

MINUTES
NVTC COMMISSION MEETING – OCTOBER 5, 2017
NAVY LEAGUE BUILDING – FIRST FLOOR CONFERENCE ROOM
ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman McKay at 7:36 P.M.

Members Present

Sharon Bulova
John Cook
Jim Corcoran
Katie Cristol
Christian Dorsey
Adam Ebbin
John Foust
Libby Garvey
Catherine Hudgins
David LaRock
James LeMunyon
Matt Letourneau
Jeff McKay
David Meyer (Alternate, City of Fairfax)
Ron A. Meyer
Jennifer Mitchell (Alternate, Commonwealth of Virginia)
Paul Smedberg
David Snyder
Jennifer Wexton

Members Absent

Jeff Greenfield
Tim Lovain
J. Randall Minchew

Staff Present

Matt Cheng
Karen Finucan Clarkson
Andrew D'huyvetter
Nobuhiko Daito
Rhonda Gilchrest
Dan Goldfarb
Patricia Happ
Scott Kalkwarf
Kate Mattice
Cheyenne Minor
Steve MacIsaac (counsel)
Doug Allen (VRE)
Joe Swartz (VRE)

Opening Remarks

Chairman McKay stated NVTC is pleased to have Secretary Ray LaHood back to discuss WMATA reform. The meeting will also include presentations on the I-395 draft Memorandum of Agreement, the DC2RVA project, and NVTC staff analysis of Metro Virginia ridership.

Minutes of the September 7, 2017 NVTC Commission Meeting

Ms. Bulova moved, with a second by Ms. Garvey, to approve the minutes. The vote in favor was cast by Commissioners Bulova, Cook, Dorsey, Ebbin, Foust, Garvey, Hudgins, LeMunyon, Letourneau, McKay, David Meyer, Ron Meyer, Smedberg, Snyder and Wexton. Commissioners Corcoran and LaRock abstained.

Discussion with Former U.S. Secretary of Transportation Ray LaHood on the Independent Review of WMATA

Chairman McKay thanked Secretary LaHood for coming. He reminded everyone that Secretary LaHood met with NVTC in May and he asked NVTC to make recommendations on WMATA reforms. NVTC has spent the last six months giving a lot of thought, analysis, and reviewing real data, to formulate the resolution passed at the October meeting. He stated that it is a good regional resolution that NVTC hopes Secretary LaHood will consider. It conveys that is critically important to NVTC that it has a local seat at the table in future WMATA actions. Imbedded in the resolution are important recommendations, such as the elimination of the jurisdictional veto.

Chairman McKay asked Mr. Cook, who serves as the chairman of the Governance and Personnel Committee, to make a few comments. Mr. Cook observed it is significant that this Commission, which is made up of local elected officials and state delegates and senators, came together to agree on a set of principles to address WMATA reform issues. With a vote of 16-0-2, NVTC's Resolution #2342 reflects an amazing bipartisanship effort across state and local representation, that addresses all the issues the General Assembly asked NVTC to study.

Secretary LaHood thanked NVTC for inviting him back and congratulated the Commission on passing a resolution that is based on very thoughtful work and discussions. He observed that WMATA is America's transit system. He has talked with a lot of people and groups, and two things everyone agrees upon is that WMATA is critical to this region for the transportation it provides and that the WMATA General Manager Paul Wiedefeld is doing a good job and the best he can inheriting some serious issues.

Secretary LaHood stated his study was tasked with looking at governance, funding, long-term maintenance and legacy costs. The report is still being written and he hopes to present it to Governor McAuliffe this month. He stated that last month he met with Governors McAuliffe and Hogan and Mayor Bowser at Mount Vernon to discuss his recommendation of a temporary reform board made up of five members for a three-year

period. Each principal (two governors, mayor and U.S. Secretary of Transportation) would appoint a member and they would jointly appoint the fifth member who would serve as chairman. He believes they have found a legal way to do this without opening the WMATA Compact. He stated he will not be recommending opening the Compact and believes it would not be a good idea.

With no disrespect to the current WMATA Board, when talking about new funding sources, Secretary LaHood observed that funding partners want to contribute to an organization they believe is headed in the right direction of long-term planning for the future. Some of the funding partners have lost faith in the current organization's ability to lead WMATA into the future. He believes there needs to be new blood, new thinking, and new direction from people who do not have parochial interests and can look out for WMATA's interests. He plans to recommend that the reform board not be comprised of elected officials, they should bring good common sense and expertise to the table, and do it as a public service (not be paid). They should have one goal in mind—to make WMATA number one again. Secretary LaHood stated that this will establish credibility to go to the federal, state and regional funding partners to ask for more funding.

Ms. Bulova asked if a secondary mission of this five-member board would be to decide the composition and structure of a new permanent WMATA Board after three years. Secretary LaHood explained that for the first two years the reform board would meet on a regular basis and make tough decisions for the good of the organization. During the third year, the board would establish a succession plan.

In response to a question from Mr. Dorsey, Secretary LaHood stated he would share publicly the legal memoranda to support the recommendation of how to create this reform board without opening the Compact.

Mr. Snyder stated Virginia's funding of WMATA is very different compared to how the District of Columbia or Maryland fund WMATA. Virginia's local jurisdictions fund the majority of WMATA funding and that funding is already in competition against funding for education and public safety. He asked if there is a recognition that Virginia WMATA funding is different from the other two principal jurisdictions and because of Virginia jurisdictions' funding contribution, they should have certain rights to participate in WMATA decisions. He also asked if Secretary LaHood will make a recommendation on additional dedicated funding for WMATA.

Secretary LaHood replied that his report will propose some funding options. He understands there are parochial interests but people need to decide if they really want a first-class regional transportation system, then people should set aside their parochial views. Mr. Snyder responded that the jurisdictions around this table have held a long-term commitment to WMATA and regional cooperation and are not approaching this parochially.

Mr. Cook asked from a pragmatic standpoint, how it would work if the reform board makes funding recommendations for a WMATA budget but then must seek approval from the General Assembly and all the separate Virginia jurisdictions. Secretary LaHood stated it will only work if people cooperate and trust in the reform board. Mr. Dorsey observed that

there seems to be an imbalance in the way the reform board would work with the three jurisdictions. He is not challenging the concept, but trying to understand how it would work with Virginia since the WMATA funding is so different. Secretary LaHood suggested that the Virginia member of the reform board could coordinate with the general manager and WMATA staff to meet with the jurisdictions to review the proposed budget and ask for their approval of the budget.

In response to a question from Ms. Hudgins, Mr. LaHood stated common sense would dictate that the Virginia governor would reach out to groups, such as NVTC, to reach a consensus on who should be selected to represent Virginia on the reform board.

Ms. Cristol arrived at 8:04 P.M.

Mr. Letourneau observed that there is some history that the jurisdictional perspective is not always taken into account. This reflects the concern that NVTC, as one of the single entities that has the most at stake because of funding, will not have a way of impacting the way decisions are made at WMATA. He also asked if the reform board would have extra legal authority in terms of contracts and union negotiations to impact reform faster than other mechanisms. Secretary LaHood stated the reform board would follow the same by-laws and guidelines and there would be no extra powers.

Secretary LaHood gave two examples of successful reform boards, including Boston and the District of Columbia. The reform board in Boston has turned around the transit system (MBTA) and is now one of the best transit system in the country. Currently the MBTA Board is transitioning to a permanent board. He stated that these types of reform boards work. Mr. Letourneau observed that for Boston, that board had the authority to walk away from certain contracts.

Secretary LaHood stated regarding legacy costs, under the current WMATA Board these issues would be impossible to get resolved. A five-member board, none of whom are elected officials, can make something happen.

Delegate LaRock stated Metro is a 40-year old system with accumulated needs and neglect. So, without serious structural changes, such as reworking the Compact, he observed that it seems like this recommendation will produce the same outcome. He asked about why Secretary LaHood is adamant the WMATA Compact should not be opened. Secretary LaHood stated that if the Compact is opened, it gives everybody an opportunity to offer up changes, including the current administration and all 535 members of Congress, all of whom think they are experts on Metro. It will take too long and nothing will get accomplished. Delegate LaRock asked about opening the Compact under a pre-agreement that it would be limited for a set of purposes.

Mr. Corcoran asked if Secretary LaHood would consider refraining from recommending the governor appoint Virginia's member to get around the issue of funding since the localities pay for Metro. Secretary LaHood suggested NVTC could appoint the member. The Commonwealth would still be a player. Secretary LaHood stated he believes the reform board appointments should preside with the two governors of Maryland and

Virginia; the mayor of the District, and the U.S. Secretary of Transportation. Mr. Corcoran observed that the governor already has representation on NVTC.

Mr. Dorsey expressed his concern that WMATA is already working on the FY2019 Budget and the Board will need to come up with a budgetary ask to the jurisdictions by next spring for both operating and capital. His immediate concern is what happens next year with the budget process while going through the process of finding larger funding commitments. He asked if Secretary LaHood would consider recommending the WMATA Board agree to operate without a jurisdictional veto during the interim period. Secretary LaHood responded he is not tasked with making recommendations to the WMATA Board. He expressed his opinion that the jurisdictional veto and having Board alternates are not the way to run a transit system.

Delegate LeMunyon stated he likes the direction Secretary LaHood is headed and looks forward to seeing his report. Mr. Foust stated he supports most of NVTC's recommendations in its resolution, but abstained for the vote because he feels strongly elected officials should not serve on the WMATA Board. He asked if Secretary LaHood would consider a larger size board to allow NVTC to appoint a non-elected, qualified member. Secretary LaHood responded that a "reset" is needed and it is important to think outside the box and set aside parochial interests. His opinion is that a smaller sized board is better and he is going to recommend a five-member board. He reminded Commissioners that this is a temporary board for three years and the size could increase for the permanent board.

Ms. Garvey suggested that if the recommendation is that the governor appoint Virginia's member, then the recommendation should also include that the Commonwealth helps fund Metro. She also suggested that recommendation is not possible, he recommend the governor consult with NVTC on the appointment. Secretary LaHood agreed to that recommendation because it makes sense that the governor consult with the jurisdictions and other elected officials. Ms. Garvey observed that the jurisdictions cannot afford what needs to be done at WMATA and there needs to be an understanding that the reform board cannot break the backs of the jurisdictions. Secretary LaHood stated that funding challenges are not unique to Virginia; the other jurisdictions and the federal government also have funding challenges too. Chairman McKay noted that the bigger issue is how the other jurisdictions can generate revenue. Virginia is limited to real estate taxes.

Mr. Ron Meyer stated that as a general rule if you fund an organization, you should have a say in it. While the Commonwealth does provide some funding for Metro, the majority is funded by the localities. Secretary LaHood stated he will refrain from talking about funding until his report is released.

Mr. Snyder stated he appreciates the direction and clarity Secretary LaHood has given especially to the governance issues. He stated that the problem is there is a mismatch between the clarity of the governance recommendation and the lack of clarity on the funding recommendations. He stated that unless the funding changes to more funding from the Commonwealth, our jurisdictions will be doing the funding of WMATA and have less or no capability to influence the decisions made with its own tax dollars. Mr. Snyder stated that he agrees with Secretary LaHood about working together and eliminating all

parochialism, but thinks there is a fundamental mismatch between governance and funding recommendations.

Chairman McKay stated that regarding parochialism, he is not sure if there is much difference in appointing elected officials or allowing elected officials to appoint members. He reflected that his second saddest day as a WMATA Board member was when the Maryland governor hijacked the Metro budget. It was the height of conflict of interest and politics that came from the governor. Chairman McKay stated that this needs to end. His concern is if governors are going to make the appointments of people who do not answer to the funding partners, the public, riders, and jurisdictions. He stated that it is important to make sure this does not become a political appointment. It gets political at the governor level. He appreciates Secretary LaHood's comments about adding as part of his recommendation that the governor consult with NVTC. Chairman McKay also stated that in defense of NVTC jurisdictions, Virginia has a strong history of cooperation and not parochialism. His hope is that we are heading towards a process of cooperation and coordination and doing away with jurisdictional hijacking of Metro. He thanked Secretary LaHood for coming and for considering NVTC's recommendations.

Consent Agenda

Delegate LeMunyon requested item #4D "Authorize the Chairman to Send a Letter to DRPT with Comments on Smart Scale" be pulled from the Consent Agenda.

On a motion by Mr. Snyder and a second by Ms. Bulova, the Commission unanimously approved the following Consent Agenda Items:

- Authorize the Executive Director to Sign the Route 7 Conceptual Engineering Memorandum of Agreement with the Jurisdictions
- Authorize the Issuance of a Request for Proposals for Consultant Services for the Route 7 Conceptual Engineering Study
- Authorize the Notice of Direct Contributions to Jurisdictions
- Authorize the Chairman to Send a Letter of Support for Loudoun County's TIGER Grant Applications

The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LaRock, LeMunyon, Letourneau, McKay, David Meyer, Ron Meyer, Smedberg, Snyder and Wexton.

Mr. Dorsey moved, with a second by Ms. Bulova, to authorize the chairman to send a letter to DRPT with comments on Smart Scale. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, Letourneau, McKay, David Meyer, Ron Meyer, Smedberg, Snyder and Wexton. Delegate LeMunyon and Delegate LaRock abstained.

I-395 Express Lanes Multimodal Program

Ms. Mattice stated that included in the multi-year public private partnership agreement between VDOT and the operator of the I-395 Express Lanes, Transurban, is a yearly payment of \$15 million (to be escalated annually) that will be paid by Transurban to the Commonwealth. The Commonwealth is seeking an agreement with NVTC and PRTC to administer these funds for projects within their jurisdictions that would directly support the toll payers on this corridor. She stated that the Commission will be asked to approve the Memorandum of Agreement Regarding the Annual Transit Investment form the 395 HOT Lanes (MOA) at its November meeting. She introduced Jen DeBruhl of DRPT who gave a presentation on the Commonwealth's proposed draft MOA.

Ms. DeBruhl explained that VDOT is converting eight miles of the two existing reversible HOV lanes on I-395 to three reversible managed Express Lanes, which are scheduled to open in 2019. The Commonwealth has committed at least \$15 million to be provided annually through toll revenues for multimodal improvements in the corridor. Similar to the I-66 Inside the Beltway Project, the Commonwealth prefers local/regional selection of projects to receive funding. NVTC and PRTC have been selected to jointly determine projects to receive funding. A separate agreement will be needed between NVTC and PRTC to define roles and responsibilities.

Ms. DeBruhl reviewed the project improvement goals, the approval process, and the proposed terms and conditions of the MOA, which is modeled after the I-66 Inside the Beltway MOA between NVTC and VDOT. Unlike the I-66 MOA, this MOA will formalize DRPT's role and include PRTC as a party to the MOA. Toll revenue funds will be included in the annual DRPT SYIP and flow from VDOT to DRPT and then to NVTC and PRTC. The funds will be apportioned on a pro rata basis on each commission's population in the corridor. Jurisdictions not counted in population include Loudoun County, City of Fairfax, City of Falls Church, City of Manassas and the City of Manassas Park.

Ms. DeBruhl explained that NVTC and PRTC may agree on an alternate mechanism of designating the proportion of funds available to either commission. Use of toll revenues are governed by Virginia Code and the Meek legal decision.

Ms. DeBruhl stated that the terms of the MOA run concurrent with the amended and restated Comprehensive Agreement between the Commonwealth and 95 Express Lanes, LLC (Transurban). Sixty-eight years remain when tolling begins in 2019. The MOA includes a schedule of the expected Annual Transit Investment (ATI) funds for each year showing the escalation. It will total at least \$2.7 billion over 68 annual payments (adjusted for inflation).

Ms. DeBruhl stated that DRPT staff is continuing to work with NVTC and PRTC staff to finalize the MOA. There is an acknowledgement that work still needs to be done. After approval by the Commissions at their November 2nd meetings, the Commonwealth Transportation Board will be asked to approve it on December 6, 2017. Chairman McKay stated the importance of following the spirit of the I-66 MOA.

Mr. Ron Meyer asked if the Commonwealth could manage the Express Lanes like VDOT is doing for the I-66 Inside the Beltway project. He asked if there is a way to quantify the savings and benefits to VDOT managing the I-395 Express Lanes instead of Transurban.

Ms. Mattice stated staff can pass along these questions to VDOT. Ms. Mitchell noted this goes back to the original agreement with Transurban.

Chairman McKay stated that as he has said before, reversible lanes are bad for the region. Smart commuters are reverse commuting and this project does nothing to reward those drivers. He thinks the I-66 Inside the Beltway project is much better thought through, better designed, and regional in nature.

Senator Wexton asked if these eight miles are new capacity or existing capacity. Ms. DeBruhl replied they will include one additional lane. HOV-3 vehicles will be able to drive free with an E-ZPass Flex.

Washington Metropolitan Area Transit Authority

Ms. Hudgins reported that on September 28th the WMATA Board heard a presentation from The Federal City Council on Metro funding and reform. Mr. Corcoran noted that the SafeTrack and Back2Good improvements are having a positive impact. The WMATA General Manager should be commended for his hard work. Mr. Smedberg reported that the Capital Committee is looking at a new process regarding capital needs. Mr. Dorsey observed that NVTC will need to determine what role it wants to play in WMATA's upcoming budget process. He also noted analysis is being done to look at ridership trends and the reasons for declines. There will be specific actions tied to the different causes of delays, such as lack of reliability, increased teleworking, etc. In response to a question by Chairman McKay, Mr. Dorsey stated that this data is available by individual line.

Delegate LeMunyon stated he is pleased to hear VDOT plans to construct a ramp off I-66 with direct access to the West Falls Church parking facility, which is currently under 50 percent capacity. He also commended WMATA for a quick response to a complaint about cleanliness of a Metro railcar.

Chairman McKay noted staff has done analysis of Virginia Metrorail ridership based on data collected by WMATA in its 2016 Metrorail Passenger Survey. Ms. Mattice introduced Nobuhiko Daito and Andrew D'huyvetter of NVTC staff who gave a brief presentation on highlight of their analysis.

Mr. Daito stated that the analysis is based on data prior to SafeTrack. The analysis shows that Virginia riders comprise approximately 30-31 percent of average weekday trips for riders from inside and outside the region. During morning peak, 32.5 percent of Metrorail trips are by Virginia residents. Seventy-four percent of Metrorail trips by Virginia residents occur during the AM and PM peak periods. More than 90 percent of Virginia riders live in NVTC jurisdictions. Approximately a third of Virginia riders live within a half-mile of a Metrorail station. Thirty-seven percent of Virginia riders are federal employees and over half of Virginia riders live in households earning more than \$100,000 a year.

Mr. Daito stated that ridership patterns at Virginia stations reflect land use. Large numbers of riders from across the region exit at Virginia stations to go to work, reflecting the concentration of employment and access to transit in Northern Virginia.

Chairman McKay observed that Mr. Allen has not arrived from PRTC, so he suggested waiting to do the VRE agenda item. There were no objections.

Department of Rail and Public Transportation

Ms. Mitchell stated that the Draft Environmental Impact Study (DEIS) for the DC2RVA High Speed Rail project was released on September 6th, which launched a 60-day public comment period ending on November 7th. Five public hearings will be held, including locations in Alexandria (October 17), Fredericksburg (October 18) and Quantico (October 19).

Ms. Mitchell introduced Emily Stock, project manager for the DC2RVA high speed rail project. Ms. Stock gave a brief history and overview of the project. The DEIS recognizes Northern Virginia, as the most congested area, needs to be an implementation priority; the corridor must have additional track capacity to support passenger, commuter and freight growth; and expanding capacity on the Long Bridge across the Potomac River is critical.

Ms. Stock stated that for Northern Virginia, the recommendations include adding two track within the existing right-of-way consistent with the Long Bridge Study; adding a fourth track from Crystal City to Alexandria; adding third track from Alexandria to Fredericksburg, through the City of Fredericksburg; and from Spotsylvania to Doswell, all within the existing right-of-way. The project would be built in phases.

Chairman McKay asked about the Long Bridge. Ms. Stock explained the northern terminus of the DC2RVA project is the banks of the Potomac River, where the Long Bridge begins. There is a parallel study of the Long Bridge currently underway. Virginia has some funding for design of a new bridge, but there is no construction funding identified. Ms. Mitchell stated that the Long Bridge project is a high priority for Virginia.

Ms. Mitchell stated that since the public comment period ends after the next CTB meeting, there will be a special meeting of the CTB Rail Committee on November 9th in Ashland to present DRPT's recommendations for DC2RVA. It is anticipated the CTB will vote on the recommendations in December. Ms. Stock stated the final EIS and preliminary engineering will occur in 2018.

Mr. Ron Meyer observed that the Long Bridge project is not included in any long-term plan. Ms. Mitchell stated the EIS process is expected to be completed by 2019. Timing to get it into the TPB long-range plan needs to be done after the NEPA process. Mr. Meyer stated it is important to look at getting it into a long-range plan sooner than later.

Virginia Railway Express

VRE CEO Report. Mr. Allen announced that during Rail Safety Week (September 24-30th), VRE participated in a number of associated events and activities including crossing safety blitzes. On September 28th, VRE participated in an event organized by Mr. Cook and Mr. McKay at the Burke Centre Station to highlight safety around railroad tracks.

Mr. Allen reported ridership was approximately 18,400 in July and 18,700 in August, which is typical in summer months. July's overall on-time performance (OTP) was 77 percent, but bounced back to 92 percent in August. OTP was impacted by multiple days of heat restrictions. VRE staff is also working with Arlington County to identify a station location for a new Crystal City VRE station.

VRE FY2019 Preliminary Budget. Ms. Bulova moved, with a second by Ms. Cristol, to approve Resolution #2343, which refers the preliminary FY2019 VRE Operating and Capital Budget to the jurisdictions. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LaRock, LeMunyon, Letourneau, McKay, David Meyer, Ron Meyer, Smedberg, Snyder and Wexton.

Report of the Chair of the NVTC Governance and Personnel Committee

Mr. Cook reported that the Governance and Personnel Committee met earlier tonight in Closed Session to discuss the executive director's performance review. A Closed Session of the full Commission will be held at the November meeting.

Delegate LaRock and Mr. Ron Meyer left at 9:24 P.M. and did not return.

Executive Director Report

Ms. Mattice reminded Commissioners that the Legislative and Policy Committee is scheduled to meet on November 2nd at 6:00 P.M. to discuss the 2018 Legislative Agenda. Another WMATA Public Forum is scheduled for November 16th at the Navy League Building. The annual Joint NVTC-PRTC Legislative Briefing will be held at the Springfield Hilton on December 4th.

Ms. Mattice stated that she is scheduled to speak at several local chambers regarding the fiscal cliff, gas tax floor, WMATA and funding. She is also participating in a forum of the League of Women Voters to present NVTC's role with WMATA on October 7th.

Ms. Mattice introduced Cheyenne Minor, NVTC's new grants and compliance manager, and Matt Cheng, NVTC's new transit fellow.

The Financial Report for August 2017 was provided to Commissioners and there were no questions. Commissioners were also provided with copies of two op ed pieces by Chairman McKay and Mr. Smedberg.

Closed Session

Mr. Smedberg moved, with a second by Mr. Letourneau, 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 the purpose of discussion of one personnel matter.

The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LeMunyon, Letourneau, McKay, David Meyer, Smedberg, Snyder and Wexton.

The Commission entered into Closed Session at 9:29 P.M. and returned to Open Session at 9:48 P.M. Mr. Letourneau and Senator Wexton left during the Closed Session and did not return.

Mr. Smedberg moved, with a second by Ms. Bulova, the following certification:

The Northern Virginia Transportation Commission certifies that, to the best of each member's knowledge and with no individual member dissenting, at the just concluded Closed Session:

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

The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LeMunyon, McKay, David Meyer, Smedberg and Snyder.

Ms. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2344, which approves a fourth amendment to the employment agreement with Mr. Allen, in accordance with the materials provided in Closed Session, and authorizes NVTC's chairman to execute it on behalf of the Commission. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LeMunyon, McKay, David Meyer, Smedberg and Snyder.

Adjournment

Mr. Snyder moved, with a second by Mr. Smedberg, to adjourn the meeting. Without objection, Chairman McKay adjourned the meeting at 9:49 P.M.

Approved this 2nd day of November 2017.

Jeffrey C. McKay
Chairman

Matthew F. Letourneau
Secretary-Treasurer



RESOLUTION #2343

SUBJECT: Referral of the Preliminary FY2019 VRE Operating and Capital Budget to the Jurisdictions

WHEREAS: The VRE Master Agreement requires the VRE Operations Board submit to the Commissions a preliminary fiscal year budget by September 30th each year;

WHEREAS: The VRE Chief Executive Officer has provided the VRE Operations Board with the Preliminary FY2019 Operating and Capital Budget; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the Preliminary FY2019 VRE Operating and Capital Budget 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 and to forward a final recommended budget to the VRE Operations Board at the December 2017 meeting for consideration and referral to the Commissions for adoption in January 2018.

Approved this 5th day of October 2017.


Matthew F. Letourneau
Secretary-Treasurer


Jeffrey C. McKay
Chairman



RESOLUTION #2344

SUBJECT: Approve an Amendment to the VRE Chief Executive Officer's Employment Agreement.

WHEREAS: The Virginia Railway Express (VRE) Operations Board has concluded an evaluation of the VRE Chief Executive Officer's performance for the fourth year of his service;

WHEREAS: The VRE Operations Board is recommending an amendment to the VRE Chief Executive Officer's employment agreement ("the Fourth Amendment") based on an assessment of his performance, and


WHEREAS: The Northern Virginia Transportation Commission has reviewed the VRE Operations Board recommendation and concurs.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission does hereby approve a Fourth Amendment to the employment agreement with Mr. Allen, in accordance with the materials provided in Closed Session, and authorizes NVTC's Chairman to execute it on behalf of the Commission.

Approved this 5th day of October 2017.



Jeffrey C. McKay
Chairman



Matthew F. Letourneau
Secretary-Treasurer