

**MINUTES**  
**NVTC COMMISSION MEETING – MARCH 7, 2019**  
**FIRST FLOOR CONFERENCE ROOM – 2300 WILSON BLVD.**  
**ARLINGTON, VIRGINIA**

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Letourneau at 7:07 P.M.

**Members Present**

Canek Aguirre  
Elizabeth Bennett-Parker  
Sharon Bulova  
John Cook  
Katie Cristol  
Christian Dorsey  
Adam Ebbin  
John Foust  
Libby Garvey  
Catherine Hudgins  
David LaRock  
James M. LeMunyon  
Matt Letourneau  
Jeff McKay  
David Meyer  
Ron A. Meyer  
M. David Skiles  
Paul Smedberg  
David Snyder

**Members Absent**

Raul “Danny” Vargas

**Staff Present**

Kate Mattice, Executive Director  
Matt Cheng  
Karen Finucan Clarkson  
Andrew D’huyvetter  
Allan Fye  
Rhonda Gilchrest  
Dan Goldfarb  
Scott Kalkwarf  
Jae Watkins  
Steve MacIsaac (counsel)  
Doug Allen (VRE)

### Pledge of Allegiance and Opening Remarks

Following the Pledge of Allegiance, Chairman Letourneau welcomed everyone to the March 7<sup>th</sup> meeting and he gave an overview of the highlights and action items for the meeting. He noted that NVTC is back in the Navy League Building's conference room space, although there are still some outstanding issues to resolve. He stated that there is no wi-fi capability yet, so Commissioners were provided with copies of the meeting materials. Also, live-streaming capabilities are still not functional, so NVTC staff is streaming this meeting on Facebook Live. The conference room space should be completely renovated for the April meeting. He thanked NVTC staff for their efforts to get the Commission in this space for the March meeting.

### Minutes of the January 3, 2019 NVTC Commission Meeting

Mr. Dorsey moved, with a second by Ms. Bennett-Parker, to approve the minutes of the January 3<sup>rd</sup> meeting. The vote in favor was cast by Commissioners Aguirre, Bennett-Parker, Bulova, Cook, Cristol, Dorsey, Foust, Garvey, Hudgins, LeMunyon, Letourneau, David Meyer, Ron Meyer, Skiles, Smedberg and Snyder. Commissioners Ebbin and McKay abstained.

### Meeting Summary of the January 28, 2019 Meet and Greet with Secretary of Transportation

It was noted that this meeting was held in Richmond. Ms. Garvey moved, with a second by Mr. Smedberg, to approve the Meeting Summary of January 29, 2019. The vote in favor was cast by Commissioners Aguirre, Garvey, David Meyer, Smedberg and Snyder. Commissioners Bennett-Parker, Bulova, Cook, Cristol, Dorsey, Foust, Hudgins, LeMunyon, Letourneau, McKay, Ron Meyer and Skiles abstained.

### Consent Agenda

Chairman Letourneau presented the Consent Agenda Items for approval:

- A. Approve Resolution #2375: Approve the FY2020 State Transit Assistance Applications to DRPT
- B. Authorize the Chairman to Send a Letter of Support to DRPT for DASH's Demonstration Project Grant Application for a Mobile Ticketing Pilot
- C. Approve Resolution #2376: Appoint Elizabeth Bennett-Parker to Serve as an Alternate to the Virginia Transit Association (VTA) Board of Directors
- D. Approve Resolution #2377: Delegate Authority to NVTC's Executive Director to Execute VRE Concessionaire Grant Agreements with DRPT

Ms. Cristol moved, with a second by Senator Ebbin, to approve the Consent Agenda.

Mr. LeMunyon observed that for Item #A the lion's share of the money is going to Alexandria and Arlington for Metrorail Station entrances. Mr. Kalkwarf explained that DRPT requested NVTC apply for these capital funds under DRPT's MERIT program as they would be strong candidates for the competitive program.

The Commission then voted on the Consent Agenda and it passed unanimously. The vote in favor was cast by Commissioners Aguirre, Bennett-Parker, Bulova, Cook, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LeMunyon, Letourneau, McKay, David Meyer, Ron Meyer, Skiles, Smedberg and Snyder.

Delegate LaRock arrived at 7:12 P.M.

#### Washington Metropolitan Area Transit Authority

Chairman Letourneau noted that a representative from the Metropolitan Washington Airports Authority (MWAA) will be invited to a future meeting to give a briefing and answer questions on Silver Line construction. He then welcomed Paul Wiedefeld, WMATA General Manager/CEO, who has served in that role since late 2015 and has come to NVTC annually to address the Commission. Chairman Letourneau noted that during Mr. Wiedefeld's time as General Manager, WMATA has made great strides in improving safety, service reliability, and financial responsibility.

Mr. Wiedefeld thanked NVTC for its support for the new dedicated revenue and maintaining the current service hours. He then reviewed the status of WMATA's safety, service reliability and fiscal management. Insulator fire incidents dropped to the lowest levels in years due to new preventative maintenance and tunnel waterproofing. Major crimes on Metro last year dropped to the lowest level since 1999. Metrorail on-time performance in 2018 reached its highest level in several years. Eighty-nine percent of all Metrorail rush-hour trips have arrived on-time since the start of the Rush Hour Promise program. Preventative maintenance has reduced delays. Metrobus performance is at its best since 2010. WMATA just concluded its fourth year with a clean audit.

Mr. Wiedefeld then reviewed the proposed FY2020 budget, which is expected to be voted on by the WMATA Board on March 28<sup>th</sup>. The budget focuses on safety, system preservation and bringing the Metro system to a State of Good Repair. In order to keep within the three percent increase in operating subsidy cap, it is important to get the revenue side up. A key to the budget is the assumption that the federal Passenger Rail Investment and Improvement Act (PRIIA) funding will continue.

Mr. Wiedefeld stated that all of the Virginia legislative requirements will be met. WMATA will continue to work with NVTC on these issues. He observed that Maryland also has similar requirements. He did propose additional service improvements within the budget for WMATA Board consideration; however, they would need to be revenue neutral to stay within the three percent cap. These improvements include extended rush hours, eliminate the turn backs on the

Yellow and Red Lines, and convert to all eight-car trains. The WMATA Board is working through these items as they deliberate on the budget.

Mr. Wiedefeld then discussed targeted marketing for the upcoming Blue and Yellow Lines shutdown for platform improvements. He thanked NVTC staff for their coordination efforts. Senator Ebbin asked if there will be adequate bus service to move people during the shutdown and if WMATA will be able to take advantage of the shutdown to advance Potomac Yard construction. Mr. Wiedefeld responded that WMATA is contracting for more buses, but it will need to be a coordinated group effort with other local transit providers to provide more bus service. He also noted that there are already plans to do track work at Potomac Yard during the shutdown.

Mr. Aguirre commented that DASH is reaching out to other transit systems across the country for additional buses to add capacity during the shutdown. He asked once the improvements are done, how will WMATA promote this work to the public on what was accomplished. Mr. Wiedefeld noted that this is core infrastructure replacement, so there are challenges for marketing. This is not a ribbon cutting type of project.

Ms. Bennett-Parker stated that the City of Alexandria continues to be concerned about shuttle capacity and headways during the shutdown. Mr. Wiedefeld stated that in reality Metrobus and other local transit providers cannot capture all the riders who currently use Metrorail. Even the roadways cannot carry all that capacity. Ms. Bennett-Parker noted that unfortunately not everyone has the capacity to travel by car. Mr. Wiedefeld stated that this is why it will be important to get the work done as quickly as possible. Ms. Mitchell announced that DRPT is requesting Commonwealth Transportation Board (CTB) approval of a \$3 million funding proposal for mitigation efforts for local transit systems at an 80 percent state match. DASH has already submitted several funding requests.

Mr. Ron Meyer stated that he receives the most questions from constituents about monthly Metro passes and lowering fares. He observed that if WMATA lowered its fares, more people would use it. He asked what analytical data WMATA is using for fare pricing. Mr. Wiedefeld stated that WMATA has a sophisticated model that can run different scenarios. The issue is how much revenue is gained through ridership. WMATA staff believe fares are priced at a “sweet spot” and are where they need to be right now. He did note that WMATA is looking at different future opportunities with fares.

Mr. LeMunyon asked about any WMATA plans in the future to reduce parking fees at stations. Mr. Wiedefeld stated that WMATA is looking regionwide for opportunities including lowering or raising rates for parking based on usage. WMATA is also looking at different ways of managing parking since no one style fits all approaches. Mr. LeMunyon asked if there are specific plans for the public to see. Mr. Wiedefeld stated that there is no specific plan but the WMATA Board gave him the authority to try different approaches. He can provide some additional information.

Mr. Foust asked about what WMATA is doing to increase ridership and funding sources. Mr. Wiedefeld responded that WMATA has several initiatives, including the Rush Hour Promise. For

future ridership WMATA is looking at development patterns. Mr. Foust observed that he doesn't get a sense WMATA is doing a good job in marketing the Metro system. Mr. Wiedefeld stated that WMATA can certainly do better, but there have been budget restrictions. Back 2 Good was in effect a marketing campaign. He stated that it is important to get through the upcoming platform improvements/shutdown and make sure service is reliable before doing a big marketing campaign to win riders back. Chairman Letourneau agreed that timing will be important for marketing.

Mr. Snyder noted that as a regular Metro rider, he has observed a noticeable improvement in service reliability under Mr. Wiedefeld's leadership. From Falls Church's perspective, the most important issues are keeping the budget within the three percent cap and close coordination with Falls Church, Fairfax County and the universities on development at the West Falls Church Metrorail station. From a regional standpoint, Mr. Snyder asked about bus service and how to make it truly regional and integrate all the bus systems to feed more effectively into the Metrorail system. Mr. Wiedefeld stated that the Bus Transformation Study was started about eight months ago to rethink the whole Metrobus operations, to identify how bus service meets mobility needs of the region and what is Metrobus's role. This work is being done now in anticipation of next year's budget cycle.

Ms. Garvey asked if WMATA is considering a flat fare. Mr. Wiedefeld stated that WMATA is working on a mobile app and mobile access to the system, so flat fares are not being considered at this time.

Mr. McKay observed that there have been news articles about the concrete issues for the Silver Line Phase 2 construction. He asked Mr. Wiedefeld for his perspective and what can be done so that the jurisdictions are not "holding the bag" down the road. Mr. Wiedefeld stated that this is a Metropolitan Washington Airports Authority (MWAA) project but WMATA is concerned with these issues. WMATA's biggest concern is the rail ties, which could impact future service. WMATA has taken a strong position on these issues and won't accept the project unless all of the requirements are met. WMATA has an independent consultant looking at the rail tie issue. Mr. McKay asked if there will be penalties if there is a delay in opening because of these issues. Mr. Wiedefeld stated that there are penalties for the contractor. He assured the Commission that MWAA is being very aggressive on these issues and WMATA is also closely monitoring them as well.

Ms. Cristol asked about the assumptions built into the budget to increase ridership. Mr. Wiedefeld stated that other parts of the system will be operational during the shutdown, so he doesn't anticipate significant ridership swings. WMATA intends to do three major improvement projects a year. He also noted that WMATA is seeing ridership stabilizing.

Chairman Letourneau observed that there are also issues with the rail yard for the Silver Line Phase 2 project. Mr. Wiedefeld agreed that there are some building issues. His concern is with the scale of this project and making sure the region gets what it paid for. The rail yard needs to be completed before start of service. Based on his discussions with MWAA, both MWAA and WMATA are on the same page concerning these issues, including on the rail yard issue.

Mr. Cook commended WMATA for keeping the focus on safety and preventative maintenance and staying within the three percent increase in operating subsidy cap, which is critical for political liability. He stated that it is NVTC's job to back-up the hard work WMATA is doing and support the Board of Directors who have to make hard decisions.

Delegate LaRock asked about pension and other postemployment benefits (OPEB) and what decisions WMATA is making concerning the unfunded \$3 billion portion and what can NVTC and the General Assembly do to help. Mr. Wiedefeld stated that the pension issue is restricted by binding arbitration, so WMATA will have to try again during the next labor negotiations. For other OPEB benefits there were changes implemented, which savings will be reflected in the future but won't be reduced for a period of time. WMATA is proposing to build a Trust to reduce the unfunded amount sooner. The pension system is funded at 81.8 percent and is fairly standard within the industry. Mr. Skiles stated that he was intrigued by the 81.8 percent number, which is up from 77 percent in the past. The Virginia Retirement System is only funded at 73-74 percent.

Mr. LeMunyon stated that looking beyond the 7000 series railcars, he has heard that Kawasaki is not interested in building more Metrorail cars. Mr. Wiedefeld stated that Kawasaki, the current manufacturer of the 7000 series railcars, just won a large contract in New York and their capabilities are stretched. Unfortunately, there are no more domestic manufacturers.

Mr. McKay asked about the non-rider fee for parking, which his understanding is that this issue is almost resolved for VRE riders. He noted that there is still an outstanding issue of jurisdictional bus riders who park at a station and get on a bus. This is particularly important for those jurisdictions that have direct bus routes from stations, which helps alleviate crowding on the rail system. He observed that this will become more important with the summer shutdown. Mr. Wiedefeld responded that WMATA is trying to work out the technical issues and is committed to resolving but trying to find another mechanism to do it. Mr. McKay stated it is important to not lose these transit riders. He asked if this cannot be worked out before the shutdown, if WMATA can offer free parking or at a minimum eliminate the non-rider fee at least along the Blue and Yellow Lines. These stations are hubs for other transit.

Ms. Bulova thanked Mr. Wiedefeld for the progress that has been made at WMATA. She stated that it is important to manage expectations of the riders. We don't want to encourage people to ride but then they are disillusioned. Riders will put up with a lot as long as they have the knowledge of what is happening and how it is being handled. Ms. Hudgins stated that these investments are critical, because WMATA won't get riders back unless the system is safe and reliable.

Mr. Wiedefeld thanked NVTC again. He also acknowledged and thanked the members of WMATA's labor unions who were in the audience.

Report from the WMATA Committee. Ms. Hudgins, chair of the WMATA Committee, gave an update on the January 16<sup>th</sup> WMATA Committee meeting where they reviewed committee scope, proposed meeting schedule and other administrative and policy procedures. The next

meeting is scheduled for April 17<sup>th</sup>. The committee discussed proposed changes to late-night service and the associated implications for the preventative maintenance program and the legislatively mandated three percent cap. The committee directed staff to send a letter to WMATA General Manager Wiedefeld expressing their concern that a reduction in the overnight maintenance window would have significant safety and financial implications.

Report from the Virginia WMATA Board Members. Mr. Smedberg reported that the WMATA Board voted (7-1) to maintain current service hours. This was an important vote, which could have put federal funding at risk, as well as funding from Virginia. In response to a question from Chairman Letourneau, Mr. Smedberg stated that funding for the Inspector General's (IG) office is being held under the three percent cap, although IG funding was increased in the budget. Chairman Letourneau stated that the Commission may want to monitor this and consider seeking a legislative solution to unlink the IG office under the three percent cap.

Mr. Dorsey reported that there is general consensus among WMATA Board members regarding the FY2020 budget and he expects the Board will be close to a decision at the next Board meeting. He told Mr. Snyder that the City of Falls Church's proposed subsidy allocation is below the three percent cap at 2.7 percent. Mr. Dorsey explained that the three percent cap is applied to the three jurisdictions' (District, Maryland and Virginia) totals although different localities may have different percentages (higher or lower than three percent). Mr. Dorsey observed that this is an important budget since it is the first budget to incorporate all the legislative mandates. The budget will include some of the General Manager's proposals (extend Yellow Line service to Greenbelt and Red Line service toward Silver Spring). These lines terminate in Maryland but are extremely important to Virginia.

Mr. Dorsey stated he spent extensive time with WMATA crews during two incidents (one planned and one emergency). He saw the deterioration of some of the platforms, which reiterates the need for rehabilitation and preventative maintenance. He saw the water issues in the Red Line tunnels. It is important to fix these issues for the safety and reliability of the system. He was very impressed with the WMATA crews.

Mr. LeMunyon observed that WMATA Chairman Jack Evans has been in the news and asked if there is anything NVTC needs to know. Mr. Smedberg stated that the WMATA Executive Committee has started a review.

Chairman Letourneau noted that as a new WMATA alternate member, he has been impressed with the Virginia WMATA Board principal members, who have represented Virginia well and shown great leadership, especially regarding the late-night hours issue.

## Commuter Choice Program

I-66 Commuter Choice Program. Chairman Letourneau stated that the Program Advisory Committee met earlier this evening and he asked Mr. Snyder, as chair of that committee, if he would like to make any introductory remarks.

Mr. Snyder stated that the Program Advisory Committee had a good discussion about the I-66 Commuter Choice FY2020 project scores and saw the outcomes of applying the new criteria. He observed that there is a dramatic difference in the way bus proposals are scored as opposed to other projects. The committee will look at this closer and how to measure person throughput for projects such as bus service, intersection improvements and trails. Staff will continue fine tuning the project scores under the existing criteria before coming back to the Commission for approval. The committee will also look at fine tuning criteria for the future.

Mr. Fye stated that the technical team will look at these issues within the current structure and will report back to the Program Advisory Committee. The Commission will be asked at the April meeting to take action on the proposed list of I-66 Commuter Choice projects for public comment. The FY2020 I-66 Commuter Choice Call for Projects produced 20 applications for a total of \$32 million in requests for projects designed to expand transportation capacity in the I-66 corridor Inside the Beltway.

Mr. Skiles asked about the public hearing location and if a western Fairfax location is being considered. Ms. Mattice stated that a public hearing will occur prior to NVTC's May meeting at the Navy League location. NVTC staff is also working with the Commonwealth Transportation Board (CTB), the Northern Virginia Transportation Authority (NVTA) and the Virginia Railway Express (VRE) to schedule the legislatively mandated joint public meeting, which may be held at the VDOT Northern Virginia District office in Fairfax in May. The public can comment on the I-66 proposed projects at that meeting. An Open House and public meeting will also be held on April 23<sup>rd</sup> at 6:00 P.M. at Mary Ellen Henderson Middle School in Falls Church. NVTC is also enhancing its traditional outreach efforts by launching a geo-targeted social media campaign as well as providing different ways for the public to make comments via public hearings, on-line and phone.

I-395/95 Commuter Choice Program. Ms. Mattice stated that the goal of the I-395/95 Commuter Choice FY2020 Inaugural Program is to have projects implemented by Toll Day 1, scheduled for October 2019. Initial work on this program has been done by a NVTC/PRTC joint staff working group and a Joint Commission Working Group comprised of NVTC and PRTC Commissioners and chaired by Jeff McKay. At their April meetings, the Commissions will be asked to jointly approve the proposed project selection process, technical evaluation criteria, and authorize the announcement of a call for projects.

Mr. McKay observed that the take-away from the first Joint Commission Working Group meeting was that the criteria and review for the I-66 Commuter Choice program is a mirror image being proposed for the I-395 Commuter Choice program. The challenge going forward is approving the exact same thing at NVTC and PRTC. Independent third-party scoring will be important. He reported that the next Joint Commission Working Group meeting is scheduled for June.



Mr. LeMunyon wondered if it would be beneficial to have a discussion with NVTA and the CTB to see if they have funding for the other proposed projects. Ms. Mattice stated that there is already coordination as members of DRPT, NVTA and VDOT sit on the technical team and likewise, NVTC staff sit on the NVTA technical team. NVTA does not have a call for projects scheduled until next fiscal year.

Chairman Letourneau also observed that these projects are being submitted by the jurisdictions and there is significant engagement with those elected bodies and staff before the projects are submitted. Jurisdictions determine the best time to apply and where to apply for different funding sources. Ms. Cristol stated that it is important to not disadvantage jurisdictions as they compete for funding. She stated that it is good for NVTC and NVTA programs to be aligned but the criteria and eligibility for NVTA funding is quite different.

Mr. LeMunyon expressed his surprise in not seeing a parking mitigation project on the list of projects since toll revenues are eligible to fund this type of project. Chairman Letourneau responded that no jurisdiction applied for this type of project. Mr. LeMunyon asked if members of the public can apply for funding or submit project ideas. Ms. Mattice stated that the Memorandum of Agreement allows only jurisdictions and transit agencies within District 8 to apply for funding. Mr. Ron Meyer observed that projects must be administered by an agency or jurisdiction, but speaking for Loudoun County, the county would certainly welcome ideas from the public. Mr. LeMunyon expressed his opinion that NVTC talks about putting more people on transit and could do something about it but is not doing it.

Request for Proposals for Commuter Choice Technical Support. Ms. Mattice stated that initially VDOT supplied NVTC with a consultant to provide technical support. Knowing that the I-395/95 Commuter Choice program would be coming on board, NVTC authorized an extension of that contract for one year, which expires this summer. NVTC is now able to issue an RFP for technical support for both the I-66 and I-395 Commuter Choice programs, which should provide greater efficiencies in the use of consulting services for these similar programs.

Mr. Dorsey moved, with a second by Ms. Cristol, to authorize the executive director to issue a Request for Proposals for Commuter Choice Technical Support. The vote in favor was cast by Commissioners Aguirre, Bennett-Parker, Bulova, Cook, Cristol, Dorsey, Ebbin, Foust, Garvey, Hudgins, LaRock, LeMunyon, Letourneau, McKay, David Meyer, Ron Meyer, Skiles, Smedberg and Snyder.

Delegate LaRock observed that the Program Advisory Committee meeting summary referenced a proposed I-66 reverse tolling budget amendment. Based on his calculations, reverse tolling would provide about an additional \$6 million which could be used for transit projects. He asked if NVTC would consider taking action to support reverse tolling for the next legislative session. Chairman Letourneau stated that reverse tolling was discussed at the Executive Committee meeting in the context of future discussions with the Commonwealth about big ticket projects, such as Long Bridge and the Rosslyn Tunnel. In his view reverse tolling could help fund these types of projects. He noted that the Commission could discuss reverse tolling in the context of NVTC's 2020 Legislative Agenda.

Delegate LaRock suggested staff contact the Federal Highway Administration (FHWA) to get an opinion if VDOT can legally toll I-66 in the reserve peak direction. Chairman Letourneau reminded the Commission that the policy of tolling was not NVTC's decision, just that NVTC was the chosen agency to administer the toll revenue for transit. NVTC has stayed out of policy discussions of whether there should be tolling and has not taken a position.

Mr. Foust stated that he would be opposed to any reverse tolling due to the impact on parallel roads. Reverse tolling may produce \$6 million but it would cost many more millions to provide capacity on other roadways to handle bail-out traffic due to reverse tolling.

Mr. Snyder stated that the Program Advisory Committee discussed if the best most efficient bus service is one that runs parallel to existing Metrorail service or one that feeds into the rail system. Ms. Cristol suggested staff do some analysis on national and regional data. There is a phenomenon where the most popular or highest ridership bus routes are those that run parallel to other transit. Data might show that the way to get people to use transit is to provide multiple options. More transit options can help change travel behaviors and get people off the roads. Mr. McKay stated that Mr. Snyder has a good point, but he doesn't think the Metro system is ready for more bus service that feeds into the rail system yet, but NVTC should monitor this as Metro improves rail service. Chairman Letourneau noted that Loudoun County has had similar discussions in regard to the opening of Silver Line Phase 2 and Loudoun's existing bus service.

Mr. Ron Meyer left the meeting at 8:34 P.M. and did not return.

### Legislative Update

Ms. Mattice stated that Ms. Perron Seibert was unable to attend to give an update on the General Assembly Session, which adjourned on February 23<sup>rd</sup>. Ms. Mattice reported that there was a budget amendment that directs VDOT to conduct a study on the future of the Transportation Trust Fund as the Commonwealth has noted that gas tax revenues remain flat while transportation usage has increased. There were also changes in legislation regarding the internet sales tax and staff is still trying to unpack the impact of funding available to the Transportation Trust Fund.

Ms. Mattice noted that the membership of the General Assembly will be changing as she just heard today's announcement that Senator Charles Carrico and Senator Frank Wagner are not running for re-election. Other legislators who are not running for re-election include Senator Richard Black, Delegate Richard "Dickie" Bell, Delegate Gordon Helsel, Delegate David Toscano, and Delegate Steven Landes.

Ms. Mattice gave a brief update on the Transit Services Delivery Advisory Committee (TSDAC) and federal legislation, including an infrastructure package and PRIIA reauthorization.

Mr. Skiles noted that the importance of the formula not changing in regard to the legislation on the internet sales tax. The legislation also removes the enactment clause from HB2313 so that if

the U.S. Congress takes action on an internet sales tax, it won't impact transportation funding for Virginia.

### Virginia Railway Express

Mr. Allen gave his VRE CEO report. He stated that VRE staff met with other railroads to work on an industry-wide security plan. Regarding Positive Train Control (PTC), VRE already is running 6-8 trains under PTC and continuing to add more trains. Average daily ridership for the month of January was low due to the federal government shutdown. However, revenues only were down five percent, most likely because many riders purchase monthly tickets. VRE staff also met with congressional delegation members to discuss funding options for the Long Bridge project.

Mr. Allen reported that the Metropolitan Washington Council of Governments (MWCOC) has released a request for proposals for a market assessment and technical feasibility study of VRE-MARC run-through service. Mr. Goldfarb of NVTC staff will be monitoring this study.

Chairman Letourneau stated that there are no VRE action items this month.

### Department of Rail and Public Transportation (DRPT)

DRPT Director Mitchell directed Commissioners' attention to the blue-sheeted DRPT Report. She reported that at it is expected that at the March 20-21 Commonwealth Transportation Board (CTB) meeting, the CTB will take action on the "Policy for the Implementation of Performance Based State Transit Operating Allocation." Legislation provides DRPT with up to \$3 million for transition assistance for those systems adversely affected by the new formula. As reported earlier in the agenda, DRPT is also asking for mitigation funding for the upcoming Metro shutdown. DRPT staff is working with NVTC and jurisdictional staff to develop a plan.

In response to a question from Senator Ebbin, Ms. Mitchell explained that if PRIIA is not reauthorized it will put a \$300 million hole in the WMATA budget. Virginia has been using capital bonds for its \$50 million PRIIA match, but the bonds won't be reauthorized, which will mean the General Assembly will need to identify a new source of funding for the match.

Ms. Cristol asked if the funds that were being withheld by the Federal Transit Administration (FTA) have been restored now that the Metro Safety Commission (MSC) is meeting regularly. Ms. Mitchell responded that FTA is still withholding the funds until the Metro Safety Commission (MSC) is certified. She is optimistic that the MSC certification will occur very soon. If the April 15<sup>th</sup> deadline is not met, FTA will withhold 100 percent of all Virginia's federal funding.

Delegate LaRock read a portion of the WMATA Reforms Enactment Clause (HB2136/SB 1251 2017) which states:

*That the Secretary of Transportation, in coordination with the Northern Virginia Transportation Commission, shall engage his counterparts in Maryland and Washington, D.C., and the appropriate officials in the federal government for the purpose of revising the Washington Metropolitan Area Transit Authority Compact of 1966 and implementing other reforms necessary to ensure the near-term and long-term viability of the Washington Area Metropolitan Transit Authority (WMATA). In doing so, the Secretary shall develop, propose, and seek agreement on reforms related to the following:*

- i. The legal and organizational structure of WMATA;*
- ii. The composition and qualifications of the WMATA Board of Directors and the length of terms of its members;*
- iii. Labor costs and labor relations;*
- iv. Measures necessary to resolve WMATA's unfunded pension liability and other postemployment benefits;*
- v. Measures necessary to better ensure the safety of ridership and employees, including safety in the event of a homeland security emergency in the national capital area; and*
- vi. Financial and operational improvements necessary to ensure that WMATA's performance is at least as efficient as its closest comparable transit systems in the United States.*

Delegate LaRock noted that WMATA's unfunded pension liability and other postemployment benefits are an impact on the budget and a potential liability. He disagrees that the LaHood Report dealt with this issue. He looks forward to the first report of the Secretary of Transportation to the House and Senate Transportation Committees specifically dealing with this enactment clause. For the record, he wants to make sure everyone is aware that this is an obligation that exists and in his opinion is being ignored.

Ms. Mitchell noted that quarterly reports have been submitted on this topic. She stated that Secretary Valentine has spoken with her counterparts in the District and Maryland on this very issue and the response that at this point in time there is no appetite from those jurisdictions to revisiting the WMATA Compact. Their focus has been on the governance changes that have been made at WMATA, the new \$500 million in dedicated funding, and the Metro Safety Commission. There may be some interest in the future, but not now.

Delegate LaRock asked if there were any recorded communications of those discussions that could be included in the Secretary's report. Ms. Mitchell stated that there are no meeting minutes. Delegate LaRock stated that this is unacceptable given that staff has been specifically instructed by the General Assembly to engage with Maryland and the District. Mr. Dorsey asked Delegate LaRock if there is a roadmap that staff should follow to make sure it is reflecting the General Assembly's intent. Delegate LaRock stated that the Enactment Clause outlines it specifically. Chairman Letourneau asked how the General Assembly expects NVTC and the Commonwealth to fulfill that obligation if the other jurisdictions won't engage. Delegate LaRock replied that one can anticipate failure or be creative and innovative and propose a way to remedy

the situation. He and his legislative aide have spoken to both jurisdictions and found that there is some appetite. He expressed his opinion that to say “the door has been slammed shut” is not accurate. He suggested reaching out to Maryland and the District every four months or so to revisit the issue. It is a serious issue that needs to be resolved.

Ms. Bulova asked if there is some evidence in writing or otherwise to show that the other jurisdictions are interesting in engaging in this issue. Delegate LaRock stated that he could certainly dig up some emails, but the instructions in the enactment clause were not directed at him. The communication should happen with the Secretary’s office and should be reflected in the quarterly report. Chairman Letourneau stated that in his role on the Metropolitan Washington Council of Government’s Board of Directors, in the past the District did express interest in changing the Compact, but those changes would have directly disadvantaged Virginia. That is the only appetite for Compact change he has witnessed. Mr. Dorsey further stated that once the District discovered that a subsidy formula change could be done without Compact changes, they had no more appetite to change the Compact. Chairman Letourneau expressed caution that Virginia needs to be careful with what it wishes for in regard to changes to the WMATA Compact.

Chairman Letourneau stated that if there is an obligation then it should be fulfilled, even if it’s just reporting that outreach occurred and the response. Delegate LaRock stated that the Secretary’s quarterly report is a starting point – to provide information on where each party stands, which, in his mind, is the beginning of a negotiating process.

Senator Ebbin encourage Delegate LaRock to contact Secretary Valentine and DRPT Director Mitchell to share the information he gleaned from his communications with the other jurisdictions.

Mr. Dorsey asked Delegate LaRock to provide clear articulation of what he wants, to satisfy all parties even if it doesn’t provide all the desired outcomes. Ms. Mitchell reported that the Secretary’s office has been submitting the quarterly reports as required.

### Transit Resource Center

Ms. Mattice reported that NVTC’s Transit Resource Center is a rebranding and restructuring of ongoing projects and technical assistance that NVTC staff provide to jurisdictions within the approved Work Plan. The reorganization of this work under a single title seeks to ease the communication of NVTC’s technical work as well as help to better organize staff efforts to respond to Commission and jurisdictional needs. The Transit Resource Center encapsulates NVTC analytical efforts into five focus areas: regional bus analysis, technical assistance, the transit data warehouse, studies and research, and regional analytical engagement.

Ms. Mattice also urged Commissioners to look at the data in the FY2019 2<sup>nd</sup> Quarter Ridership Report.

### Executive Director Report

Ms. Mattice encouraged Commissioners to read her newsletter. She reported that NVTC's offices will be moving to the second floor on March 18<sup>th</sup>. She recognized Scott Kalkwarf and Melissa Walker for their hard work in coordinating the move as they deal with IT, telecommunications, furniture, movers and contractor meetings.

Ms. Mattice also reported on several staffing changes. Three new employees will be starting on March 25<sup>th</sup>. She then announced Karen Finucan Clarkson is leaving NVTC to take a position at VRE. Since 2015 when she joined NVTC, Ms. Finucan Clarkson has been instrumental in elevating the image and visibility of NVTC with its stakeholders, regional partners, the media, and business groups. She is also an award-winning journalist, most recently recognized by the Parenting Media Association with a Gold Award for her work in Washington Parent Magazine. Ms. Mattice personally thanked Ms. Finucan Clarkson for all of her work at NVTC over the past four years.

Ms. Mattice also reviewed several upcoming events including DASH's 35<sup>th</sup> Anniversary Celebration (March 11), Transit Service Delivery Advisory Committee (TSDAC) meeting (March 14), APTA Legislative Conference (March 17-19), and the Commonwealth Transportation Board meeting (March 20-21).

The Financial Reports for December 2018 and January 2019 were provided to Commissioners and there were no questions.

### Adjournment

Without objection, Chairman Letourneau adjourned the meeting at 9:07 P.M.

Approved this 4<sup>th</sup> day of April 2019.

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Matthew F. Letourneau  
Chairman

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Sharon Bulova  
Secretary-Treasurer



## **RESOLUTION #2375**

**SUBJECT:** Approve the FY2020 State Transit Assistance Applications to DRPT

**WHEREAS:** The Northern Virginia Transportation Commission (NVTC) wishes to obtain state and federal grants to help defray NVTC, Washington Metropolitan Area Transit Authority (WMATA), local bus systems and Virginia Railway Express (VRE) operating and capital costs.

**NOW, THEREFORE, BE IT RESOLVED** that NVTC's Executive Director, or her designee, is authorized, for and on behalf of NVTC and as an agent for its members:

- 1) To execute and file applications to the Virginia Department of Rail and Public Transportation (DRPT) for grants of public transportation assistance for FY2020 commencing July 1, 2019 in the amount of \$123.6 million in eligible local transit operating costs to defray a portion of the public transportation cost of NVTC and its members for operations;
- 2) To accept from DRPT and execute grants in such amounts as may be awarded; and
- 3) To furnish DRPT such documents and other information as may be required for processing the grant requests.

**BE IT FURTHER RESOLVED** that NVTC's Executive Director, or her designee, is authorized, for and on behalf of NVTC and as an agent for its members:

- 1) To file applications to DRPT for grants of public transportation assistance for FY2020 for capital expenses totaling \$174.5 million in costs to defray the costs borne by NVTC and its members for capital expenditures;
- 2) To revise the capital portion of the application to reflect refined estimates by the local governments when they become available;
- 3) To accept from DRPT and execute grants in such amounts as may be awarded; and
- 4) To furnish to DRPT such documents and other information as may be required for processing the grant request.

**BE IT FURTHER RESOLVED** that NVTC's Executive Director, or her designee, is authorized, for and on behalf of NVTC and PRTC and their members:

- 1) To file FY2020 VRE applications to DRPT in the amount of \$56.6 million in eligible operating costs, \$7.7 million in non-federal costs for capital (\$25.8 million total costs), and a Rail Enhancement Fund request of \$31.2 million;
- 2) To revise the application to reflect refined estimates by VRE;
- 3) To accept from DRPT and execute grants in such amounts as may be awarded; and
- 4) To furnish to DRPT such documents and other information as may be required for processing the grant request.



**BE IT FURTHER RESOLVED** that NVTC's Executive Director, or her designee, is authorized, for and on behalf of NVTC:

- 1) To file an application with DRPT under the Intern Program in the amount of \$50,000, with state funds anticipated at 80 percent;
- 2) To accept from DRPT and execute the grant in such amount as may be awarded; and
- 3) To furnish to DRPT such documents and other information as may be required for processing the grant request.

**BE IT FURTHER RESOLVED** that NVTC's Executive Director, or her designee, is authorized, for and on behalf of NVTC:


- 1) To accept from DRPT and execute the grant for WMATA capital and operating purposes per Section 33.2-1526.1 of the Code of Virginia in such amount as may be awarded; and
- 2) To furnish to DRPT such documents and other information as may be required for processing the grant request.


**BE IT FURTHER RESOLVED** that NVTC certifies that the funds for all of the above grants will be used in accordance with the requirements of Section 58.1 638.A.4 of the Code of Virginia, that NVTC will provide matching funds in the ratio required by the Act, that the records of receipts of expenditures of funds granted to NVTC may be subject to audit by DRPT and by the State Auditor of Public Accounts, and that funds granted to NVTC for defraying the public transportation expenses of NVTC shall be used only for such purposes as authorized in the Code of Virginia.

**BE IT FURTHER RESOLVED** that NVTC's Executive Director, or her designee, is authorized, for and on behalf of NVTC and its members, to furnish to the Transportation Planning Board, the Commonwealth Transportation Board, and other state and federal funding agencies such documents, information, assurances and certifications as may be required for pursuing the above grant requests and continuing previously awarded grants.

**BE IT FURTHER RESOLVED** that NVTC's Executive Director, or her designee, is authorized to amend the above described applications at the request of NVTC's member jurisdictions to include the most recent information and project costs.

Approved this 7<sup>th</sup> day of March 2019.

  
Matthew F. Letourneau  
Chairman

  
Sharon Bulova  
Secretary-Treasurer





## RESOLUTION #2376

**SUBJECT:** Appoint Elizabeth Bennett-Parker to Serve as an Alternate to the Virginia Transit Association Board of Directors

**WHEREAS:** NVTC is empowered to make appointments to the Board of Directors of the Virginia Transit Association (VTA);

**WHEREAS:** On January 3, 2019 NVTC appointed David Snyder and Kate Mattice to serve as principal members to the Virginia Transit Association Board of Directors and Katie Cristol as an alternate, leaving one alternate position vacant; and

**WHEREAS:** Elizabeth Bennett-Parker has agreed to be nominated to serve as an alternate to the VTA Board of Directors.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby appoints Elizabeth Bennett-Parker to serve as an alternate to the Virginia Transit Association (VTA) Board of Directors.

Approved this 7<sup>th</sup> day of March 2019.

Sharon Bulova  
Secretary-Treasurer

Matthew F. Letourneau  
Chairman



## RESOLUTION #2377

**SUBJECT:** Delegate Authority to NVTC's Executive Director to Execute VRE Concessionaire Grant Agreements with DRPT

**WHEREAS:** NVTC Resolution #2341, which was approved on July 6, 2017, authorized the VRE CEO to submit a VRE project to the Northern Virginia Transportation Authority (NVTA) for funding consideration by the Commonwealth Transportation Board (CTB) from the Transform 66 Outside the Beltway Concessionaire Payment, and to execute all project funding agreements that may result from consideration of the project;

**WHEREAS:** The NVTA recommended, and the CTB approved, \$128,496,000 in funding for the VRE Manassas Line Capacity Expansion and Real-Time Traveler Information Project;


**WHEREAS:** The Department of Rail and Public Transportation is administering the Outside the Beltway Concessionaire Payment funding for this project and will contract with NVTC on behalf of VRE for these funds; and

**WHEREAS:** The authority to execute these agreements needs to be changed from the VRE CEO to the NVTC Executive Director, or her designee.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby delegates authority to the NVTC Executive Director, or her designee, to execute the project funding agreements for the VRE Concessionaire Grant.

Approved this 7<sup>th</sup> day of March 2019.

  
Sharon Bulova  
Secretary-Treasurer

  
Matthew F. Letourneau  
Chairman