictions for their review and comment. Resolution #2255 would accomplish this. The preliminary budget totals \$123 million and assuming no change to fares or subsidy, the budget reflects \$3.9 million of costs currently unfunded. As in the past, VRE will submit a balanced budget in December. Mrs. Bulova stated that the Operations Board had a lengthy discussion at its meeting and identified ways to close the budget gap. The Board asked that these options be included as an addendum to the budget that was forwarded to the Commissions.

Mrs. Bulova moved, with a second by Mr. Cook, to approve Resolution #2255 (copy attached). The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Hudgins, Hynes, LeMunyon, Rust, Smedberg, Snyder and Wexton. Mr. Reid abstained.

Authorization to Amend the Contract for Passenger Railcars. Mrs. Bulova stated that Resolution #2256 will authorize VRE's CEO to amend the Sumitomo Corporation of American contract to place an option order for five additional railcars and increase the contract by \$10,545,200, from \$36,045,714, plus a contingency of \$527,260, for a total contract value amount not to exceed \$47,118,174.

Mr. Snyder asked if the railcars are manufactured in the United States. Mr. Allen responded that the Sumitomo manufacturing facility is in Rochelle, Illinois and now that the steel is rolled at that facility, the railcars are basically 100 percent American made.

Mrs. Bulova moved, with a second by Mr. Cook, to approve Resolution #2256 (copy attached). The vote in favor was cast by Commissioners Black, Bulova, Cook, Dyke, Euille, Fisette, Hudgins, Hynes, LeMunyon, Rust, Smedberg, Snyder and Wexton. Mr. Reid abstained.

Update on Jurisdiction Action on the VRE Master Agreement. Mrs. Bulova reported that seven of the nine jurisdictions have approved the Master Agreement Amendment, which is needed to incorporate the weighted voting requirement set forth in HB2152.

Work Session: I-66 Multimodal Improvements/Tier II Environmental Analysis

Susan Shaw of VDOT, Tim Roseboom of DRPT, and Young Ho Chang, the lead consultant, briefed the Commission on the I-66 Multimodal Corridor Improvements Project. Ms. Shaw stated that in July the Commonwealth kicked off the I-66 Corridor Improvement Project for the purpose of identifying multimodal improvements for the 25-mile corridor from the Beltway to Route 15 in Haymarket. To date the Transit/TDM

Advisory Group (TTAG) is focused on Express Lanes access points and future rapid bus service assumptions for the travel forecasting model. She explained that in addition to adding a managed lane, there would be three general purpose lanes open to all traffic. The study is also looking at adding an auxiliary lane where lanes do not currently exist between the interchanges. This should help with choke points, such as the eastbound lane between Route 50 and Route 123. She also explained that installing barrier separated managed lanes will make a difference in capacity in that corridor. HOV-3 users would be able to use the managed lane free and other drivers could use it with congested managed tolls.

Senator Black stated that he looks at congested managed lanes as “rich people lanes” while working people are stuck in the other lanes. Ms. Shaw stated that using the managed lane is a choice, either by commuting with two other people or paying a toll to use the lane. Putting in a managed lane should also improve congestion on the general purpose lanes. The HOT Lanes on the Beltway have not solved all the problems, but congestion has vastly improved. The same thing should happen on I-66. Mrs. Bulova stated that this project is calling for new capacity with a new managed lane. It is not taking away from the general lanes people are currently using on I-66. Single occupant drivers paying to use the toll lane are helping to pay for that new capacity, which in turns improves the entire corridor. However, if someone wants to carpool, they can use the lanes for free. Buses can also travel on that lane. If this was not new capacity, then she would agree with Senator Black.

DRPT Director Mitchell arrived at 8:42 P.M.

Mr. Roseboom stated that DRPT is developing a transit element of rapid bus service, which would include a system of park-and-ride access to the manage lane and high frequency direct service to major destinations. It would be designed to not add to the capacity issues of the Metro system by going past Metro’s choke points. The demand forecast will be ready by the end of 2014. Select preferred scenarios will be completed during Spring 2015 and revenue estimates in Summer 2015. The full study will be completed by Fall 2015, with full implementation by 2017.

Ms. Shaw stated that the project is looking at the potential for a public-private partnership as a way to fund the project. A Request for Information was released to gauge interest from the private sector and 19 companies responded. The full project scope is in the range of \$2-3 billion so the Commonwealth is looking for a significant public fund contribution, which has not yet been identified. A Request for Qualifications is expected to be issued in early 2015 and the RFP would be issued by end of 2015 in conjunction with the NEPA documents being completed. Ms. Shaw observed that it is an aggressive but achievable schedule.

In response to questions about looking at managed lanes on I-66 inside the Beltway, Ms. Shaw stated that this project is only looking at the portion of I-66 outside the Beltway to Route 15, but it would not preclude future consideration for inside the Beltway as part of a future study. Delegate LeMunyon asked about the timeframe for the congestion reduction analysis. Mr. Chang replied that the travel forecast work will be done in early 2015 and will be available before the CTB takes action.

Mr. Snyder stated that it is not just about providing the facilities, but it is also about putting buses on the facility to create a system that offers people that live farther out a realistic transit alternative. Mr. Roseboom responded that this is the hope and the service is being designed based on demand. In response to a question from Delegate Rust, Ms. Shaw replied that this project will go through the HB2 process. Mrs. Hynes observed that it is also important to address the issue of bus storage since Arlington County is running out of places to store long-haul buses. Mr. Roseboom stated that he is aware of an effort being led by the Metropolitan Washington Council of Governments to study parking options for regional commuter buses, as well as tour and charter buses.

Chairman Smedberg asked about the membership of the Stakeholder Steering Committee and the Transit/TDC Advisory Group (TTAG). Ms. Shaw stated that TAGG has representatives from each of the local jurisdictions, federal and environmental agencies, including the Corp of Engineers, EPA, Fish and Wildlife, and parks. Mr. Chang stated that there are 40 different agencies represented. Ms. Coyner stated that NVTC and NVTa are on the Stakeholder Steering Committee. NVTC staff is also represented on TTAG. In response to a question from Chairman Smedberg, Ms. Shaw stated that all the jurisdictions are represented and not just those jurisdictions that touch I-66. This includes Arlington County, Fairfax County, City of Fairfax, Alexandria, City of Fairfax, City of Falls Church, Loudoun County, Town of Vienna, and Prince William County.

Update on Review of Capital Allocation Model

Ms. Coyner directed Commissioners' attention to the written materials provided. She stated that DRPT plans to report back to the CTB later this fall.

Remote Participation in NVTC Meetings

Ms. Coyner stated that at the September 4th meeting Commissioners had a preliminary discussion on electronic participation in NVTC meetings as a result of recent amendments to the Freedom of Information Act (FOIA), which allows public bodies such as NVTC to permit remote participation in meetings if the body has a policy in place. Ms. Coyner explained that one of the issues is that the Navy League Building does not have the appropriate technology to provide electronic participation in the first floor meeting space. Under these circumstances the Commission may wish to consider an alternate policy, which is consistent with Fairfax County's policy, to allow remote participation in only committee meetings. NVTC's office conference room has suitable technology for remote participation.

Senator Black asked about Fairfax County's policy and how often it is used. Mrs. Bulova stated that she believes she is the only one who has used it for a committee meeting following eye surgery. The committee members had to vote to allow her to

participate due to her medical hardship. Mr. Cook observed that no votes are taken at Fairfax County Board committee meetings. Mrs. Hynes stated that Arlington County's policy allows for remote participation in County Board meetings. One member has used the provision for a medical reason and she has used it once while on travel. In response to a question from Mr. Euille, Mrs. Hynes explained that she participated in a Closed Session and no action votes were taken, although she did participate in the certification vote. Senator Black observed that it sounds like this policy is more appropriate for a Board of Supervisors. Mrs. Hynes stated that it would be helpful and efficient to be able to participate remotely in NVTC committee meetings since there are times when NVTC needs to schedule committee meetings during the daytime. She stated that there is already a provision that allows NVTC's General Assembly members to participate remotely in NVTC Commission meetings during the General Assembly Session.

Mr. Reid suggested the easiest way to participate is to have Commissioners Skype in to the meeting. He expressed his disappointment that the legislation does not allow remote participation to count towards quorum. NVTC has had issues in the past with reaching a quorum. He also expressed his opinion that two hours notice is enough time to provide notice. He questioned the provision on what it means to be "disruptive to the meeting."

Delegate LeMunyon stated that the Virginia Freedom of Information Advisory Council is writing its own policy, which is expected to be posted online as a template for other agencies to use. He suggested NVTC might want to wait for a month or two until this template is completed. In response to a question from Chairman Smedberg, Mr. MacIsaac stated that the Commission can choose to narrow a policy as much as it wants. Also, if the Commission wishes to adopt a policy now it can always be amended in the future. Senator Black asked that NVTC's policy reference the existing policy for General Assembly members during Session.

Mr. Fisette stated that it makes sense for the Commission to adopt a remote participation policy in committee meetings for the reasons given, but it does not seem to make sense to adopt a policy for full Commission meetings right now since the technology is not available. He does not see the rush and is willing to wait to see the template created by the Virginia Freedom of Information Advisory Council. Delegate LeMunyon stated that the Council is expected to meet in November.

Chairman Smedberg suggested that staff move forward and draft a policy for Commission consideration. Mrs. Bulova stated that she heard support for medical hardship and personal hardship. Mr. Reid stated that it should include travel. Mr. Cook noted that the specific reason needs to be noted in the minutes.

Ms. Coyner reported that NVTC recently requested public comment on a revised Disadvantaged Business Enterprise (DBE) Goal of seven percent participation for federal fiscal years 2015, 2016 and 2017 on U.S. Department of Transportation assisted contracts. Staff anticipates that approval of the final FY 2015-2017 goal will be requested at the December meeting.

Ms. Coyner also announced two upcoming events. The Planning Session is scheduled for October 27th at the Fairfax County Government Center. The December 12th Forum on the Role of Transit in Regional and Virginia Economy will be hosted by SAIC in their conference center which is adjacent to the Silver Line. Special thanks to Mrs. Hudgins and her staff for helping identify a meeting space.

Commonwealth and Regional Agency Reports

WMATA. Mrs. Hudgins reported that Metro has already reached 60 percent in customer satisfaction on the Silver Line and revenue projects have already been reached. She also reported that the New Electronic Payments Program (NEPP) pilot program is underway and will continue through June 2015 with full implementation in 2017. The administrative framework for the new Capital Funding Agreement (CFA) has been reviewed by jurisdictional staff.

Mrs. Hynes reported that WMATA has a game plan to implement automatic train operations, which will be first fully deployed on the Red Line. This is a big step forward. The National Transportation Safety Board and the Federal Transit Administration signed off on the technology development in house at WMATA. She also reported that Richard Sarles has announced his retirement as WMATA General Manager effective the end of January 2015. A national search for a replacement will begin soon. She also reported that Metrorail ridership has been down consistently all year. Coupled with sequestration, loss of transit benefit, and bad winter weather, Metro took a beating on rail revenue. Any revenue deficit is moved into the next year's budget.

Mrs. Hynes clarified that the current CFA does not expire until 2016 but WMATA has an option to purchase more railcars under very favorable terms and the Board of Directors wants to update the CFA now because the option expires August 15, 2015. She also observed that WMATA will be faced with a number of challenges over the coming months, including seeking a new General Manager, as well as a significant number of Board of Director changes. She encouraged Commissioners who have questions to email NVTC's WMATA Board members.

Delegate LeMunyon expressed his concern about the Silver Line and its impact on the Orange Line as service has been reduced from 19 to 11 trains at Vienna. He stated that it is important to keep up to date on the ridership between the Silver and Orange Lines to make sure ridership matches demand. Mrs. Hudgins stated that the Blue Line has also been impacted. In response to a request from Mr. Reid for line specific ridership data, Ms. Gron stated that NVTC provides transit data on a quarterly basis and monthly information is available in the Vital Signs/Dashboard report. Mr. Reid

stated that he was devastated to hear about Mr. Sarles retirement since he has done yeoman's work to reshape Metro under his leadership. Mrs. Hynes explained that the service standard for rush hour trains is every six minutes (about 10 trains an hour), which is what is happening on the Orange Line. Trains are only coming every 12 minutes on the Blue Line. The real issue is if WMATA has enough eight-car trains. WMATA is studying how to induce riders to use the entire platforms with eight car trains.

Delegate LeMunyon asked when WMATA's audited financial statement for FY 2014 will be available. Mrs. Hynes stated that it hasn't been presented to the Board of Directors yet.

Department of Rail and Public Transportation (DRPT). Ms. Mitchell reported that the Commonwealth Transportation Board was briefed on revisions to the SYIP and FY 2015 budget. There is also a shortfall expected for FY 2014 and FY 2016. DRPT has recommended a number of mitigation strategies for FY 2015, including seeking CTB approval to transfer capital funds to operating funds. The FY 2014 shortfall will be dealt with in the FY 2016 SYIP. She asked jurisdictions to be very conservative in their estimates in the budget forecasts. The Department of Planning & Budget will release a new revenue forecast which should be available in December. Mr. Snyder requested that DRPT provide the numbers as soon as possible.

Northern Virginia Transportation Authority (NVTA). Ms. Coyner reported that October will be a very busy month for NVTA. There will be a listening session prior to the next NVTA meeting to take input about the new TransAction long range plan. Assistance Secretary of Transportation Nick Donohue gave a presentation at the September NVTA meeting on the development of the metrics for the prioritization process for HB2. The Commonwealth Transportation Board is likely to approve a set of options for discussion in November and action in December. NVTC is working closely with NVTA on what are the appropriate metrics that will work well for NVTA as well as transit projects.

Mr. Euille stated that NVTA should hear something soon on bonding support. Today the Financial Working Group approved a joint agreement with VDOT and NVTA that will go before the Authority for adoption followed by CTB approval. Mrs. Bulova stated that there is an issue with the amended state budget where NVTA's bond counsel has determined it needs to be addressed by legislation. It is her understanding that the Governor has already signed an amendment, which will need to be approved by the General Assembly when they convene again.

NVTC Financial Report

The financial report for August 2014 was provided. Ms. Coyner reported that the auditor PBMares was onsite in September to complete fieldwork for the FY 2014 annual audits of NVTC and VRE. It is expected that the auditors will present the FY 2014 audit at the Commission's December meeting. Ms. Coyner also noted that as part of NVTC's FY 2016 budget development, staff is developing a resource plan and implementation plan as part of the strategic framework.

Adjournment

Mr. Euille moved, with a second by Mrs. Hynes, to adjourn the meeting. The Commission unanimously agreed and Chairman Smedberg adjourned the meeting at 9:49 P.M.

Approved this sixth day of November, 2014.

Paul C. Smedberg
Chairman

Jay Fisette
Secretary-Treasurer



RESOLUTION #2255

SUBJECT: Referral of the FY 2016 Preliminary VRE Operating and Capital Budget to the Jurisdictions

WHEREAS: The Virginia Railway Express (VRE) Master Agreement requires the Potomac and Rappahannock Transportation Commission (PRTC) and the Northern Virginia Transportation Commission (NVTC) ("the Commissions") be presented with a preliminary fiscal year budget for consideration at their respective September meetings prior to the commencement of the subject fiscal year;

WHEREAS: The VRE Chief Executive Office has provided the VRE Operations Board with the preliminary FY 2016 Operating and Capital Budget; and

WHEREAS: At the VRE Operations Board September 19, 2014 meeting, a discussion of potential ways of closing the current gap between revenues and expenses occurred, during which the VRE Operations Board made a set of suggestions that is described in an addendum.

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED by the Northern Virginia Transportation Commission hereby authorizes the preliminary FY 2016 VRE Operating and Capital Budget with the addendum to be forwarded to the jurisdictions for their formal review and comment..

BE IT FURTHER RESOLVED that NVTC directs staff to consider and address comments by the jurisdictions on the preliminary budget and the addendum, and to forward a final recommended budget to the members of the VRE Operations Board at the December 2014 meeting for consideration and referral to the Commissions in January 2015.

Approved this second day of October, 2014.

A handwritten signature in blue ink, appearing to read "Jay Fisette", is written over a horizontal line.

Jay Fisette
Secretary-Treasurer

A handwritten signature in blue ink, appearing to read "Paul C. Smedberg", is written over a horizontal line.

Paul C. Smedberg
Chairman



RESOLUTION #2256

SUBJECT: Authorization to Amend the Contract for Passenger Railcars

WHEREAS: In March of 2012 VRE executed a Contract with Sumitomo Corporation of America for a base order of eight new passenger railcars with an option for forty- two additional passenger railcars;

WHEREAS: In December of 2013, VRE executed a Contract Amendment for seven option passenger railcars to complete the replacement of the legacy gallery car fleet;

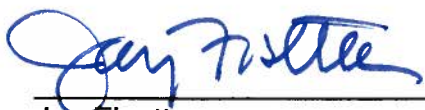
WHEREAS: The purchase of five option railcars will allow VRE to expand capacity and add ridership;

WHEREAS: VRE has identified the funding sources to purchase the additional five railcars; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED by the Northern Virginia Transportation Commission hereby authorize the VRE Chief Executive Officer to amend the contract with Sumitomo Corporation of America (SCOA) to place an option order for five additional railcars and increase the contract by \$10,545,200, from \$36,045,714, plus a contingency of \$527,260, for a total amount not to exceed \$47,118,174.

Approved this second day of October, 2014.



Jay Fisette
Secretary-Treasurer



Paul C. Smedberg
Chairman