

**MINUTES**  
**NVTC COMMISSION MEETING – NOVEMBER 3, 2016**  
**NAVY LEAGUE BUILDING – FIRST FLOOR CONFERENCE ROOM**  
**ARINGTON, VIRGINIA**

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Fisette at 7:43 P.M.

**Members Present**

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

**Staff Present**

Karen Finucan Clarkson  
Jen Deci  
Rhonda Gilchrest  
Dan Goldfarb  
Andrew D'huyvetter  
Patricia Happ  
Scott Kalkwarf  
Kate Mattice  
Aimee Perron Siebert  
Doug Allen (VRE)  
Tom Hickey (VRE)  
Joe Swartz (VRE)

### Opening Remarks

Chairman Fisette reminded Commissioners that there is a Closed Session at the end of the meeting. He also announced that he has appointed Mr. McKay and Mr. Snyder to serve with him as the Nominating Committee to develop a slate of officers for 2017. Commissioners interested in serving in leadership should contact one of the Nominating Committee members.

### Minutes of the October 6<sup>th</sup> NVTC Closed Session Meeting and the October 6<sup>th</sup> NVTC Commission Meeting

Mr. McKay moved, with a second by Mr. Meyer, to approve the Minutes of the October 6, 2017 NVTC Closed Session Meeting and the Minutes of the October 6, 2017 NVTC Commission Meeting. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Greenfield, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Minchew, Smedberg, Snyder and Wexton.

### 2017 NVTC Meeting Schedule

Ms. Mattice explained that the 2017 Meeting Schedule includes the February meeting in Richmond. Staff is also exploring a location in the western jurisdictions for one of the meetings.

Mr. LeMunyon moved to approve the 2017 Meeting Schedule with at least two meetings each to be held in the three larger jurisdictions outside of Arlington County (Fairfax County, Loudoun County and the City of Alexandria) and have at least one public comment period at one of these locations. Senator Ebbin observed that this seems like a lot of meetings to change location. With NVTC's current meeting location, he does not believe meetings need to be held in Alexandria. He likes the idea of having at least one meeting along the Silver Line and to add more public comment. Mr. Dorsey stated he does not object in theory but it is important to secure locations before action is taken. Mr. Meyer stated that there are two locations in Ashburn and Leesburg that Loudoun County can secure. He stated that overall it is a good idea to have more transparency to the public outside of Arlington. Mr. Corcoran stated the Northern Virginia Chamber would be pleased to host space for one or two meetings. The Chamber is transit accessible on the Silver Line.

Mr. Cook asked about the impact on staff regarding the administration and logistics of frequently changing meeting locations. Mr. Snyder stated that as a transit agency, it is important that NVTC meetings be accessible by transit. He suggested the Commission change one meeting location before making big changes. Chairman Fisette expressed his opinion that it could be confusing and hard for staff on administrative coordination. He observed that other regional bodies do not change their locations.

Delegate LeMunyon stated that he is happy to amend his motion to ask staff to study the feasibility of changing meeting locations. He explained that the reasoning behind his initial motion was that for many people living outside the Beltway these meetings are not accessible. Mr. Cook observed that if the concern is providing accessibility to the public, he suggested staff look into acquiring equipment to broadcast over the internet to livestream the meeting.

The Board then voted on the amended motion. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Greenfield, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Minchew, Smedberg, Snyder and Wexton.

#### Washington Metropolitan Area Transit Authority (WMATA)

Proposed Changes to Metrorail Service Hours. Mrs. Hudgins reported that the WMATA Board heard the General Manager's reasoning for his proposal to reduce Metrorail's service hours at today's Board meeting. The lack of preventive maintenance over many years has pushed the system to its brink. SafeTrack was introduced to provide corrective maintenance but preventive maintenance is needed to be proactive and to prevent future issues, which shifts the balance from reactive to proactive. The new preventive maintenance program will target specific safety and reliability issues, including cable meggering; stray current testing; tamping and surfacing; switch welding and grinding; mechanical joint maintenance; and other preventative maintenance.

Ms. Hudgins explained that by reducing service hours with earlier closing times, it will double productive work time from 10 to 20 hours per week. The early closing scenarios impact only one percent of ridership but creates expanded work windows for time-intensive work. The focus needs to be that "safety trumps service." The General Manager is proposing this to last for the next one to two years.

Chairman Fisette noted staff prepared a draft letter for discussion. Mr. Letourneau suggested including language of support in concept of the General Manager's proposal. He thinks it would make an impact because the message from the other jurisdictions has been the opposite. He thinks it is important to convey that Virginia is open to this proposal. Mrs. Bulova agreed.

Ms. Cristol stated she is inclined to agree but asked if there are additional costs factored into the proposed budget or are these changes being considered separately from the FY2018 budget. Mrs. Hudgins stated that preventive maintenance is included in the budget. Mr. Dorsey explained that WMATA already has equipment and crews to do preventive maintenance so in terms of budget impact, it is minimal. Since early closings affect only one percentage of riders, it should have minimal impact on revenues too. Preventive maintenance will provide increased reliability which should attract new and returning riders. In comparison, the SafeTrack program is costing \$60 million in capital funds.

Chairman Fisette suggested the Sections 1A and B be deleted from the letter and replaced with language conveying general support of the General Manager's proposed service hours changes.

Mrs. Bulova observed that Section 2 is well written. Mr. Smedberg agreed that this section should remain. Mr. Cook suggested changing "WMATA should provide sufficient alternative bus service..." with "WMATA should consider..." Mr. McKay pointed out that much of the bus service in Virginia is provided by the local jurisdictions. He suggested including language that reflects NVTC expects WMATA to continue to work with the jurisdictions on their bus service.

Mrs. Bulova moved, with a second by Mr. McKay, to authorize the Chairman to send the letter to WMATA after incorporating the suggested changes.

Mr. Snyder asked that language be included expressing concern for rush hour service, similar to what was included in the last letter. Mrs. Hudgins suggested including it with the letter's wording regarding reliability and safety.

The Commission then voted to approve the letter with the agreed upon changes. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Greenfield, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Minchew, Smedberg, Snyder and Wexton.

SafeTrack. Mr. Dorsey gave an update on SafeTrack. WMATA is in the middle of Surge #10 on the Red Line, which is producing major challenges for Red Line passengers, but there are significant mitigation efforts underway. Four out of the five surges in 2017 will impact Virginia as they will be on the Yellow and Blue lines. Mr. Dorsey reported that, to date, all the surges produced double digit declines in ridership but each successive surge is less loss in ridership compared to the previous surge. It seems like the public may be adjusting to SafeTrack.

Budget and Finance. Mr. Corcoran reported the WMATA Board accepted the audit, which is an unmodified audit. Permission to receive automatic draw-downs of FTA funding may be reinstated in the near future. The General Manager submitted a proposed FY2018 budget with three major priorities—safety, reliability and financial sustainability. WMATA is seeing 100,000 less trips per day on Metrorail compared to 2009 ridership numbers. The General Manager has announced 500 position reductions with over 500 more over the next two years. Mr. Corcoran stated that currently there is a \$290 million budget shortfall. The General Manager proposes to cover the shortfall with \$130 million in increased jurisdictional subsidies and the rest by fare increases and other reductions. Mr. Smedberg reminded the Commission that this is just the beginning of the WMATA budget process, which will continue over the next two to three months. Mr. Corcoran reviewed the budget timeline, which includes public hearings.

Mrs. Bulova observed the General Manager did a good job with his budget proposal, which is a balanced package with some service reductions, fee increases, personnel changes, and subsidy increases. She suggested NVTC provide some type of supportive language regarding the budget proposal which starts the discussions and work with the

jurisdictions and the WMATA Board. She hopes NVTC can express support for keeping a balanced approach to the budget process. Mr. Letourneau agreed.

Delegate Albo asked about WMATA labor costs which are significantly greater than other similar sized transit systems. Mr. Corcoran discussed the challenges with labor negotiations and binding arbitration. Delegate LaRock stated it is his understanding that binding arbitration expires when the contract expires. Ms. Mattice stated that there are federal requirements for labor since federal funds are used. Chairman Fisette asked staff to research this topic and provide information to Commissioners.

Delegate LeMunyon asked about the proposed 1000 positions being eliminated. Mr. Dorsey explained that 500 are mostly made up from vacant positions and the remaining 500 include 300 from administrative/back office positions and 200 operators and other technicians that are associated with service reductions. He stated a budget work session will focus on WMATA's workforce. Chairman Fisette asked that the agendas for the budget work sessions and meetings be provided at the next meeting.

Chairman Fisette stated that NVTC may want to submit comments on the budget. Mr. Cook stated that if we want to have an impact, NVTC needs a briefing on the option for a control board to take over WMATA operations. Mr. Dorsey requested to wait because even if all parties agreed that the control board option is a good idea, there is no way to achieve it in the FY2018 budget. In response to a question from Mr. Letourneau, Chairman Fisette observed that there is time for staff to draft a letter for Commission review.

Several Commissioners had questions about WMATA governance issues. Delegate Minchew stated there is a problem if WMATA cannot fire an employee falsifying safety reports.

Delegate LeMunyon asked if WMATA has a plan to generate enthusiasm to bring back riders. It is important to restore public confidence in Metro. Mr. Dorsey stated that he had a discussion with Ms. Mattice earlier today on this issue.

Ms. Mattice introduced a new NVTC employee, Andrew D'huyvetter, who will be working on WMATA issues.

Mr. Lovain announced that the Federal Transit Administration and the National Park Service have issued their Records of Decision for the Potomac Yard Metrorail Station. This marks the last step in the review process under the National Environmental Policy Act (NEPA). The project now moves into the design and construction phase.

#### Department of Rail and Public Transportation

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

Metro Safety Commission. Ms. Mitchell reported there have been numerous hearings and meetings with legislators in all three jurisdictions. The comments have been similar and are now being incorporated and reconciled into the document. She does not anticipate there will be major changes and expects a new version will be completed by the end of November. The D.C. Council plans to take it up at their December 6<sup>th</sup> meeting with a vote anticipated on December 20<sup>th</sup>.

Ms. Mitchell stated she has requested NVTC consider a resolution of support at its December meeting. It is important step for the three jurisdictions to approve this legislation. The consequences are significant for the long-term safety of the Metro system, as well as returning safety oversight back to the jurisdictions. The long-term ramifications are great if it is perceived that the three jurisdictions cannot function as a region.

Chairman Fisette stated the Executive Committee discussed a resolution of support and agreed NVTC's purpose is to grapple with issues like these and take a position. Staff will be working with the MAC Committee, WMATA Board members and the Executive Committee to develop a draft resolution. Mr. Letourneau observed that NVTC's Legislative and Policy Agenda already includes a position on the Metro Safety Commission. Mr. McKay stated it is also important that NVTC play a role in how the MSC is shaped.

Delegate Albo stated that he is not against the MSC in concept, but the issue of the voting structure needs to be resolved. He asked if it will be structured like WMATA where all three jurisdictions need to agree, or is it going to be structured where two jurisdictions can overrule the third jurisdiction. If two jurisdictions can overrule Virginia, there will be a storm in the General Assembly. Mrs. Bulova stated that to Delegate Albo's point, one of the problems with WMATA is that one jurisdiction can essentially veto any big decision. She is not sure what the answer is, but this structure is dysfunctional for WMATA.

Delegate Minchew asked what happens if the MSC is not established. Ms. Mitchell explained FTA would maintain oversight responsibility. FTA will withhold funding to Virginia. It would also project a negative view to Congress and other federal stakeholders that the jurisdictions can't function as a region. It could also set off other federal actions.

I-395 Transit/TDM Study Update. Ms. Mitchell reported the Steering Committee held a meeting earlier this month. A draft report will be released in November with the final report in December.

DC2RVA High-Speed Rail. Ms. Mitchell introduced Randy Selleck, Project Manager. Mr. Selleck gave an overview of the project, study schedule and timeline. The Draft Environmental Impact Statement (EIS) is expected to be completed by the end of 2016 followed by public hearings in January 2017.

## Virginia Railway Express

VRE CEO Report. Mr. Allen reported on VRE safety and security activities over the last month, including crossing blitzes at Featherstone Road in Woodbridge and training for first responders in Fairfax County, Spotsylvania County and the City of Manassas. He stated he attended a meeting today with the Federal Railroad Administrator and other CEO's from other commuter rail systems to discuss the Hoboken, New Jersey and Long Island Railroad incidents, as well as Positive Train Control and federal requirements to install inward facing cameras in locomotives. VRE has installed inward facing cameras but they aren't operational yet.

Mr. Allen reported overall on-time performance (OTP) for the month of September was 90 percent with average daily ridership remaining strong over 19,000. VRE has a social media marketing campaign underway.

Presentation of the Gainesville-Haymarket Extension Study. Mr. Allen gave a presentation on the Gainesville-Haymarket Extension study, which was funded with NVTA funding. He reviewed the various alternative options and potential funding sources. The Operations Board will consider a preferred alternative at its December meeting.

Delegate Minchew asked if VRE has done any analysis on ridership impact from Loudoun residents if the Bi-County Parkway is built. Mr. Allen offered to talk with Delegate Minchew after the meeting to get more information in order to do some analysis. He explained that typically this level of detailed analysis occurs later in the process. Mr. Letourneau observed that the southern part of Loudoun touches Gainesville. Loudoun County may have some interest in coordinating bus service to a VRE station in the future if VRE service is extended to the Gainesville-Haymarket area. Ms. Bulova stated that service expansion complicates operating costs. There is some concern from VRE jurisdictions, especially Prince William County, that an expansion will trigger large subsidy costs. She suggested Loudoun County have a conversation with Prince William County.

Approval of the 2016/17 VRE Legislative Agenda. Mrs. Bulova stated that Resolution #2322 would approve the 2016/17 VRE Legislative Agenda and authorize the VRE CEO to actively pursue the elements set forth in the agenda. NVTC has folded VRE's agenda into its Legislative and Policy Agenda.

Mrs. Bulova moved, with a second by Ms. Cristol, to approve Resolution #2322 (copy attached). The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Greenfield, Hudgins, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton. Commissioners LaRock, LeMunyon and Minchew abstained.

## Report of the Legislative and Policy Committee

Chairman Fisette acknowledged Delegate Mark Sickel and thanked him for attending.

Mr. McKay stated that the 2017 NVTC Legislative and Policy Agenda is presented for approval. It was developed in coordination with jurisdictional staff and the Legislative and Policy Committee. VRE's Legislative Agenda has been incorporated into NVTC's agenda.

Mr. McKay moved, with a second by Mr. Greenfield, to approve NVTC's 2017 Legislative and Policy Agenda. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Fisette, Foust, Greenfield, Hudgins, LaRock, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton. Commissioners Albo, Ebbin, LeMunyon and Minchew abstained.

Mr. McKay gave a brief update on the Transit Capital Project Revenue Advisory Board. Ms. Mattice gave an update on the Transit Service Delivery Advisory Board. She stated that DRPT gave a presentation to TSDAC on October 26<sup>th</sup> detailing the gap between state transit capital funding needs (\$2.4 billion over the next decade) and projected state revenues (\$1.3 billion). These projections highlight the serious challenge faced by the Commonwealth in identifying long-term, sustainable transit capital funding. Under the projections, Northern Virginia would take the hardest hit. More than 80 percent of the \$2.4 billion in capital funding needs is for our regional and local transit systems. DRPT estimates that the statewide funding deficit averages \$107 million per year over the next 10 years, growing markedly beginning in 2021. That's when state-of-good-repair needs alone would exceed available revenues. Members of the Transit Capital Project Revenue Advisory Board will receive a similar briefing on November 18<sup>th</sup>.

Mr. McKay reminded the Commission of the Joint NVTC-PRTC Legislative Briefing at the Springfield Hilton on December 12<sup>th</sup> at 9:30 A.M. He also stated that since the consolidation issue came up at the Joint Committee on Transportation Accountability meeting, he will reach out to NVTA to have a discussion on this issue. It is not to discuss consolidation, since there have already been lengthy discussions about that, but to talk about the definitions of the two agencies and if the Code accurately reflects the roles of each organization.

### Executive Director Report

Executive Director Newsletter. Ms. Mattice encourage Commissioners to read the newsletter. She announced that the first groundbreaking for a Transform 66 project was held on October 25<sup>th</sup> for the Stone Ridge Park and Ride Lot in Loudoun County. This is the first of 10 projects funded through Transform 66 Multimodal to begin construction. The Stone Ridge project was awarded more than \$1.9 million by NVTC. The funds will help cover costs associated with the 300-space park-and-ride lot, the purchase of two buses, and two years of bus service operations.

NVTC FY2018 G&A. Ms. Mattice reported that the proposed budget will be presented as an information item at the December meeting with action requested at the January 2017 meeting.

NVTC Financial Items. The Financial Report for September 2016 was provided to Commissioners and there were no questions or comments.



### Closed Session

Chairman Fisette moved, with a second by Mrs. Bulova, the following motion:

Pursuant to the Virginia Freedom of Information Act (Sections 2.2-3711A (1) of the Code of Virginia), the Northern Virginia Transportation Commission authorizes a Closed Session for discussion of a personnel matter.

The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Greenfield, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Minchew, Smedberg, Snyder and Wexton.

The Commission entered into Closed Session at 9:37 P.M. and returned to Open Session at 9:47 P.M.

Chairman Fisette moved, with a second by Mr. McKay, the following certification to reconvene in an open meeting:

- 1) That only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia; and
- 2) Only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the Commission.

The unanimous vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Greenfield, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Minchew, Smedberg, Snyder and Wexton.

Mr. McKay moved, with a second by Mr. Dorsey, to approve Resolution #2323 appointing Kate Mattice as NVTC's Executive Director. (A copy of the resolution is attached.) The vote in favor was cast by Commissioners Albo, Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Fisette, Foust, Greenfield, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Minchew, Smedberg, Snyder and Wexton. Commissioners congratulated Ms. Mattice.

### Adjournment

Without objection, Chairman Fisette adjourned the meeting at 9:49 P.M.

Approved this 2<sup>nd</sup> day of December 2016.

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Paul Smedberg  
Secretary-Treasurer

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Jay Fisette  
Chairman



## **RESOLUTION #2322**

**SUBJECT:** Approve VRE's 2016/17 Legislative Agenda

**WHEREAS:** VRE is a vital part of regional transportation network for the Northern Virginia and DC Metropolitan region;

**WHEREAS:** VRE serves residents throughout the Commonwealth to provide a meaningful public transportation option;

**WHEREAS:** It is essential for VRE to advocate for its funding needs and legislative/ regulatory concerns with members and staff in Congress, with staff of federal entities, in the Virginia General Assembly and with the Governor and his administration;

**WHEREAS:** VRE has coordinated its Legislative Agenda with the staffs of the Commissions and member jurisdictions; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Northern Virginia Transportation Commission hereby approves the 2016/17 VRE Legislative Agenda and authorizes the VRE Chief Executive Officer to actively pursue the elements set forth in the document.

Approved this 3<sup>rd</sup> day of November 2016.

Paul C. Smedberg  
Secretary-Treasurer

Jay Fisette  
Chairman



## RESOLUTION #2323

**SUBJECT:** Appoint Katherine A. (Kate) Mattice as Executive Director and Approve the Employment Contract

**WHEREAS:** NVTC accepted the resignation of the Executive Director on June 3, 2016;

**WHEREAS:** The Commission appointed Katherine A. Mattice as the Acting Executive Director on June 3, 2016;

**WHEREAS:** Following interviews by the NVTC Executive Committee and the full Commission, NVTC has selected Katherine A. Mattice for its Executive Director; and


**WHEREAS:** The terms of conditions of an employment agreement have been agreed upon with Katherine A. Mattice subject to formal approval by NVTC.

**NOW, THEREFORE BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby appoints Katherine A. Mattice as its Executive Director.

**BE IT FURTHER RESOLVED** that the Executive Committee is hereby authorized to execute on the Commission's behalf the employment agreement.

Approved this 3<sup>rd</sup> day of November, 2016.

  
Jay Fisette  
Chairman

  
Paul Smedberg  
Secretary-Treasurer