

MINUTES
NVTC COMMISSION MEETING – DECEMBER 1, 2016
NAVY LEAGUE BUILDING – FIRST FLOOR CONFERENCE ROOM
ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Fisette at 7:45 P.M.

Members Present

David Albo
Sharon Bulova
John Cook
Jim Corcoran
Katie Cristol
Christian Dorsey
Adam Ebbin
Jay Fisette
John Foust
Catherine Hudgins
David LaRock
James LeMunyon
Matt Letourneau
Tim Lovain
David Meyer (Alternate, City of Fairfax)
Ron A. Meyer
J. Randall Minchew
Jennifer Mitchell (Alternate, Commonwealth)
Paul Smedberg
David Snyder
Jennifer Wexton

Members Absent

Jeff Greenfield
Jeff McKay

Staff Present

Karen Finucan Clarkson
Jen Deci
Andrew D'huyvetter
Rhonda Gilchrest
Dan Goldfarb
Nobuhiko Daito
Patricia Happ
Kha Huynh
Scott Kalkwarf
Kate Mattice
Aimee Perron Siebert
Stephen MacIsaac (counsel)
Doug Allen (VRE)
Paul Dean (VRE)
Joe Swartz (VRE)

Opening Remarks

Ms. Mattice stated that Mr. Garber from PBMAres, LLP, is coming from PRTC, so the audit will be presented later in the agenda.

Minutes of the November 3, 2016 NVTC Commission Meeting

Mr. Ron Meyer moved, with a second by Senator Wexton, to approve the Minutes of the November 3, 2016 NVTC Commission Meeting. The vote in favor was cast by Commissioners Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, David Meyer, Ron Meyer, Minchew, Smedberg, Snyder and Wexton.

Washington Metropolitan Area Transit Authority (WMATA)

Mrs. Hudgins gave a report on today's Customer Service, Operations and Security Committee meeting. The current Metrorail closing time of 3:00 A.M. has been one of the greatest contributors to the degradation of the system. There needs to be more time for preventive maintenance. WMATA staff recommended Proposal #3 to the committee, which would adjust the Metrorail operating hours to Mon-Thu 5am-11:30pm, Fri 5am-1am, Sat 7am-1am, and Sun 8am-11pm. The General Manager proposed the 3:00 A.M. closing time would only be restored when there were visible improvements to the system.

Mrs. Bulova and Delegate Albo arrived at 7:48 P.M.

Mrs. Hudgins gave an overview of the committee discussion, which was focused on how to get back to a 3:00 A.M. closing time. The committee eventually compromised on the staff recommendation to forward it the WMATA Board and include a provision to review progress at the end of FY2018 with consideration of a sunset after FY2019. She stated that Metrorail service needs to be safe and reliable and this approach will move towards that goal. The District wants a one-year sunset and is considering a jurisdictional veto. In response to a procedural question from Mr. Letourneau about the jurisdictional veto, Mr. Dorsey explained that if both principal members of a member jurisdiction vote against (or if one abstains), the motion will fail.

Mr. Lovain arrived at 7:50 P.M.

Mr. Smedberg gave an update on the Capital Needs Inventory (CNI) which will identify and quantify WMATA's unconstrained capital needs over a 10-year period to advance or maintain a state of good repair (SGR), meet regulatory compliance, and invest in safety enhancements. The CNI will be aligned with a proper planning process, procurement process, and budget process. He also reported that the Capital Program, Planning and Real Estate Committee had a discussion regarding WMATA's headquarters, which is a valuable piece of property. WMATA is looking at the various options, including renovation, relocation, or redevelopment. Mr. Smedberg noted WMATA has been discussing this periodically since 2002.

Mr. Corcoran gave an update on the proposed FY2018 capital budget, which was presented to the Finance Committee. The budget totals \$1.2 billion but does not include \$200 million for SafeTrack, railcars and additional expenses not budgeted in FY2017. Therefore, \$1.4 billion is needed for capital costs in FY2018. Of the \$1.2 billion, 85 percent is already committed for Series 7000 railcars, buses, system improvements, and other capital needs.

Mr. Dorsey stated that the Finance Committee is also looking at the operating budget during three work sessions. Today's work session focused on ridership, revenue and service. Ridership is down and recovery is expected to be slow. As a result, revenue projections are down. Mr. Corcoran explained that WMATA faces a \$290 million projected gap in the FY2018 operating budget. The plan is to fill the gap by a balanced approach using fare increases, subsidy increases, service reductions, management cuts and other reductions. Mr. Dorsey stated that Virginia and Maryland favor a balanced approach but the current position of the District of Columbia is to only increase subsidies.

Mr. Snyder stated that while Maryland and the District of Columbia have state-wide level of funding, the reality for Virginia's jurisdictions is that they carry the major load of funding. That means additional funding for Metro will compete for funding for teachers and police officers in local budgets. He stated that the vast majority of constituents ride the Metrorail system during the day-time rush hours compared to the few hundreds who ride late at night. It is also important to not lose sight that most riders are being affected by SafeTrack work occurring during the day. He thanked each Virginia WMATA Board member for doing their best to balance the approach to the budget in a fair way.

Mrs. Bulova also expressed her appreciation for the balanced approach to the budget. She observed that the tactic from other jurisdictions of drawing lines in the sand before budget discussions even begin are not constructive, helpful or fair. On top of that, issuing threats meant to inflame is just not helpful and runs counter to working together as a region to address these serious challenges. Mr. Smedberg stated that the three work sessions leading up to Board action were designed to help build consensus.

Mr. Cook asked staff to prepare a one-page document breaking out the jurisdictional and Commonwealth operating and capital contributions (for the current and proposed WMATA budgets).

In response to a question from Delegate LeMunyon, Mrs. Hudgins gave an overview of the budget process. The WMATA Board is expected to take action on the budget in March 2017. The budget goes into effect July 1, 2017.

Mr. Ron Meyer stated that WMATA Board Chairman Jack Evans has publicly supported D.C. Mayor Bowser's statement threatening to use the jurisdictional veto and vote against Phase II of the Silver Line. He observed that these types of statements can shake the confidence of the public. He asked what can be done to send a united message to the public. Mr. Smedberg stated all four Virginia members spoke out against this threat. Mrs. Bulova stated she met with Loudoun County Chairman Randall, who has expressed the

same concerns. She stated that it might be helpful for NVTC to draft an op ed letter explaining the Silver Line Phase II project, which is not funded or managed by WMATA.

Mrs. Bulova moved, with a second by Mr. Dorsey, to authorize staff to prepare an op ed piece on the Silver Line. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Minchew, Smedberg, Snyder and Wexton.

Mrs. Bulova requested NVTC's Chairman, as well as the two chair of Fairfax and Loudoun Counties, sign the letter.

Mr. Dorsey stated NVTC staff is working to provide outreach to the public, key leaders and the business community to convey positive messages about Metro. Two or three meetings are proposed in January or February. NVTC staff is working with the Virginia WMATA Board members to schedule these events.

Economic Impact of Transit

Metropolitan Washington Council of Governments (MWCOC) Presentation on WMATA. Stuart Freudberg, Deputy Executive Director of MWCOC, stated that on behalf of the Metropolitan Washington Council of Governments Board of Directors he expressed appreciation for being invited to present the "Chief Administrative Officers Technical Panel on Metro Interim Report" to NVTC. He stated that the Council of Governments' number one priority for 2016 is Metro, recognizing its regional importance to the economy as well as transportation mobility and overall quality of life. MWCOC supports the restoration of Metro to a world-class transit system as the ultimate goal and achieving a safe and reliable system in a state of good repair that is properly maintained as the immediate goal. He introduced Jeffrey DeWitt, District of Columbia's independent Chief Financial Officer; and Barbara Donnellan, former Arlington County Manager, who is serving as lead consultant.

Ms. Donnellan stated that the Technical Panel consists of Chief Administrative Officers from the WMATA jurisdictions, the District's Chief Financial Officer, and WMATA leadership. Four key focus areas include the economic value of Metro, metrics (tracking the public's concerns and tracking progress), WMATA funding needs, and revenues. Part of the process included multiple meetings, working with WMATA staff, coordinating with the Board of Trade, and reviewing many existing studies, include NVTC's study from 1984 and updated in 1994. She stated that the essential message in all these previous reports is that Metro spurs economic growth and activity in the region and is essential and vital to the region.

Ms. Donnellan stated that regional benefits from property tax revenue generated within a half-mile of Metro stations is estimated to bring in \$3.1 billion annually. Failure to invest in Metro to restore it to a safe, reliable system in state of good repair could reduce regional economic growth by one-quarter to one-half percent or more, reducing regional economy and tax revenues by \$1-\$2 billion. She then reviewed the metrics – safety, reliability, and customer experience.

Ms. Donnellan stated that the District of Columbia's Chief Financial Officer prepared a financial model to provide a rough order of magnitude of WMATA's funding needs for the region. The model shows the needs are well beyond what individual jurisdictions can afford. The Technical Panel will bring a selection of options to consider to the MWCOG Board in March 2017. She stated that it is important for the region to work together and collectively address these issues.

At 8:51 P.M. the Commission meeting was disrupted by a fire alarm and people were directed to leave the building. Chairman Fisette reconvened the meeting at 9:03 P.M. Delegate Minchew and Senator Wexton did not return.

Mr. DeWitt, the District's Chief Financial Officer, presented an overview of the "WMATA Needs: The Magnitude and the Effect," which is an analysis developed by the District to look at the impact of WMATA on the District's long-range capital plan. WMATA has indicated that it needs to execute approximately \$12 billion in capital improvements over the next 10 years. There is an expected \$3.3 billion gap as well as a \$2.1 billion gap for operating, totaling \$5.42 billion.

Mr. DeWitt explained the analysis, which looked at pay-go and debt service options. Without borrowing, the funding gap averages about \$540 million annually, but increases rapidly from \$333 million in FY2022 to \$1.5 billion in FY2026. With borrowing, the funding gap averages \$290 million annually (approximately \$500 million by FY2026). Additional revenue sources are required because the jurisdictions cannot support the amount of funding needed. He stated that some type of dedicated funding sources should be considered. The analysis also looked at the impacts to the region of no additional funding. SafeTrack-type delays will continue indefinitely, traffic congestion will continue to worsen, and economic growth in the region will likely slow. Just during daytime, \$235 million is currently being lost (wages and lost productivity) by trains being late. Doing nothing could cost the region more than doing something. He observed that there are no easy answers.

Chairman Fisette stated that this is helpful information to be able to frame the issues for legislators in other parts of the Commonwealth to understand the importance of WMATA and its economic impact to Virginia.

NVTC's Analysis of the Value of Northern Virginia Transit to the Commonwealth.

Ms. Mattice gave a brief description of the work NVTC will be doing that focuses on locally generated revenues going to the Commonwealth (not necessarily property taxes). NVTC is using analysis started by WMATA in 2011 to effectively quantify the value to incomes and businesses in having high capacity transit. NVTC is coordinating with MWCOG and WMATA staff and using in-house talent for this work. Analysis will include both WMATA and VRE. Preliminary findings will be presented to the Commission in spring 2017.

Financial Items

NVTC's FY2016 Audited Financial Statement and Compliance Reports. Mike Garber, Partner at PBMares, LLP, stated that PBMares issued an unqualified (clean) opinion that NVTC's financial statements, in all material respects, fairly and accurately

present the financial position of the organization. PBMares also issued a clean report on the internal control of NVTC's financial reporting, compliance and other matters. Because NVTC's received federal assistance during FY2016, PBMares issued a report on the compliance with requirements and internal control related to those federal funds. The report identified no findings nor any internal control deficiencies.

Mr. Garber stated that the management letter includes recommendations on new uniform guidance on spending federal dollars and on conflict of interest. NVTC should implement a new procedure to verify Commissioners have submitted a conflict of interest disclosure form with their jurisdiction.

Delegate LeMunyon asked if the cash balances on page 19 and 23 fluctuate over the course of the year. He also asked if the funds are being invested according to NVTC's investment policies. Mr. Kalkwarf responded that page 19 is NVTC's share of VRE's assets and page 23 is the jurisdictional trust fund which fluctuates over the year building up as it approaches the end of a quarter and NVTC transfers funds to WMATA on the first day of the next quarter. June 30th is the high point. He stated that the funds are invested in Virginia's Local Government Investment Pool (LGIP).

In response to another question from Delegate LeMunyon, Mr. Garber stated that the audit looks at the high-risk areas, such as the SAM allocation in more detail because of how those dollars get split between the jurisdictions. The audit also takes random samples and looks at all sizes of transactions.

Mr. Cook suggested implementing the recommendation to have high-level staff fill out conflict of interest forms.

There were no objections to accepting the audit and distributing it to interested parties.

Financial Items for October 2016. The financial reports were provided to Commissioners. There were no questions.

Department of Rail and Public Transportation

DRPT Report. Ms. Mitchell encouraged Commissioners to read the written DRPT Report.

Metro Safety Commission. Ms. Mitchell stated that a draft resolution of support has been prepared by NVTC staff for Commission consideration. She gave a status report on the draft MSC legislation. The Technical Committee is reviewing and addressing each comment. The next step is for the new draft to be submitted to the District of Columbia for consideration at its December 6th meeting followed by approval on December 20th. NVTC Resolution #2324 expresses support for the establishment of the MSC but does not address details of the legislation. Chairman Fisette noted that support for the MSC is already included in NVTC's Legislative and Policy Agenda and this resolution just reinforces that position.

Mr. Cook moved, with a second by Mr. Letourneau, to approve Resolution #2324.

Delegate Albo stated he is pleased to see the resolution does not address the jurisdictional veto issue. Delegate LeMunyon stated that as long as this vote is not construed as being in favor of a specific version of the bill, he can vote support the motion.

Mr. Snyder asked whether the new administration could impact or reverse FTA's position on withholding funds. Ms. Mitchell stated the Commonwealth received multiple statements regarding withholding funds from USDOT as well as FTA. FTA has the legal authority under FAST Act to withhold funds. The MSC still needs to be established. She would argue that state safety oversight belongs back at the state level since Maryland, Virginia and the District are the owners of the system. Mr. Snyder stated that he sees NVTC is taking this action under the current conditions but if they change, it may need to be revisited.

The Commission then voted on the motion and it was a unanimous vote. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Minchew, Smedberg, Snyder and Wexton.

Virginia Railway Express

VRE CEO Report. Mr. Allen reported overall on-time performance (OTP) for the month of October was 93 percent with average daily ridership remaining strong at 19,400. This is 1,400 over the previous year's average daily ridership, which can be mostly attributed to SafeTrack. VRE has retained some riders after the surges ended.

Mr. Allen reported that Fairfax County held a ribbon cutting ceremony at the Lorton Station today for new parking. He also announced several upcoming events. VRE will be collecting toys and cash for its annual Marine Corps Toys for Tots campaign on December 7th. Santa Trains will be run on December 10th. VRE will also run regular service on January 20th for Inauguration Day.

Mr. Allen stated that DRPT's consultants are finalizing their draft report on VRE's Financial Plan to submit to the Commonwealth Transportation Board. It is expected that the findings will show they concur with VRE's analysis and conclusions that VRE needs an additional \$40 million annually to maintain current service levels and \$60 million to expand service as outlined in VRE's 2040 Plan.

Mr. Allen also announced that the Virginia Transit Association (VTA) is holding its annual legislative reception for General Assembly members at the Main Street Station in Richmond on January 23rd. VRE is coordinating with VTA and CSX to provide a train to view and board at the event.

VRE's FY2016 Comprehensive Annual Financial Report. Mrs. Bulova reported that the Operations Board recommends the Commission accept and authorize the distribution of VRE's FY2016 Comprehensive Annual Financial Report (CAFR) and associated

information from the auditors. Resolution #2325 would accomplish this. VRE's audit firm, PBMares, LLP, has issued an unqualified (clean) opinion. The Operations Board received a detailed presentation from Mr. Garber at its November meeting.

Mrs. Bulova moved, with a second by Mr. David Meyer, to approve Resolution #2325 (copy attached). The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Minchew, Smedberg, Snyder and Wexton.

CSX Transportation Operating Access Agreement and Master Facilities Lease Agreement. Mrs. Bulova reported that the VRE Operations Board recommends that the Commission authorize the VRE CEO to execute amendments to the CSX Operating Access Agreement and the Master Facilities Lease Agreement in a form approved by legal counsel. The recommended amendments would incorporate changes to the current train schedules to reflect actual run-times between Spotsylvania and the Fredericksburg Stations and to update the physical characteristics of the corridor to include the new L'Enfant Storage tracks. Resolution #2326 would accomplish this.

Mrs. Bulova moved, with a second by Ms. Cristol, to approve Resolution #2326 (copy attached). The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Minchew, Smedberg, Snyder and Wexton.

Norfolk Southern Operating Access Agreement. Mrs. Bulova reported that the VRE Operations Board recommends that the Commission authorize the VRE CEO to execute an amendment to the April 30, 2014 Norfolk Southern Operating Access Agreement to reflect train schedule changes for the VRE Manassas and Fredericksburg line trains in a form approved by legal counsel. Resolution #2327 would accomplish this.

Mrs. Bulova moved, with a second by Ms. Cristol, to approve Resolution #2327. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Minchew, Smedberg, Snyder and Wexton. (A copy of the resolution is attached.)

Amtrak Access and Storage Agreement. Mrs. Bulova reported that the VRE Operations Board recommends that the Commission authorize the VRE CEO to execute an amendment to the July 1, 2015 Amtrak Access and Storage Agreement to reflect schedule changes for the VRE Manassas and Fredericksburg line trains in a form approved by legal counsel. Resolution #2328 would accomplish this.

Mrs. Bulova moved, with a second by Mr. Ron Meyer, to approve Resolution #2328 (copy attached). The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Minchew, Smedberg, Snyder and Wexton.

Regional Transit Performance: NVTC FY2017 1st Quarter Ridership Report

Ms. Mattice stated that due to the lateness of the hour, staff will not make a presentation. She explained that the 1st quarter of ridership, which is the first full quarter where SafeTrack has been in effect, shows a decline in Metro ridership. There is some good news with ART, VRE and Loudoun County Transit (LCT) where ridership is up. Mr. D'huyvetter explained that ART ridership increased because the county added service to compensate for SafeTrack and converted some Metrobus service into ART service. Chairman Fisette stated that one could presume that people would shift from Metrorail to bus during SafeTrack, but data shows reduction in bus ridership too. These two systems seem to be intertwined.

Executive Director Report

Executive Director Newsletter. Ms. Mattice encourage Commissioners to read the newsletter. She announced that yesterday WMATA issued a Notice to Proceed to Cubic for the Farebox/DCU technical work to replace obsolete farebox hardware and software. NVTC is working with the Northern Virginia bus systems to implement upgrades to fareboxes. NVTC is also coordinating on a solution for off-board payment technologies for Metroway and for future BRT in the region. Ms. Mattice also announced that the new Gainesville to Pentagon OmniRide service begins on December 12th. This is the first of the Transform 66 Inside the Beltway Multimodal components to begin service.

NVTC FY2018 G&A Budget. Ms. Mattice reported that the Executive Committee approved the submission of the budget to the Commission for approval at its January 5, 2017 meeting. Total expenses increase by 1.7 percent over the approved FY2017 budget. Staff levels are held constant at the FY2016 and FY2017 approved budget levels. The Computer Operations line includes funds needed to replace NVTC's antiquated financial accounting system, which will be procured in early FY2018. The Contract Services and Support line includes a provision for research and technical support efforts, HR support, NVTC's state liaison activities contract, and non-payroll costs for the Transform 66 project.

Annual Agenda. Ms. Mattice explained that the Annual Agenda is a preview of upcoming topics and actions for 2017. She invited Commissioners to provide comments to staff.

Meeting Location and Webcasting. Regarding last month's request for information on the feasibility of holding Commission meetings at offsite locations, Ms. Mattice stated staff reviewed the current logistics, staffing and budget associated with the current location and the possibility of holding program or project-specific public meetings throughout the transportation district. She stated that NVTC holds public comment every January and over the last year, held over a dozen public meetings on different programs and projects in other locations (Reston, Alexandria, Tysons, Baileys Crossroads, Springfield, Fairfax and Falls Church). NVTC has also gone out into the communities to meet with Chambers, local community groups and transportation commissions. For

Transform 66, NVTC partnered with VDOT and held public hearings in Gainesville, Ashburn, Falls Church and Arlington.

In response to Chairman Fisette's question about staff's recommendation, Ms. Mattice stated that NVTC staff want to be very purposeful about having project-specific meetings out in the community, but there is a predictability, ease and cost benefit of keeping the meetings at the current location. There were no objections.

Ms. Mattice stated that since NVTC shares this meeting facility with other tenants, any webcasting would need to be a temporary solution brought in each meeting and would need to be staffed. It is cost prohibitive. The Metropolitan Washington Council of Governments is the only regional body that currently provides this type of webcasting.

Joint NVTC-PRTC Legislative Briefing. Ms. Mattice reminded Commissioners that the Joint NVTC-PRTC Legislative Briefing will be held on December 12th at the Springfield Hilton at 9:30 A.M. Featured speakers include Deputy Secretary of Transportation Nick Donohue, DRPT Director Jennifer Mitchell, WMATA General Manager/CEO Paul Wiedefeld, VRE CEO Doug Allen, and Chairman-Elect Nominee of the Prince William Chamber Betty Dean.

Adjournment

Ms. Cristol moved, with a second by Mrs. Bulova, to adjourn the meeting. Without objection, Chairman Fisette adjourned the meeting at 9:57 P.M.

Approved this 5th day of January 2017.

Jeffrey C. McKay
Chairman

Matthew F. Letourneau
Secretary-Treasurer



RESOLUTION #2324

SUBJECT: Support of the Washington Metropolitan Area Transit Authority Metro Safety Commission (MSC)

WHEREAS: NVTC's strategic goals include the promotion of safe, reliable, and financially sound performance of WMATA's Metrorail system;

WHEREAS: NVTC's 2017 Federal and State Legislative and Policy Agenda supports the establishment of the MSC as a means to enhance the safety and security of riders in the region;

WHEREAS: Title 49 Chapter 53 of United States Code contains federal statutory requirements for public transportation safety programs and State Safety Oversight Agencies (SSOAs) that require heavy rail systems to have a legally and financially independent safety oversight agency;

WHEREAS: The Federal Transit Administration (FTA) determined that WMATA's SSOA, the Tri-State Oversight Committee (TOC), does not possess adequate enforcement authority necessary to meet certification requirements for SSOAs;

WHEREAS: On October 15, 2016, the FTA assumed temporary federal oversight of WMATA's State Safety Oversight program until a SSOA is established and certified to meet federal safety requirements;

WHEREAS: If the U.S. Secretary of Transportation determines that a State Safety Oversight program is not being carried out in accordance with federal law, FTA may withhold Section 5307 funding to transit agencies in the state;

WHEREAS: Due to the unique multi-state nature of the WMATA Metrorail system, the MSC must be established through an interstate compact, which will require that identical legislation be passed in the District of Columbia, Maryland and Virginia; and

WHEREAS: In February 2016, United States Secretary of Transportation Anthony Foxx informed the District of Columbia, Maryland and Virginia that if the MSC is not established and certified by February 9, 2017, the FTA is prepared to begin withholding Section 5307 funds until the MSC is certified as the SSOA for WMATA.

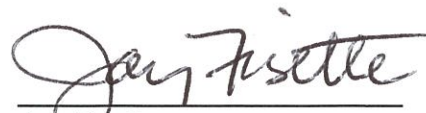
NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby urges the Commonwealth to work collaboratively with the District of Columbia and Maryland to establish the MSC as WMATA's SSOA.

BE IT FURTHER RESOLVED that NVTC encourages the Commonwealth to act expeditiously in order to minimize disruptions to transit operations statewide and prevent the withholding of Section 5307 funds.

Approved this 1st day of December 2016.



Paul C. Smedberg
Secretary-Treasurer



Jay Fisetle
Chairman



RESOLUTION #2325

SUBJECT: Accept and Authorize Distribution of VRE's FY2016 Comprehensive Annual Financial Report (CAFR)

WHEREAS: The VRE Operations Board has contracted with the firm of PBMares, LLC for the audit of its financial statements;

WHEREAS: The audit of VRE's FY2016 financial statements has been completed;

WHEREAS: The auditors have issued an unqualified opinion that VRE's statements, in all material respects, fairly and accurately present the financial position of the commuter rail operation;

WHEREAS: The VRE Operations Board accepts the FY2016 Comprehensive Annual Financial Report (CAFR) and associated information from the auditors; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby accepts VRE's FY 2016 Comprehensive Annual Financial Report (CAFR) and associated information from the auditors and authorizes the VRE Chief Executive Officer to forward these documents to interested groups, firms and members of the public.

Approved this 1st day of December 2016.


Paul C. Smedberg
Secretary-Treasurer


Jay Fisette
Chairman



RESOLUTION #2326

SUBJECT: Authorize the VRE CEO to Amend the CSX Transportation Operating Access Agreement and Master Facilities Lease Agreement

WHEREAS: VRE's current Operating Access Agreement with CSX Transportation was executed in July of 2011;

WHEREAS: The current Operating Access Agreement defines the train schedules and physical characteristics of the rail corridor in which VRE operations;

WHEREAS: The current train schedules and physical characteristics of the rail corridor need to be modified to include revised train schedules and the addition of the L'Enfant Storage tracks; the auditors have issued an unqualified opinion that VRE's statements, in all material respects, fairly and accurately present the financial position of the commuter rail operation;

WHEREAS: VRE has a Master Facilities Lease Agreement with CSX Transportation for all Stations on the CSX Transportation right of way;

WHEREAS: The Master Facilities Lease Agreement needs to be updated to include the right of way for the L'Enfant Storage tracks; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorize the VRE Chief Executive Officer to execute an Amendment to the current CSX Transportation Operating Access Agreement to 1) revise the current train schedules; 2) update the physical characteristics of the rail corridor to include the L'Enfant Storage tracks in a form approved by legal counsel.

BE IT FURTHER RESOLVED that NVTC authorizes the VRE Chief Executive Officer to execute an Amendment to the current Master Facilities Lease Agreement to include the right of way for the L'Enfant Storage tracks in a form approved by legal counsel.

Approved this 1st day of December 2016.

Paul C. Smedberg
Secretary-Treasurer

Jay Fissette
Chairman



RESOLUTION #2327

SUBJECT: Authorize the VRE CEO to Amend the Norfolk Southern Operating Access Agreement

WHEREAS: VRE has an Operating Access Agreement with Norfolk Southern Railway Company dated April of 2014 for a term of five years

WHEREAS: The Operating Access Agreement, in part, identifies train schedules for the VRE Manassas line trains that intersect with CSX Transportation at the AF interlock;

WHEREAS: VRE will modify the current train schedules with Norfolk Southern Railway to reduce station dwell times; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorize the VRE Chief Executive Officer to execute an Amendment to the Operating Access Agreement with Norfolk Southern Railway Company to modify the VRE Manassas Line train schedules in a form approved by legal counsel.

Approved this 1st day of December 2016.

Paul C. Smedberg
Secretary-Treasurer

Jay Fiset
Chairman



RESOLUTION #2328

SUBJECT: Authorize the VRE CEO to Amend the Amtrak Access and Storage Agreement

WHEREAS: VRE has an Operating Access Agreement with Amtrak dated July 1, 2015;

WHEREAS: The Access and Storage Agreement, in part, identifies train schedules for the VRE Manassas and Fredericksburg line trains;

WHEREAS: VRE will modify the train schedules with CSX Transportation and Norfolk Southern Railway Company;

WHEREAS: The modified trains schedules will not affect the arrival and departure schedules into and out of Washington Union Terminal;

WHEREAS: In order to incorporate the modified train schedules into the current Agreement an Amendment is required; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the VRE Chief Executive Officer to execute an Amendment to the Access and Storage Agreement with Amtrak to modify the VRE Manassas and Fredericksburg Line train schedules in a form approved by legal counsel.

Approved this 1st day of December 2016.

Paul C. Smedberg
Secretary-Treasurer

Jay Fiset
Chairman