

**MINUTES**  
**NVTC COMMISSION MEETING – MAY 2, 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 7:24 P.M.

**Members Present**

Canek Aguirre  
Elizabeth Bennett-Parker  
Sharon Bulova  
John Cook  
Katie Cristol  
Adam Ebbin  
John Foust  
Libby Garvey  
Catherine Hudgins  
David LaRock  
Matt Letourneau  
David Meyer  
Ron A. Meyer  
Jennifer Mitchell (Alternate, Commonwealth of Virginia)  
M. David Skiles  
Paul Smedberg  
David Snyder

**Members Absent**

Richard Black  
Christian Dorsey  
James M. LeMunyon  
Jeff McKay  
Raul “Danny” Vargas

**Staff Present**

Kate Mattice, Executive Director  
Matt Cheng  
Joey de St. Aubin  
Andrew D’huyvetter  
Allan Fye  
Rhonda Gilchrest  
Dinah Girma  
Patricia Happ  
Aimee Perron Seibert  
Zach Smith  
Brittany Sumpter  
Alex Thorup  
Jae Watkins  
Joe Swartz (VRE)

### Opening Remarks

Chairman Letourneau welcomed everyone to the May 2<sup>nd</sup> NVTC meeting and thanked those that attended the just concluded Commuter Choice Public Hearing. He noted that the meeting is being streamed on YouTube Live and the public can also access the feed through a link on NVTC's Facebook page. Chairman Letourneau reviewed the action items and welcomed Washington Metrorail Safety Commission (WMSC) Chief Executive Officer David Mayer, who will give a presentation.

Chairman Letourneau informed the Commission that NVTC was notified by the Virginia Senate Sergeant at Arms that Senator Richard Black has been appointed to NVTC. Senator Black is expected to attend the June meeting.

### Minutes of the April 4, 2019 NVTC Commission Meeting

Mr. Skiles moved, with a second by Mr. Aguirre, to approve the minutes of the April 4, 2019 meeting. The vote in favor was cast by Commissioners Aguirre, Bennett-Parker, Bulova, Cook, Ebbin, Foust, Garvey, Hudgins, LaRock, Letourneau, David Meyer, Ron Meyer, Skiles, Smedberg and Snyder. Ms. Cristol abstained.

### Consent Agenda

Chairman Letourneau presented the Consent Agenda for approval:

- A. Authorize the Executive Director to Send a Letter Certifying Receipt of Certain Documents from WMATA Required by State Code
- B. Approve Resolution #2382: Proclamation of Support for the 35<sup>th</sup> Annual Public Service Recognition Week Taking Place May 5-11, 2019

Mr. Smedberg, with a second by Ms. Bulova, to approve the Consent Agenda. The vote in favor was cast by Commissioners Aguirre, Bennett-Parker, Bulova, Cook, Cristol, Ebbin, Foust, Garvey, Hudgins, LaRock, Letourneau, David Meyer, Ron Meyer, Skiles, Smedberg and Snyder.

### Washington Metrorail Safety Commission

Chairman Letourneau stated that at last month's NVTC meeting, DRPT announced that the Washington Metrorail Safety Commission (WMSC) was certified by the Federal Transit Administration on March 18, 2019. Over the past two years, NVTC has received regular updates from DRPT Director Mitchell on the progress of establishing the WMSC and meeting the certification deadline of April 15, 2019. NVTC is pleased to have WMSC Chief Executive Officer David Mayer here to brief the Commission on the role and mission of the WMSC.

Before Mr. Mayer's presentation, Chairman Letourneau recognized DRPT Director Mitchell and former Delegate James LeMunyon who played key roles in the establishment of the WMSC. As it was a tremendous accomplishment, a Resolution of Commendation was prepared for presentation recognizing their efforts to help establish the Washington Metrorail Safety Commission. He asked Director Mitchell to join him up front and noted Mr. LeMunyon was not able to attend tonight's meeting and will be recognized at the next meeting.

Chairman Letourneau read the Resolution of Commendation into the record (a copy of the resolution is attached).

Ms. Garvey moved, with a second by Mr. Snyder, to approve the Resolution of Commendation. The vote was unanimous and cast by Commissioners Aguirre, Bennett-Parker, Bulova, Cook, Cristol, Ebbin, Foust, Garvey, Hudgins, LaRock, Letourneau, David Meyer, Ron Meyer, Skiles, Smedberg and Snyder.

Chairman Letourneau introduced Washington Metrorail Safety Commission Chief Executive Officer David Mayer, who joined the WMSC in June 2018 as its first CEO. Before coming to the WMSC, Mr. Mayer served as the first-ever chief safety officer of the New York Metropolitan Transportation Authority (MTA) from 2014-2018 and for the National Transportation Safety Board (NTSB) beginning in 1991, where he held several different roles including the managing director of the National Transportation Safety Board (NTSB).

Mr. Mayer gave an overview of the establishment of the WMSC, its roles and responsibilities, the staff team, and the certification process. Since certification, the WMSC is accomplishing its six core functions: inspections, safety event investigations, emergency management, audits, corrective action plans and safety certification. He noted that WMATA has been extraordinarily cooperative and transparent with the WMSC.

Ms. Garvey asked if there is an industry standard ratio of mechanical safety problems as opposed to human safety problems. Mr. Mayer stated that every transit agency is different, so it is hard to compare against other agencies.

In response to a question from Mr. Snyder, Mr. Mayer stated the WMSC has a total staff of 11 but is also augmented by two competitively awarded staffing contracts. Since federal grant funds are being used, there was a staffing assessment done to ensure that the WMSC can accomplish its six core function with this staffing level. Mr. Snyder also asked about cyber security. Mr. Mayer stated that the WMSC's authority under the Compact is exclusively safety. Mr. Snyder asked if Mr. Mayer would define safety to include passengers in the stations. He cited an example of a recent stabbing fatality at a Maryland Metro station. Mr. Mayer responded the answer is yes and no. An intentional stabbing does not fall into WMSC's oversight of safety per se, but anytime someone is removed from the Metro system due to a medical reason, it is reported to the WMSC. So that specific event was reported to the WMSC as required but the WMSC does not have an investigative role in that incident. Mr. Snyder asked if the WMSC has a way for riders to confidentially report safety issues. Mr. Mayer replied that the WMSC has a "report" button on its website for the public to confidentially report safety concerns.

Mr. Ron Meyer stated that his concern with adding commissions and layers onto an Inspector General-type role is to not slow down work on safety issues. He asked Mr. Mayer about the balance of getting the work done and done correctly and what is the WMSC's role in identifying problems that need to be fixed. Mr. Mayer stated that the later part is extremely important to push WMATA to look at incidents to find areas of continued improvement. To the first point, WMSC's program standard specifically directs WMATA that where corrective action is necessary it seeks WMSC's approval unless there is an urgency and should start immediately to correct the action. Mr. Meyer asked if there are any prescriptive measures dealing with technology to prevent safety issues. Mr. Mayer observed that WMATA already has a high level of sophistication of its automation.

Ms. Cristol stepped out of the room at 7:53 P.M.

In response to a question from Chairman Letourneau, Mr. Mayer gave a brief overview of how issues are reported and processed. If WMATA and the WMSC don't agree on an issue, the WMSC has broad authority to order WMATA to take action.

Ms. Bulova asked if the WMSC has a role in weighing in on service hours changes if a proposal does not give WMATA sufficient time for maintenance. Mr. Mayer stated that the WMSC would have authority to take an action. Critical inspections also need to occur during non-revenue hours when power can be shut down, so sufficient maintenance and inspection hours are crucial.

Senator Ebbin and Mr. Skiles left the meeting at 7:58 P.M.

Chairman Letourneau thanked Mr. Mayer for his presentation and encouraged him to keep NVTC informed on WMATA safety issues.

#### Washington Metropolitan Area Transit Authority

Report from the Chair of the WMATA Committee. NVTC's WMATA Committee Chairman Hudgins briefed the Commission on the April 17<sup>th</sup> WMATA Committee meeting, where staff provided their approach to updating the Annual Report on the Performance and Condition of WMATA. Staff outlined their update to the data chapters and articulated their expectations of WMATA for reporting to NVTC on the uses of the Virginia dedicated capital fund. The committee provided feedback on staff's proposed policy recommendations to improve efficiencies at WMATA by rebuilding ridership through better weekend service and parking and fare policy changes. The next committee meeting is in June. Staff is currently working with jurisdictional staff to prepare research and background material requested by committee members on parking, fare policy, fare pass products, and the role of Metrobus in the region.

Chairman Letourneau encouraged all Commissioners to attend the June WMATA Committee meeting or to provide their input to staff directly. This is the time to make comments at the committee level before the annual report comes to the Commission for approval.

Report from the Virginia WMATA Board Members. Mr. Smedberg reported that the WMATA Board approved the FY2020 budget last month. The WMATA Board also approved parking fee waivers for three Blue and Yellow Line stations (Franconia-Springfield, Van Dorn and Huntington) during the summer shutdown.

Mr. Smedberg reported that the WMATA Executive Committee accepted the Office of Inspector General (OIG) Report that found that WMATA improperly implemented a new timekeeping program. WMATA management is in the process of implementing the OIG's recommendations and the program will be redeployed in 2020. The report included six recommendations and management accepted all six.

Mr. Smedberg announced that WMATA selected two sites, one in New Carrollton and one in Alexandria, for office facilities that are part of the larger office consolidation plan. The WMATA Board decided to put the headquarters site up for a long-term lease. This plan will save tens of millions of dollars over a 10-12 year period. Mr. Cook asked if WMATA did a comparison of sale versus lease for the headquarter site. Mr. Smedberg stated that there was extensive analysis done and the WMATA Board decided this was the best financial decision. There will be income generated from a 90-year lease of the land. He can follow-up with Mr. Cook on information related to the resale value of the land.

Mr. Smedberg also announced that the Blue and Yellow Line Summer Shutdown has been extended six days to September 8, 2019. Following extensive inspections and engineering analysis, WMATA has identified additional work that is necessary to address repairs and other issues at the Braddock Road Station. Mr. Aguirre asked about advertising shuttle routes. Greg Potts of WMATA staff stated that next week they will start distributing specific station information at each station for the two weeks in advance of the shutdown, as well as the first two weeks of the shutdown.

Ms. Cristol returned to the discussion at 8:13 P.M.

Mr. Smedberg announced that wireless access will soon be available in 70 percent of the system. To Mr. Snyder's question about cyber security, Mr. Smedberg stated that WMATA hired a chief information security officer to strengthen its cyber security program.

Delegate LaRock asked for comments on the recent news article about a Freedom of Information Act (FOIA) request regarding the customer satisfaction survey. Mr. Smedberg replied that the WMATA Board has not been briefed on this issue yet. Delegate LaRock asked if the customer survey report would be available to NVTC. Mr. Smedberg stated he believes the report should be available.

Virginia Ridership and Parking Facility Utilization. Chairman Letourneau stated this is information provided to Commissioners each month. The report shows a slight uptick in ridership.

### Commuter Choice Program

Chairman Letourneau stated that as presented at the public hearing prior to this meeting, NVTC has been a partner with the Commonwealth since 2017 to help identify and fund projects to help commuters travel on I-66 inside the Beltway. These projects all come from the localities and stem from projects they have identified through their planning processes. Last month NVTC released the full scored list of 22 projects that will be considered for funding under the I-66 Commuter Choice program. These projects were evaluated based upon their technical merit, cost effectiveness, and Commission priorities. VDOT has projected that NVTC will have up to \$20 million available to fund this year's program. There are \$32 million in requests, so NVTC will not be able to fund all the applications received.

Chairman Letourneau stated that NVTC is currently in the midst of a public comment period that ends on May 15<sup>th</sup>, including the Northern Virginia Spring Transportation Meeting on May 13, 2019. The comments made at tonight's public hearing will be included with all the other comments received and will be provided to the Commission prior to the June meeting. The Commission is not being asked to approve the Program of Projects at this meeting.

Chairman Letourneau explained that in advance of the Commonwealth Transportation Board (CTB) action in June, the CTB has asked to be briefed on the applications received to date at its May 14<sup>th</sup> workshop. As such, staff is asking for approval to provide the CTB with the complete list of applications and scores prior to NVTC's action in June. It is only after NVTC's action in June that a list of proposed projects for funding will be provided to CTB for its approval.

Mr. Ron Meyer asked about the total revenues generated on an annual basis from the tolls. Ms. Mattice responded that NVTC only receives a portion of the toll revenue to fund transit projects. She does not know the total revenue generated, but will request VDOT provide a report on the use of the revenues, including enforcement, maintenance, administration, etc.

In response to a question from Delegate LaRock, Ms. Mattice explained that start-up costs for the I-66 Commuter Choice program were borne by VDOT, including the use of consultants. Now NVTC administers the entire Commuter Choice program. The cost estimates were based on analysis of what is needed to administer the program effectively. Part of the program includes performance measures and the reporting on that is robust. Chairman Letourneau reminded Commissioners that the Program Advisory Committee was created to provide oversight of this project, including performance data. Ms. Mattice stated that staff is in the process of gathering data in response to Delegate LaRock's prior request by email for information.

Ms. Bulova moved, with a second by Ms. Cristol, to authorize the executive director to present to the Commonwealth Transportation Board projects considered for funding under the FY2020 I-66 Commuter Choice program. The vote in favor was cast by Commissioners Aguirre, Bennett-Parker, Bulova, Cook, Cristol, Foust, Garvey, Hudgins, LaRock, Letourneau, David Meyer, Ron Meyer, Smedberg and Snyder.

Mr. Snyder asked when the Program Advisory Committee is planning to meet again. Ms. Mattice stated that staff is trying to schedule a Program Advisory Committee workshop this summer for the committee to discuss with staff the refinement of criteria prior to next I-66 call for projects.

Mr. Snyder stated that Delegate LaRock's questions are relative to that, as well as how to measure an intersection contribution compared to a bus project or parallel bus route compared to feeder bus routes. Chairman Letourneau cautioned of not changing the criteria too much as the program should maintain some level of consistency and predictability for applicants as well as align with the MOA but agreed that it is important to have these discussions.

#### Virginia Railway Express

Chairman Letourneau noted that there are no VRE action items this month. He asked VRE Operations Board Chair Katie Cristol to give a brief update on Positive Train Control (PTC). Ms. Cristol reported that on-time performance (OTP) has suffered during the month on April, especially on the Manassas Line which has been dipping below 50 percent. The delays are largely related to the federally-mandated PTC implementation but also due to other maintenance events. She provided more details about the delays.

Ms. Cristol reported that VRE staff and its consultants, as well as the host railroads, have been working hard on this and are optimistic that VRE will return to better on-time performance. She offered for her and/or VRE staff to talk to Commissioners or their staff to provide more information on PTC as they interact with their constituents. Meet the Management events are happening in May, which gives VRE a chance to interface with riders as well. VRE understands riders are more interested in a solution than an explanation.

Mr. Cook asked about VRE's efforts to provide information to riders, either through the Train Talk publication or other means. As an Operations Board member, he did not know that there was a problem. Ms. Cristol stated that she will work with VRE staff to get information out to Board members tomorrow. She stated that VRE's website includes information about PTC and VRE has distributed information on social media and other means.

Mr. Swartz stated that VRE has already implemented short-term fixes and saw some improvement on the Manassas Line this morning. Longer term solutions are expected in approximately two weeks. Mr. Smedberg stated this is good to know that a solution is in sight as the Metrorail summer shutdown is right around the corner.

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

Director Mitchell reported that the public hearing on the Six-Year Improvement Plan (SYIP) will occur on May 13<sup>th</sup> in coordination with the Northern Virginia Spring Transportation Meeting. The VDOT portion of the SYIP includes a Smart Scale recommendation. The SYIP also includes the new capital prioritization process as well as operating based on performance metrics. The rail program allocates significant funding for the Long Bridge. Mr. Snyder asked about private sector involvement and funding of the Long Bridge. Director Mitchell stated they are working through a funding plan with CSXT, which will involve regional and federal funding partners.

Delegate LaRock asked about the definition of land use in the Smart Scale program and if the parameters have changed. Director Mitchell responded that she does not think so but would have to check.

### Executive Director Report

Ms. Mattice encouraged Commissioners to read her Executive Director Newsletter. She reported that NVTC staff is engaged and at the table on a number of regional efforts:

- Piloting of farebox upgrades to transit buses (DCU3).
- Scoping of the region's new RM3P initiative, a transportation innovation effort lead by the Secretary Valentine's Office of Transportation Innovation in coordination with the Northern Virginia Transportation Authority.
- Contributing to VDOT's Highway Automation Strategic Plan with a focus on how public fleets and transit programs related to advances in automated vehicle technologies and policies.
- Engaging in WMATA's Bus Transformation Project efforts – at both a technical and strategic advisory level. (The project team have been invited to NVTC's June meeting to provide an overview of its findings and to present the recommended strategies.)

Ms. Mattice reviewed upcoming events, including:

- Northern Virginia Spring Transportation Meeting (joint public meeting with VRE, NVTA, CTB/VDOT NoVa District office) evening of May 13
- Commonwealth Transportation Board Meeting (Northern Virginia) – May 14-15
- Virginia Transit Association's Annual Conference (Norfolk) – May 29-30

Ms. Mattice announced that Sharon Bulova and Cathy Hudgins will be recognized at the VTA Conference for their commitment to public transit.

Ms. Mattice announced that the Open House for the new office space will be on July 11<sup>th</sup> in conjunction with the Commission meeting.

The Financial Report for March 2019 was provided to Commissioners and there were no questions.

### Adjournment

Without objection, Chairman Letourneau adjourned the meeting at 8:45 P.M.

Approved this 6<sup>th</sup> day of June 2019.

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Matthew F. Letourneau  
Chairman

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Sharon Bulova  
Secretary-Treasurer





## RESOLUTION #2382

**SUBJECT:** Proclamation of Support for the 35<sup>th</sup> Annual Public Service Recognition Week Taking Place May 5-11, 2019

**WHEREAS:** Many public servants, including military personnel, police officers, firefighters, border patrol offices, embassy employees, health care professions, government employees, and others, risk their lives each day in service to the people of the United States and around the world;

**WHEREAS:** May 5-11, 2019 marks the 35<sup>th</sup> year of celebrating "Public Service Recognition Week" which seeks to show appreciation to the millions of public servants, including federal, state, county, and local employees across the United States;

**WHEREAS:** The dedicated workforce of the cities, counties, and transit operators represented by NVTC provide a vital public service to residents of and visitors to Northern Virginia by providing safe and reliable transit service; and

**WHEREAS:** The public servants who provide and support public transit directly contribute to the economic vitality, quality of life, and environmental sustainability of Northern Virginia.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby proclaims its support for Public Service Recognition Week taking place May 5-11, 2019.

**BE IT FURTHER RESOLVED** that NVTC encourages all residents, businesses, and visitors to recognize the hard work and dedication of public servants across Northern Virginia.

Approved this 2<sup>nd</sup> day of May 2019.

  
Matthew F. Letourneau  
Chairman

  
Sharon Bulova  
Secretary-Treasurer



## RESOLUTION OF COMMENDATION

**SUBJECT:** Commend DRPT Director Jennifer Mitchell and Former Delegate James LeMunyon for Their Efforts to Help Establish the Washington Metrorail Safety Commission

**WHEREAS:** In 2012, Congress passed the Moving Ahead for Progress in the 21st Century Act (MAP-21), requiring all states with rail transit systems to identify or establish an independent agency to ensure that the rail transit systems within their borders adhered to a new safety framework, with a deadline of April 15, 2019 to establish an agency to handle the new safety oversight responsibilities and receive federal certification of the oversight program;

**WHEREAS:** In the 2017 General Assembly Session, Delegate James LeMunyon introduced HB2136 (2017), authorizing Virginia to become a signatory to the Washington Metrorail Safety Commission Interstate Compact, which established an independent state safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA) Rail System, and was signed into law on March 24, 2017;

**WHEREAS:** During this same time, Department of Rail and Public Transportation (DRPT) Director Jennifer Mitchell served as an unofficial leader for the regional development of Washington Metrorail Safety Commission (WMSC) enabling legislation, using her expertise to help negotiate compromises between Virginia, Maryland, and the District of Columbia to ensure deadlines were met and the requirements of each jurisdiction were reflected in the legislation;

**WHEREAS:** Delegate LeMunyon and Director Mitchell's swift actions during the legislative development phase demonstrated to the U.S. Department of Transportation and the local and congressional delegations that progress was being made on passing the legislation;

**WHEREAS:** In Spring and Summer 2017, the Commonwealth of Virginia, Maryland and the District of Columbia jointly crafted an agreement creating the Washington Metrorail Safety Commission to serve as the state safety oversight agency for the Metrorail system, followed by Congress formally approving the compact which was ratified in August 2017;

**WHEREAS:** Director Mitchell continued to play an instrumental role in establishing the WMSC by assisting with the development of the Interstate Compact and the WMSC Bylaws and operating policies, and by helping to create a timeline and process to recruit Board members and staff and to elect officers, which culminated in the first WMSC meeting on February 7, 2018; and

**WHEREAS:** On March 18, 2019, the Federal Transit Administration (FTA) certified the State Safety Oversight (SSO) Program of the WMSC, which is now responsible for overseeing and enforcing safety practices on Metrorail; reviews and approves WMATA's Metrorail safety plans and operations to ensure the rail system complies with federal and state safety rules and regulations; and identifies safety deficiencies and oversees WMATA's efforts to address deficiencies.

**NOW, THEREFORE, BE IT RESOLVED** by the Northern Virginia Transportation Commission hereby commends DRPT Director Jennifer Mitchell and former Delegate James LeMunyon for their efforts to help establish the Washington Metrorail Safety Commission.

**BE IT FURTHER RESOLVED that NVTC** prepare copies of this resolution for presentation to Jennifer Mitchell and James LeMunyon as an expression of its gratitude and in appreciation of their work to make the Metro system safer for all commuters in the Washington, D.C. metropolitan region.

Approved this 2<sup>nd</sup> day of May 2019.

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Matthew F. Letourneau  
Chairman