

MINUTES
NVTC COMMISSION MEETING – DECEMBER 6, 2018
SECOND FLOOR CONFERENCE ROOM – 2311 WILSON BLVD.
ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Smedberg at 7:19 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 M. LeMunyon
Matt Letourneau
Tim Lovain
David Meyer
Ron A. Meyer
Jennifer Mitchell (Alternate, Commonwealth of Virginia)
M. David Skiles
Paul Smedberg

Members Absent

Jeff McKay
David Snyder
Raul “Danny” Vargas

Staff Present

Kate Mattice, Executive Director
Matt Cheng
Karen Finucan Clarkson
Nobuhiko Daito
Joey de St. Aubin
Andrew D’huyvetter
Allan Fye
Rhonda Gilchrest
Dan Goldfarb
Patricia Happ
Scott Kalkwarf
Andrew Roy
Aimee Perron Siebert
Jae Watkins
Steve MacIsaac (counsel)
Doug Allen (VRE)
Joe Swartz (VRE)

Opening Remarks

Chairman Smedberg welcomed everyone to the December 6th meeting. On behalf of the Commission, he thanked Carr Properties for allowing NVTC to use their conference room for the months of December and January, while the Navy League space is being renovated.

Chairman Smedberg stated that in preparation for the January meeting, the Executive Committee is seeking nominations for 2019 officers, appointees to boards, and committee membership. If Commissioners would like to be considered for one of these positions, they should contact him. The Executive Committee will present a recommended slate of officers and board and committee appointments at the January meeting. With NVTC's new By-Laws, nominations are being sought for the following positions:

1. Officers – chair, vice-chair, and secretary-treasurer
2. Members of the WMATA Committee, Program Advisory Committee, and Legislative and Policy Committee
3. Appointments to the Virginia Transit Association Board

Chairman Smedberg explained that the VRE Operations Board appointments are selected by each VRE jurisdiction, but those appointed must be NVTC Commissioners. NVTC's four WMATA Board appointments will serve on the WMATA Committee and the two principal WMATA appointments will also serve on the Executive Committee as non-voting members.

Recognition of Departing Commissioners

Chairman Smedberg stated that there are two departing Commissioners that he would like to recognize. Tim Lovain did not seek re-election to the Alexandria City Council, so this is his last NVTC meeting. Chairman Smedberg read aloud the Resolution of Commendation prepared for Mr. Lovain. (A copy of the resolution is attached.) On behalf of the Commission, Chairman Smedberg presented Mr. Lovain with the resolution and a trophy award in recognition of his service on NVTC. Mr. Lovain thanked the Commission and stated it has been an honor to serve alongside his colleagues at NVTC.

Chairman Smedberg also noted that Jennifer Wexton is leaving NVTC to assume her new role as a Representative to the United States Congress. Although she was not able to attend tonight's meeting since she is participating in a new member orientation, he read her Resolution of Commendation into the record (a copy of the resolution is attached). The resolution and trophy award will be sent to Senator Wexton.

Minutes of the November 1, 2018 NVTC Commission Meeting

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

Consent Agenda

Chairman Smedberg presented the Consent Agenda Items for approval:

- A. Approve the 2019 Meeting Schedule
- B. Authorize the Executive Director to Amend the I-66 Commuter Choice Technical Consulting Support Services Contract

Ms. Mattice stated that the 2019 Meeting Schedule includes a date change for the July meeting, from the 4th to the 11th due to the federal holiday. The November 7th meeting date is also subject to change, so Commissioners are being asked to hold November 14th as well.

Mr. Skiles arrived at 7:29 P.M.

Mr. LeMunyon asked about NVTC's ability to webcast the meetings. Ms. Mattice reminded Commissioners that as part of the renovations of the Navy League conference room space, upgrades are being made to the audio-visual technology. She stated staff has been waiting for the technical specifications being provided by the Navy League. She will report back to the Commission, as well as whether NVTC would need to invest in above and beyond what is being upgraded to accommodate webcasting. The renovations are expected to be completed by NVTC's March meeting. Mr. Cook expressed his opinion that it is important to webcast, and a simple temporary solution is to use an I-Phone on a tripod.

Mr. Foust arrived at 7:32 P.M.

Mr. LeMunyon also asked about the joint meeting required by HB1285 (LaRock). Ms. Mattice stated that NVTC staff is working with the Northern Virginia Transportation Authority (NVTA), Virginia Railway Express (VRE) and the Commonwealth Transportation Board, to hold a joint meeting in the spring of 2019, in coordination with the CTB meeting that is held in Northern Virginia. Ms. Mitchell stated that she believes that meeting will occur in May.

Mr. Letourneau moved, with a second by Ms. Garvey, to approve the Consent Agenda. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Skiles and Smedberg.

FY2018 NVTC Audited Financial Statements

Chairman Smedberg introduced Mike Garber, Partner at PBMares LLP., NVTC's audit firm. Mr. Garber reported that he met with the Executive Committee (serving as the Audit Committee) prior to the Commission meeting to review the audit in detail. He stated that PBMares issued an unqualified (clean) opinion that NVTC's financial statements, in all material respects, fairly and accurately present the financial position and changes in financial position of the organization. PBMares also issued a clean report on the internal control of NVTC's financial reporting, compliance and other matters. Further, PBMares

did not identify any internal control deficiencies or other findings. He reviewed the audit documents presented to the Commissioners.

In response to a question from Chairman Smedberg, Mr. Garber explained that PBMAres also conducted audits for VRE and PRTC. NVTC and PRTC's financial statements include VRE financial information as well, since the Commissions co-own VRE. He also noted that this is the first year the audit includes the new I-66 Commuter Choice fund which had just over \$3 million in expenditures in FY2018.

Mr. LeMunyon asked about what PBMAres uses as its materiality threshold. Mr. Garber responded that PBMAres sets materiality by specific funds and the threshold dollar amount is not publicly disclosed, but he would be happy to provide it separately to Mr. LeMunyon.

Mr. Skiles moved, with a second by Ms. Bulova, to accept the **FY2018** Audited Financial Statements and Compliance Reports and to authorize staff to release the information to the member jurisdictions, regulatory agencies, and the public. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Skiles and Smedberg.

I-395 Express Lanes Project

Overview of the I-395 Express Lanes Project (VDOT/DRPT Briefing). Ms. Mattice reminded Commissioners that last December NVTC approved a Memorandum of Agreement with the Commonwealth to receive (along with PRTC) \$15 million a year for projects that benefit the toll payers. She stated that the I-395 program is intended to be much like the I-66 Commuter Choice Program. NVTC and PRTC expect to go "on line" with this new program at the end of next year.

Ms. Mattice introduced VDOT's Megaprojects Director Susan Shaw, who will brief the Commission on the I-395 Express Lanes construction. Todd Horsley from DRPT will follow with an update on the recently-completed I-395/95 Transit/Transportation Demand Management (TDM) Study, which identifies projects that may be good candidates for funding. Ms. Mattice stated that NVTC expects to use DRPT's report as a resource as the program rolls out.

Ms. Shaw stated that in June 2017 the Virginia Department of Transportation (VDOT) entered into an agreement with 95 Express Lanes, LLC, for the extension of approximately eight miles of HOT lanes between Turkeycock Run (near Edsall Road) and the vicinity of Eads Street in Arlington. Construction began in August 2017 to convert the two existing High Occupancy Vehicle (HOV) lanes to express lanes and a third lane is being added, providing three reversible express lanes. It is projected that time savings will be an average 6-8 minutes or 15 percent in general purpose lanes. Increased capacity will reduce the potential for congestion-related crashes. It is anticipated that traffic volumes will increase by 35-50 percent.

Ms. Shaw reviewed the construction status of the Express Lanes. The Pentagon south parking area will be reconfigured to enhance circulation for transit buses and carpools. She also reviewed the Transportation Management Plan, which coordinated supplemental transit (bus) service, including Metrobus and OmniRide. Other parts of the plan include employer telework program incentives, a permanent Pentagon commuter store, and vanpool and carpool incentives.

Ms. Shaw explained that as a part of the agreement, 95 Express Lanes LLC agreed to provide the Commonwealth with an annual payment for transit services of \$15 million per year, escalating by 2.5 percent per year, beginning on the commencement of tolling through the life of the 70-year agreement. The initial \$15 million payment will be due when Express Lanes service begins in late fall 2019.

Senator Ebbin stated that with major Metrorail shutdowns coming next summer, he asked if segments north of Huntington or King Street will be open. Ms. Shaw stated that they will not be completed by then. It is difficult to open segments because testing is needed for the entire system. However, the builder is motivated to complete the project because that means revenue will start flowing. Final completion is expected by October 2019.

Regarding enforcement on toll lanes, Mr. Letourneau asked about the rationale of broadcasting targeted enforcement. Ms. Shaw stated that it is to encourage honest commuting and data can be collected to make comparisons with other days. There still continues to be regular enforcement. Mr. Ron Meyer expressed concern about single drivers who drive with their transponders turned to HOV. He encouraged VDOT to look for technology solutions to identify violators. Senator Ebbin asked about the fines for violators and if there is judicial appeal or discretion. Ms. Shaw stated she can research this information.

Mr. Horsley stated that to align with the opening of the new Express lanes, DRPT conducted a study to identify a comprehensive, fiscally unconstrained, set of transit and Transportation Demand Management (TDM) investments on which future toll revenues from the I-395 Express Lanes could be spent. The study identified potential projects such as new and expanded bus and rail transit services, transit capital projects, commuter parking facilities, TDM program enhancements, and technology improvements that support transit and TDM – all with the intent of maximizing person throughput along the corridor. Many of these projects may be strong candidates for funding under the annual transit payment. The Key Stakeholder Group did not make decisions on projects to be funded by the annual transit payments. The cumulative project list totals \$6.6 billion in capital needs and \$140 million in annual operating costs (2016 costs).

Mr. Horsley stated it is expected that DRPT will include the initial funding program established by NVTC and PRTC in the FY2021 Six-Year Improvement Program (SYIP) to be approved by the CTB in spring 2020.

Senator Ebbin asked for a future presentation on how the Amazon Headquarters announcement impacts other projects and financing. DRPT Director Mitchell stated she would be happy to provide more information but she suggested after the General Assembly Session since there are many moving parts right now. Ms. Cristol stated that in the meantime the Northern Virginia Transportation Authority (NVTA) compiled some

useful information about regional funding commitments for projects near National Landing, which can be circulated to Commissioners.

Memorandum of Agreement between NVTC and PRTC for the Distribution and Allocation of I-395 Annual Transit Investment Funds. Chairman Smedberg noted that at the January meeting the Commission will be asked to approve a Memorandum of Agreement (MOA) with PRTC that outlines the distribution and allocation of the annual transit payment under the I-395 Express Lanes project. Ms. Mattice explained that a draft of the MOA has been developed for review and consideration. This agreement would allow for the annual transit investment (ATI) funds to be administered under a joint arrangement, reducing program administration costs and facilitating greater regional cooperation in the selection of projects.

Ms. Mattice stated that through a separate Memorandum of Agreement between the Commonwealth (CTB, VDOT, DRPT) and NVTC and PRTC, the Commonwealth agreed to provide \$15 million annually to NVTC and PRTC to administer a program that funds multimodal projects along the I-395/95 Express Lanes corridor. There is a 2.5 percent annual escalation. The agreement includes the opportunity for NVTC and PRTC to mutually agree on a joint approach for selecting projects. The proposed MOA between NVTC and PRTC would allow the Commissions to collectively select projects, subject to the approval of the Commonwealth Transportation Board. PRTC has asked NVTC staff to administer the program and then the two Commissions jointly decide on the Program of Projects to fund.

Ms. Mattice explained that the agreement proposes an allocation approach that would proportion annual funding based upon the populations of jurisdictions along the corridor. For NVTC, the population calculation is proposed to include the counties of Fairfax and Arlington and the City of Alexandria. For PRTC, the population calculation is proposed to include the counties of Prince William, Stafford, and Spotsylvania and the City of Fredericksburg. The agreement permits NVTC and PRTC to develop an alternate funding approach, subject to approval by the Commonwealth.

Ms. Mattice stated that eligible applicants include all NVTC and PRTC jurisdictions and any public transit providers that serve those jurisdictions. Eligible projects would include transit capital and operations, park and ride lots, Transportation Demand Management (i.e., carpool/vanpool, transit incentives), and roadway operational improvements. Metrorail, Metrobus, and the Virginia Railway Express operations and capital are specifically called out as eligible projects in the proposed agreement.

As with the I-66 Commuter Choice Program, all projects would be required to benefit the toll payers of the corridor. Under the agreement with the Commonwealth, the corridor is inclusive of the entire I-395/95 37-mile Express Lanes corridor. Ms. Mattice then reviewed the key elements of the MOA, which are similar to the elements of the I-66 Commuter Choice Program.

Mr. LeMunyon asked if the I-395 Commuter Choice Program can be synchronized with the I-66 Commuter Choice Program. Ms. Mattice stated that there may be interest in having projects in place by Toll Day One. The intent is to bring the Call for Projects in the spring to align with the Commonwealth's SYIP. Staff has been talking internally about

whether it makes sense to alternate years between I-66 and I-395 call for projects. Mr. LeMunyon stated that NVTC needs to encourage NVTa to sync its call for projects at the same time, so the public can see everything all at once. Ms. Mattice stated that NVTC will likely align the Commuter Choice call for projects in the spring to meet the schedule requirements for CTB approval of the projects in its Six Year Improvement Program approved each year in June.

Proposed FY2020 G&A Budget and 2019 Work Plan

Mr. Kalkwarf stated that the proposed FY2020 NVTC General and Administrative Budget and 2019 NVTC Work Plan have been reviewed by jurisdiction staff and were discussed by the Executive Committee. Both will be brought back for action at the January meeting, which will include a public comment period on the Work Plan. He stated that the proposed budget totals \$3,674,500, including \$1,200,000 for the administration of the I-66 and I-395 Commuter Choice Programs. Exclusive of Commuter Choice Program costs, the preliminary budget proposes an increase of 4.5 percent from NVTC's FY2019 G&A budget.

Mr. Kalkwarf stated that the preliminary FY2020 G&A budget includes resources to accomplish the NVTC Work Plan, including the administration of the I-66 and the I-395 Commuter Choice Programs, oversight of WMATA, and increased financial management activities. Total expenses are proposed to increase by \$506,800, or 16.0 percent over the approved revised FY2019 budget. Of this increase, \$400,000 is for administration of the Commuter Choice Programs and is funded by toll revenues, leaving a net increase of \$106,800, or 4.5 percent, over the approved revised FY2019 budget for the balance of NVTC's operating program.

Mr. Kalkwarf stated that the increase in the Commuter Choice Program budget is due entirely to resources that will support the administration of the new I-395 program. Costs include contracted services for technical and outreach support. The budget assumes NVTC will administer the program for NVTC and PRTC, and that the first call for projects will be issued during FY2020. The anticipated costs of programs will be included in the Program of Projects for submission to the CTB for toll revenue funding.

Mr. Kalkwarf stated that the budget includes two new positions: 1) A new junior level staff assistant position to provide support to NVTC's financial and other staff; and 2) A new I-395 Commuter Choice Project Manager. Payroll and related costs for this position will be toll revenue funded. The budget also includes a provision for performance-based increases for existing staff.

Ms. Mattice stated that it is important with 23 project agreements for the I-66 Commuter Choice Program, to make sure NVTC has the appropriate staff levels to successfully administer the program. With the I-395 program starting, this is crucial. As for the Work Plan, she stated the highlights include work on the I-395 program and NVTC's new committee structure.

Mr. LeMunyon stated that the Work Plan does not seem to have initiatives to get more people on Metro trains. Ms. Mattice stated that the budget does not include resources for

large scale marketing. Mr. LeMunyon stated that the Commonwealth just handed over a large chunk of money for WMATA, but it will be tough to go back to Richmond and explain spending all that money and people are not riding the trains. He expressed his surprise to see this not more emphasized in NVTC's Work Plan. Mr. Dorsey provided some ridership statistics showing that Metrorail ridership is improving overall. Mr. Corcoran stated that Metrobus ridership is still low. Some of this will be addressed in the WMATA report.

Mr. Letourneau addressed Mr. LeMunyon's point and stated that the issue is NVTC's budget is well constrained by the member contributions and the revenues received. He recalled past discussions regarding marketing and staff received pushback from some Commissioners on spending funds on marketing. In his opinion, if NVTC wants to do more marketing, the funds would need to come from some source to do it. Some individual jurisdictions are doing marketing initiatives to encourage Metro ridership. It really comes down to what funding the jurisdictions would decide to give to NVTC to do more marketing. Chairman Smedberg also noted WMATA is doing major marketing.

Mr. LeMunyon asked if I-66 toll revenue could be used for this purpose. Ms. Mattice explained that toll revenues must benefit the I-66 toll payers. Ms. Bulova suggest including language in the Work Plan for NVTC to support WMATA's efforts to win back riders. She also pointed out that there will be major shutdowns on Virginia Metro lines, so timing of marketing will be important. Mr. LeMunyon stated initiatives such as buying down parking fees at West Falls Church and Vienna would be a win-win situation. Mr. Ron Meyer stated parking buy-downs would benefit Silver Line riders.

In response to a question from Mr. Ron Meyer, Ms. Mattice further explained what is covered under the outreach line item of the Commuter Choice Program. At the direction of the Commonwealth, NVTC is scoping out a needs assessment and what NVTC can do to add value to what the jurisdictions are already doing for marketing.

Ms. Garvey stated that there was a concerted effort to work with WMATA in a coordinated fashion. Mr. Cook expressed his opinion that NVTC has a role in oversight of and coordination with WMATA but not to do WMATA's advertising. However, he does see the role of NVTC's WMATA Committee looking at what WMATA is doing to encourage riders to come back and make comments if appropriate. Since bus service is down for all agencies, NVTC could make an effort to encourage bus ridership overall.

Senator Ebbin thanked staff for including a spring tour for legislators in the Work Plan. He also asked about the closures of Metro service next summer and if NVTC can play an oversight role in making sure its WMATA Board members are conveying what is needed for next summer's closures. He observed that WMATA will lose riders and whether they come back will be linked to what alternatives or incentives are provided.

Chairman Smedberg stated that the Work Plan will be brought back at the January meeting for public comment and action by the Commission.

Report from the Chair of the Legislative and Policy Committee

Ms. Cristol, Chair of the Legislative and Policy Committee, stated that the Commission was presented with the proposed NVTC 2019 Legislative and Policy Agenda at last month's meeting. There are no new "asks" of the General Assembly for this coming Session, but the document includes some long-term initiatives, such as restoring regional transportation funding and addressing the future state capital fiscal cliff. The federal legislative initiatives include dedicated funding for WMATA (PRIIA), which will expire next year and will leave a \$300 million annual gap. Also, the federal transit program (and highway program) will expire in 2020. The infrastructure package is also of interest.

Ms. Cristol moved, with a second by Senator Ebbin, to adopt the 2019 Legislative and Policy Agenda.

Mr. Skiles stated that depending on how a potential internet sales tax is structured and with the enactment clause of HB2313, it could result in a \$100 million hit to transportation funding. NVTC and NVTa should closely monitor this. Ms. Siebert agreed and assured Commissioners that it will be closely monitored.

The Commission then voted on the motion and it passed. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LaRock, Letourneau, Lovain, David Meyer, Ron Meyer, Skiles and Smedberg. Mr. LeMunyon abstained.

Ms. Cristol encouraged everyone to attend the Joint NVTC-PRTC Legislative Briefing on Monday, December 10th at the Embassy Suites Hotel in Springfield (different location from previous years). NVTC has already received close to 100 rsvp's thus far. She announced that Matt Kelly, the CEO of JBG Smith, has agreed to participate as the keynote speaker to talk about the role of transportation in the Amazon HQ2 decision. There will also be a regional transit leader panel moderated by Jennifer Mitchell, with Paul Wiedefeld (WMATA), Doug Allen (VRE), Bob Schneider (OmniRide) and Kate Mattice (NVTC).

Washington Metropolitan Area Transit Authority

Report from the Interim WMATA Committee. Chairman Smedberg reported that the November 8th Interim WMATA Committee meeting was cancelled. The next meeting is scheduled for December 19th. Chairman Smedberg stated that there are no WMATA-related NVTC action items this month.

Report from the Virginia WMATA Board Members. Mr. Corcoran reported that the WMATA General Manager introduced the proposed FY2020 budget last month. The jurisdictions came back with questions on the operating budget and held a question and answer session. There will be another question and answer session next week and then another in January on the capital budget. Some criteria guiding the budget include the three percent cap on subsidy, no fare increases, no service cuts, no change in hours of service, and a better Rush Hour Promise. Some proposed enhancements include a flat fare on weekends, marketing more passes, and extending the Yellow and Red lines. He reviewed the parking recommendations, which include returning to free parking on the

weekends (but non-riders will be charged) and collecting parking fees earlier in the morning. Two stations will reduce parking fees as a pilot, one of which is West Falls Church. For regional and special events, WMATA is considering giving the General Manager the ability to charge for special rate parking.

Mr. Ron Meyer asked when was the last time WMATA conducted a pricing study. Mr. Corcoran responded that it is done on a regular basis. He offered to obtain a copy and provide it to NVTC. Mr. LeMunyon asked if there are ridership assumptions in the budget and he would be interested in seeing those assumptions.

Mr. Dorsey reported that the District of Columbia City Council voted to move forward to decriminalize fare evasion. Currently, in Virginia, Maryland and the District of Columbia, not paying a fare on a transit bus or train is a criminal offense. DC's measure would now make it a civil offense punishable by a \$50 fine in the District. There was a pretty broad effort in DC, including many different advocacy groups citing issues related to racial disparity and police standards, that influenced the council to decriminalize fare evasion. Mr. Dorsey stated that the WMATA Board took a unanimous assertive posture to oppose this action. From a rational basis, fare evasion, despite being relatively benign, is theft or stealing, which is punishable by a criminal offense. To take it out of the realm of a criminal offense will have disastrous consequences for WMATA. The agency expects on Metrobuses alone it will result in a loss of \$25 million in uncollected fares and could lead to more crime. WMATA fare evasion data is more readily available for buses because drivers have a button to log every instance where passengers fail to pay.

Mr. Dorsey stated that the WMATA Board wants to know how the District plans to offset the tens of millions of dollars of projected additional expense for WMATA in FY2020 without shifting the burden of subsidy increases to the other jurisdictions (Virginia and Maryland). Ms. Garvey observed that in essence the District of Columbia has decided that Virginia and Maryland will subsidize their residents, which certainly creates jurisdictional unfairness.

Commissioners then had a lengthy discussion about this issue and the impact on Virginia. Mr. Letourneau stated he doesn't think DC Mayor Bowser has signed this legislation yet and asked if NVTC should take any action to convey to her the impact on the other jurisdictions and that this could jeopardize jurisdictional relationships in the future.

Mr. Ron Meyer moved to authorize the Executive Committee to work with the executive director to draft and send a letter to Mayor Bowser expressing NVTC's concerns regarding the D.C. Council's vote to decriminalize fare evasion. Ms. Garvey seconded the motion.

Ms. Cristol asked for the WMATA Board members to weigh in on the merits of a letter. Mr. Dorsey stated that NVTC is on good ground to describe this as not being in the spirit Mayor Bowser has engaged in regional problems over the past few years. Mr. Corcoran asked Ms. Mitchell if the Commonwealth has an opinion on this. Ms. Mitchell stated that she does not want to interpret if this action would jeopardize the three percent cap, but if it results in revenue loss or increased costs, it could potentially impact the cap.

Mr. Foust stated that he does not support the motion since decriminalization as a public policy is good. He hasn't heard a compelling argument that this will result in significant loss of revenue. For toll evaders on a toll road, like the Dulles Toll Road, it is a civil penalty and people pay a fine; it's not a criminal offense. He expressed his opinion that NVTC should stay out of it.

Senator Ebbin wondered how many people are being charged more than \$50 fine and what fines are given in Maryland and Virginia. Delegate LaRock asked about enforcement by Metro police and noted that in his view, enforcement is something WMATA can control. A fine of \$50 seems adequate. He asked if WMATA plans to ramp up enforcement. Mr. Dorsey stated that part of the complexity is that most of the citations are on the rail side. On bus, there are no Metro police on the bus. Currently, there is not much of a deterrent on bus and the fear is that people will now do it with impunity.

Mr. David Meyer asked if there is a correlation between fare evaders and more serious crimes. Mr. Corcoran stated that there is antidotal data. In the last few years there has been a focus on fare evasion and data shows that crime has decreased on Metro. Mr. Dorsey stated that the challenge is to make sure WMATA policies are not discriminatory.

Mr. Skiles asked for clarification of the motion and if there is time to bring the letter back to the Commission. Mr. Letourneau stated that the motion is to authorize the Executive Committee to send NVTC's concerns about the policy to Mayor Bowser and cite past cooperation and Virginia's concerns moving forward how this impacts the other jurisdictions. Timing does not allow it to come back to the Commission, but the letter can be circulated to Commissioners after it is sent.

The Commission then voted on the motion and it passed. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Garvey, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Skiles and Smedberg. Mr. Foust voted in opposition.

Regional Bus Agenda Fall Update

Mr. Goldfarb stated that building on the initial work staff did on the Regional Bus Agenda during 2014-2017, staff is now focused on ways to support jurisdictions' planning needs and add value to regional planning activities. This effort is now referred to as Regional Bus Agenda 2.0, which includes three initiatives -- the Envision Route 7 Bus Rapid Transit (BRT) project, regional BRT analyses across Northern Virginia, and a new NVTC Bus Transit Database. He explained that the Transit Boarding Estimation and Simulation Tool (TBEST) is a direct demand modeling tool that provides short-range forecasting and can evaluate changes in service. NVTC is currently working with the City of Alexandria on their transit vision plan. NVTC staff has done a test run of the initial routes and now is waiting for additional information from the consultant. The results will be shared with the City of Alexandria. NVTC will begin working with Fairfax County starting in December on two service areas. He explained that this is an added-value service NVTC provides to the jurisdictions. Next steps include identifying funding sources, continuing development of data and forecasting tools, and initiating a preliminary evaluation of regional BRT corridors.

Virginia Railway Express

VRE CEO Report. Mr. Allen reported that the Positive Train Control (PTC) deadline is just weeks away (December 31, 2018). However, software has been delayed two weeks. VRE already filed for an extension in case it is needed. These are issues out of VRE's control.

Mr. Allen also reported that on-time performance (OTP) for October was good with ridership around 20,000. As part of the budget process, VRE conducted public hearings on the proposed fare increase, but they were lightly attended. He also reported that VRE is continuing to work on the Crystal City station relocation. This project is well positioned to be part of the new Amazon headquarters. This weekend VRE will run Santa trains on Saturday, December 8th. VRE is also collecting toys for the Marine Corps Toys for Tots drive.

VRE's Comprehensive Annual Financial Report (CAFR). Ms. Bulova reported that PBMAres has issued an unmodified opinion that the VRE financial statements, in all material respects, fairly and accurately present the financial position of VRE. Resolution #2370 accepts the VRE's FY2018 CAFR and authorizes the VRE CEO to forward the documents to interested groups, firms and members of the public.

Ms. Bulova moved, with a second by Mr. David Meyer, to approve Resolution #2370 (copy attached). The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, David Meyer, Ron Meyer, Skiles and Smedberg. (A copy of the resolution is attached.)

VRE 2019 Legislative Agenda. Ms. Bulova moved, with a second by Mr. David Meyer, to approve Resolution #2371, which approves VRE's 2019 Legislative Agenda. The vote in favor was cast by Commissioners Bulova, Cook, Corcoran, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, Letourneau, Lovain, David Meyer, Ron Meyer, Skiles and Smedberg. Delegate LaRock and Mr. LeMunyon abstained. (A copy of the resolution is attached.)

Department of Rail and Public Transportation (DRPT)

Ms. Mitchell reported that last week the District Department of Transportation (DDOT) held public hearings on the Long Bridge project as part of the environmental process. The locally preferred alternative is a new two-track bridge upstream of the existing bridge. The NEPA process is still on track to be completed spring of 2020. Ms. Cristol stated that it is her understanding that there is a bike and pedestrian element. Ms. Mitchell stated that as part of a potential mitigation measure a bike and pedestrian bridge is part of that as a separate structure.

Delegate LaRock asked about funding for the Amazon HQ2 headquarters. Ms. Mitchell stated that the Commonwealth may use potential concession revenue from the I-95 Express Lanes project. In addition to that, some federal CMAQ funding has been identified. She believes that this is still open for discussion as well as the funding

package, so she will be able to speak to it more in detail after the General Assembly Session.

NVTC FY2017 Regional Transit Performance Report

Ms. Mattice stated that Nobuhiko Daito has been with NVTC as a program analyst, working on transit performance reports and analytical projects such as the WMATA Performance Report and the Regional Bus Agenda where he configured the TBEST model to Northern Virginia. Mr. Daito will be leaving NVTC since he has been selected for a program in international development at the World Bank. Ms. Mattice thanked Mr. Daito for his work at NVTC.

Referring to the blue sheeted memo, Mr. Daito reported that overall, public transit systems in Northern Virginia experienced a two percent decrease in ridership compared to the first quarter of FY2018. All agencies showed some levels of ridership decrease. Mr. Daito noted that in August WMATA did maintenance activities for Metrorail, reducing service levels. That contributed to the ridership trends seen this quarter. The chart showing Metrorail ridership broken down by stations reflects the impact of maintenance work on the Orange, Silver and Blue lines during the month of August. The Silver Line and Yellow Line stations experienced ridership increases, which is assumed is largely driven by land use changes along the corridors.

On behalf of the Commission, Chairman Smedberg thanked Mr. Daito for his work, especially on the WMATA Report to the General Assembly and Governor. NVTC wishes him well.

Mr. Dorsey and Ms. Mitchell left the meeting at 9:29 P.M. and did not return.

Executive Director Report

Ms. Mattice introduced Andrew Roy, a sophomore at Carleton University, who is doing a three-week extern program with NVTC. NVTC has participated in this extern program for the past three years.

Ms. Mattice also reported that she had the opportunity to join NVTA Executive Director Monica Backmon to give a presentation on how transportation is funded in Northern Virginia to newly elected officials. Earlier in the week, she travelled to Richmond for a Transit Service Delivery Advisory Committee (TSDAC) meeting. There are a lot of moving parts, but the committee is getting close to completing its work.

Ms. Mattice stated that as part of the Regional Fare Payment plan, NVTC held a Mobile Ticketing Industry Day last week at DASH headquarters, where vendors gave demonstrations on new technology. She thanked Patricia Happ for her hard work to make it a successful event.

Adjournment

Without objection, Chairman Smedberg adjourned the meeting at 9:34 P.M.

Approved this 3rd day of January 2019.

Matthew F. Letourneau
Chairman

Sharon Bulova
Secretary-Treasurer



RESOLUTION #2371

SUBJECT: Approve the 2019 VRE Legislative Agenda

WHEREAS: The Virginia Railway Express (VRE) is an essential part of a 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 educate and advocate for desired legislative/regulatory outcomes with members of Congress and their staff, with staff of federal entities, in the Virginia General Assembly, and with the governor and his administration;

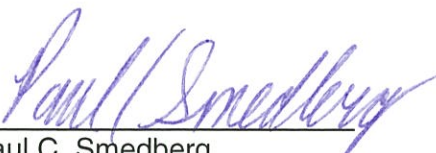
WHEREAS: VRE has coordinated its Legislative Agenda with the staffs of the Commissions and member jurisdictions; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission does hereby approve the 2019 VRE Legislative Agenda and authorizes the VRE Chief Executive Officer to actively pursue the elements set forth in the 2019 VRE Legislative Agenda.

Approved this 6th day of December 2018.


Katie Cristol
Secretary-Treasurer


Paul C. Smedberg
Chairman



RESOLUTION

SUBJECT: Commending the Honorable Jennifer Wexton on the Occasion of Her Departure from NVTC and the Virginia Senate

WHEREAS: The Honorable Jennifer Wexton has served as a Commissioner on the Northern Virginia Transportation Commission since 2014 and as a member of its Legislative and Policy Committee;

WHEREAS: NVTC serves as the voice of public transit in Northern Virginia, promoting the region's transit network through effective and efficient public bus and rail systems and ridesharing programs to foster economic vitality in the region and the Commonwealth;

WHEREAS: The Honorable Jennifer Wexton has served as a member of the Virginia Senate since 2014 representing the 33rd District and serving constituents in parts of Fairfax and Loudoun counties;

WHEREAS: The Honorable Jennifer Wexton has served as a member of the Senate General Laws and Technology Committee, Rehabilitation and Social Services Committee, and Transportation Committee;

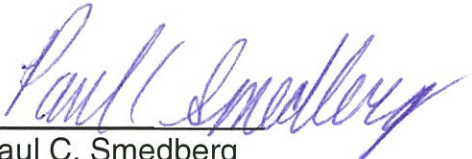
WHEREAS: The Honorable Jennifer Wexton supported legislation to provide dedicated funding to the Washington Metropolitan Area Transit Authority and Virginia Railway Express;

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission commends the Honorable Jennifer Wexton for her service to NVTC, the citizens of Northern Virginia, and the Commonwealth of Virginia.

BE IT FURTHER RESOLVED that NVTC extends its wholehearted support and best wishes for success as Jennifer Wexton assumes her role representing the 10th District of Virginia in the United States Congress and looks forward to working with her in this new role.

BE IT FURTHER RESOLVED that NVTC prepare a copy of this resolution for presentation to the Honorable Jennifer Wexton as an expression of its gratitude and in appreciation of her leadership and work on the Commission in promoting and funding public transit and ridesharing in Northern Virginia.

Approved this 6th day of December 2018.


Paul C. Smedberg
Chairman



RESOLUTION

SUBJECT: Commending the Honorable Timothy Lovain on the Occasion of His Departure from NVTC

WHEREAS: The Honorable Timothy Lovain has served as a Commissioner on the Northern Virginia Transportation Commission since 2016;

WHEREAS: NVTC serves as the voice of public transit in Northern Virginia, promoting the region's transit network through effective and efficient public bus and rail systems and ridesharing programs to foster economic vitality in the Region and the Commonwealth;

WHEREAS: The Honorable Timothy Lovain has served as a member of the Alexandria City Council from 2006 to 2009 and from 2012 to 2018;

WHEREAS: The Honorable Timothy Lovain has used his transportation expertise to assist the City of Alexandria and the entire Northern Virginia region in addressing transportation issues;

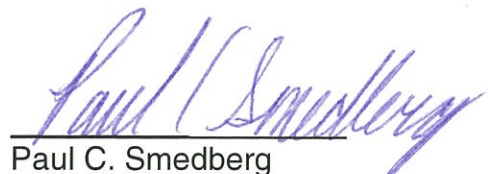
WHEREAS: The Honorable Timothy Lovain has represented the City of Alexandria on regional bodies that address transportation issues, including the Alexandria Transportation Commission and the Transportation Planning Board for the National Capital Region, where he served as Chairman, Vice Chairman, and head of the Human Service Transportation Task Force; and

WHEREAS: The Honorable Timothy Lovain has championed both transit-oriented development and enhanced public transportation, including the Metroway bus rapid transit service and the future Potomac Yard Metrorail station.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission commends the Honorable Timothy Lovain for his service to NVTC, the citizens of Northern Virginia, and the Commonwealth of Virginia.

BE IT FURTHER RESOLVED that NVTC prepare a copy of this resolution for presentation to the Honorable Timothy Lovain as an expression of its gratitude and in appreciation of his leadership and work on the Commission in promoting and funding public transit and ridesharing in Northern Virginia.

Approved this 6th day of December 2018.


Paul C. Smedberg
Chairman