

MINUTES
NVTC COMMISSION MEETING – OCTOBER 1, 2020
Via Electronic Participation
Public Streaming via YouTube

The meeting of the Northern Virginia Transportation Commission was called to order by Chair Cristol at 7:00 P.M.

Members Present via Electronic Participation

Canek Aguirre
Walter Alcorn
Elizabeth Bennett-Parker
Katie Cristol
Matt de Ferranti
Eileen Filler-Corn
John Foust
Libby Garvey
Paul Krizek
Jeff McKay
David Meyer
Dalia Palchik
David Reid
Paul Smedberg
David Snyder
Dan Storck (Alternate, Fairfax County)
Richard Sullivan
Michael Turner

Members Not Present

John J. Bell (Senator Bell absent during General Assembly Session)
Adam Ebbin (Senator Ebbin absent during General Assembly Session)
Matt Letourneau
James Walkinshaw

Staff Present via Electronic Participation

Kate Mattice, Executive Director	
Andrew D’huyvetter	
Allan Fye	
Rhonda Gilchrest	
Dinah Girma	Aimee Perron Seibert
Scott Kalkwarf	Steve MacIsaac
Ben Owen	Rich Dalton (VRE)
Zachary Smith	Mark Schofield (VRE)
Melissa Walker	Greg Potts (WMATA)
Jae Watkins	Paul Wiedefeld (WMATA)

Opening Remarks

Chair Cristol welcomed everyone to the October 1 NVTC meeting. She stated that given the ongoing COVID-19 public health emergency, the meeting is being conducted electronically. This is possible because the governor signed into law on April 22, 2020 a legislative amendment to the budget bill to allow public bodies to meet electronically without a physical quorum present to discuss or transact the business statutorily required or necessary to continue operations of that public body. NVTC staff followed the procedures and guidelines in the legislation to give notice to the Commission, staff and the public.

Chair Cristol reviewed the procedures and instructions for the electronic meeting, including all votes will be conducted by roll call vote. The only visual component of the meeting is the presentation slides which are being shown on Webex for Commissioners and on YouTube livestream for the public. Chair Cristol suggested that when possible, the Commission combine votes into block votes. For this meeting, she is recommending voting on the two Commuter Choice action items as a block. She will give Commissioners a chance to separate them at the time of the vote. There were no objections.

Commission Secretary Rhonda Gilchrest then called the roll and confirmed a quorum was present.

Chair Cristol welcomed WMATA General Manager/CEO Paul Wiedefeld, who will give a presentation on WMATA issues, including budget implications and WMATA's COVID-19 response. She noted that Mr. Letourneau is not able to attend the meeting since he was severely injured several weeks ago and is still recovering. On a happier note, she announced that Mr. Walkinshaw is not present as his family welcomed a new baby this week. Mr. Storck is serving as his alternate.

Chair Cristol announced that the American Public Transportation Association (APTA) will be recognizing former NVTC Commissioner Sharon Bulova with a Distinguished Service Award. This honor goes to a state or local transportation decision maker who has contributed to the public transportation industry through policy, legislative initiative, and leadership. Sharon is being honored for her leadership in the founding of VRE and will be recognized at APTA's conference later this month. Sharon Bulova was the longest serving member of NVTC, and NVTC congratulates her for this well-deserved national award.

Consent Agenda

Chair Cristol stated that there are two items on the Consent Agenda:

- A. Approve Resolution #2419: Finding Need to Conduct the October 1, 2020 NVTC Meeting Electronically (a copy of the resolution is attached)
- B. Authorize the Notice of Direct Contributions to the Jurisdictions

Before the vote, Chair Cristol asked Ms. Mattice to report on any comments received this month from the public. Ms. Mattice reported that three comments were received by the deadline and they were provided to Commissioners in advance of this meeting. Two comments voiced concern

with cutting WMATA transit service in light of the proposed WMATA budget. Ms. Mattice stated that the third comment asks that the Commission provide information to the commenter regarding a number of items on the proposed Commuter Choice Round Four selection. She did note that much of this information was included in NVTC's meeting materials both in September and October, as well as the September 17 Program Advisory Committee meeting, and is also available on NVTC's website. The commenter also requested data on details of toll revenue collections and the financial plan for Long Bridge project that may best be responded to by outside entities.

Chair Cristol asked Commissioners for any comments or questions regarding the public comments. There were none.

Mr. Reid moved, with a second by Mr. Krizek, to approve the Consent Agenda. The vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Alcorn, Bennett-Parker, Cristol, de Ferranti, Filler-Corn, Foust, Garvey, Krizek, McKay, Meyer, Palchik, Reid, Smedberg, Snyder, Storck, Sullivan and Turner. (Mr. Aguirre did not participate in the vote.)

Washington Metropolitan Area Transit Authority

Chair Cristol observed that Metrorail and Metrobus operations and revenues have been significantly impacted by the COVID-19 public health emergency. NVTC welcomes WMATA General/CEO Paul Wiedefeld to talk about these issues and challenges, especially the implications to the budget. She noted that NVTC's jurisdictions are the principal Virginia funding partners for WMATA, so this discussion is very important.

Presentation by the WMATA General Manager/CEO and COVID-19 Update. Mr. Wiedefeld stated that WMATA's top priorities continue to be safety, service and financial stability. He summarized the numerous actions WMATA has implemented regarding pandemic precautions, which include requiring face masks and social distancing, proactive cleaning, and operational changes. The public has made it clear that they want the system cleaned daily and they want to see it happening, which will make them feel more comfortable using the system.

Mr. Wiedefeld stated that WMATA's new marketing campaign, running from October through January, will encourage social distancing and face covering, but will also reinforce that the Metro system is safe and a viable commuting alternative. WMATA is happy to partner with NVTC and its jurisdictions on ways to get the word out that transit is a safe way to commute. WMATA is also working closely with the business community, such as the Board of Trade, Chambers of Commerce, and Tysons Partnership.

Mr. Wiedefeld stated that WMATA partnered with Greater Washington to develop a COVID-19 snapshot and Transit Tracker, which will provide real time information so riders will know if trains are crowded. WMATA also launched the SmarTrip Apple Wallet, which provides a safer, faster, more convenient way to pay fares. WMATA is the first system in North America to use Apple Wallet for fares. The WMATA Board approved a six-month waiver of the \$2 app fee.

Mr. Wiedefeld stated that prior to COVID-19 Metrorail ridership was doing very well, on-time performance was in an upward trend, and WMATA's financial outlook was looking stable. After stay at home orders went into effect, ridership dropped about 90% on rail and 70% on bus. In August WMATA entered into the managed re-entry service phase. He explained that eventually the goal is to get to the recovery phase in 2021 once the economy and ridership rebounds and as a vaccine becomes available.

Mr. Wiedefeld explained that WMATA has had to revise its financial outlook due to the slow recovery from the pandemic. A prolonged managed re-entry phase is needed because virus transmission is not abating and government workers, businesses and schools are slower to return than expected, which has led to prolonged ridership recovery and additional safety and cleaning costs. The CARES Act funding WMATA received will not cover the full fiscal year and will dry up in January 2021. He explained that this is not just a transit industry issue, it is also affecting other industries. The aviation industry's funding ran out on October 1. With this current information and if the federal government doesn't provide additional CARES Act funding, the likely FY 2021 budget gap will be \$212 million. WMATA management has identified \$42.6 million in cost savings and the WMATA Board has identified \$30 million in deferred capital projects and \$139.4 million in service cuts/adjustments. The WMATA Board submitted a draft proposal of these budget revisions for public comment to maintain a balanced budget, which is required by the WMATA Compact.

Mr. Wiedefeld reviewed some of the proposed service adjustments including matching service with demand, implementing turn backs, shortening service hours, and starting the Silver Line Phase 2 during the first quarter of FY 2022 (instead of the 4th quarter of FY 2021). Bus fare collections would resume in January 2021. The proposed changes would reduce WMATA's workforce by 1,700 positions.

Mr. Wiedefeld stated that WMATA is currently in the public outreach phase of the budget revisions. Under WMATA's Collective Bargaining Agreement if there are lay-offs, a 60-day notice is required. WMATA expects service reductions to take effect in December. WMATA is also looking at the FY 2022 budget. Just as local governments are being faced with significant financial challenges, WMATA is also concerned that there would be even greater budget impacts for FY 2022, with an estimated \$400 million gap. He stated that WMATA needs help to seek additional federal funding to withstand the impact of the COVID-19 pandemic. It is important that the region not lose sight of the value the Metro system has to the economy and its recovery of this region and the nation. He stated that WMATA is thankful for the support of local, regional, state and federal elected officials, the business community and other stakeholders, like NVTC.

Delegate Reid asked about the proposed 1,700 lay-offs and what percentage that is of WMATA's entire workforce. Mr. Wiedefeld stated that WMATA has roughly 12,000 employees. He reminded the Commission that WMATA reduced its work force by eliminating 800 positions several years ago. So, these are significant impacts to WMATA.

Mr. Foust observed that WMATA is proposing to reduce rail service by 20% on all the lines, but 100% for the Silver Line Phase 2 and the FY 2022 budget outlook doesn't look any better. He

expressed his opinion that Silver Line Phase 2 should be treated equally with the other lines. His constituents have been waiting for two years for the Silver Line Phase 2 to open. Mr. Wiedefeld responded that the reason the Silver Line Phase 2 was pushed back to the first quarter of FY 2022 is the project itself. It was anticipated that the Metropolitan Washington Airports Authority (MWAA) would turn the project over to WMATA in the December 2020 timeframe. Because of outstanding issues, it will not be until the February-March 2021 timeframe. So rather than spending money to hire people and have them sit waiting for service to start, WMATA is recommending pushing back the hiring date. Although it will save money, it wasn't done as a cost savings measure. In reality the system is not ready to open in spring of 2021.

Mr. McKay stated that he is in agreement with Mr. Foust. There is a general understanding that the issues with the delays of the Silver Line Phase 2 are somewhat out of WMATA's control, but it would be helpful for WMATA to give reassurances of what the new opening date will be and to ensure that Phase 2 can open by Labor Day 2021. He also congratulated WMATA on the Apple pay system. This was something discussed in 2009 when he served on the WMATA Board as ways to get WMATA out of the banking business and accounting functions of fare collection to save money. He asked about future opportunities and if there will be significant savings.

Mr. Wiedefeld stated that regarding Silver Line Phase 2, WMATA is working through the outstanding issues with MWAA. A new issue has just been discovered with a cross bond spacing deficiency issue. Cross bonds connect the tracks and provide electric current which communicates to the signal system. WMATA and MWAA are waiting to hear back from the contractor on this issue. There are still other open issues that need to be resolved. Safety issues will be what holds up the opening date.

Regarding the mobile app, Mr. Wiedefeld stated that WMATA is currently working with Google on an app. WMATA will realize significant cost savings over time by getting Metro out of the money business, which will result in not needing the hardware and manual labor currently being used. The timeframe for developing the apps are dependent on the provider, such as Apple and Google.

Mr. McKay also thanked Mr. Wiedefeld for recognizing the financial challenges facing the jurisdictions. He stated that the federal government needs to step up and help the Metro system. He offered the jurisdictions' support for advocating for additional CARES Act funding.

Mr. Turner asked if the estimated \$400 million in deep cuts in FY 2022 will spill over and impact of the completion of the Silver Line Phase 2. Mr. Wiedefeld responded that construction of Phase 2 is totally separate, but the ongoing operations of the entire Metro system is under fiscal stress.

Mr. de Ferranti asked about the initial projections of how retirements might help the overall total of layoffs. Mr. Wiedefeld explained that roughly 900 WMATA employees are now eligible for retirement, but some of those positions are key positions that would need to be back filled and not all would choose to retire. WMATA is also exploring furloughs, which can be done on the management side; however, it is not an option on the labor side. Staff morale is a major concern.

Mr. Snyder applauded WMATA and its employees for continuing to operate a first-class service under the difficult circumstances of a pandemic. He also complimented WMATA on the end result of the work done at the East Falls Church Metrorail Station over the summer. He asked how WMATA will adjust service due to long-term changes in teleworking. With more people deciding to work from home on a permanent basis, the argument can be made for more bus service changes to make service nimbler and more flexible, where routes could be changed rapidly to meet demand. He asked if Metrobus has the flexibility to change in volume and routes. He also asked for reassurances that the Rail Operation Control Center (ROCC) is running well and there are no reasons for concern.

Mr. Wiedefeld stated that there was an audit of the Rail Operations Control Center (ROCC) and as a result he has instituted several changes, which include that the ROCC now directly reports to the general manager, a new team has been brought in, and a search is being conducted for a new director. He assured NVTC that if the system was not safe, he would not let it run. He stated that there were cultural issues in the ROCC that were disheartening, and WMATA is working hard to change the culture. Regarding Metro service, Mr. Wiedefeld stated that WMATA is still trying to understand what the new normal will look like. He does not want to make predictions because no one thought aviation would rebound after the 9-11 terrorist attacks, and it did. He believes transit will continue to play a major role in transportation in this region, but how quickly it will rebound he can't predict. He agrees that the bus system has more flexibility, which can respond to different transit needs.

Mr. Wiedefeld stated that WMATA is very focused and active advocating for federal funding. WMATA is working closely with APTA and the other transit operators, with a focus on educating legislators that transit impacts not just the region it serves but local economies across the nation. For example, buses are manufactured in Alabama and railcars are manufactured in Nebraska.

Ms. Bennett-Parker asked if WMATA has looked at its budget process to share more information and budget data to the jurisdictions earlier in the budget process. Mr. Wiedefeld stated that the budget is changing constantly but he committed to do more to keep the jurisdictions informed. Ms. Bennett-Parker also noted that contactless payment is very exciting, but she wants to make sure that it won't be more difficult or costly for people who don't own smart phones. Mr. Wiedefeld stated that 95% of Metro users have access to a smart phone, so now WMATA needs to focus on the remaining 5% to make it easier for them to use the system.

Chair Cristol stated that she appreciates WMATA's commitment to more budget transparency. For Virginia, the localities are paying into the system so this information is crucial.

Mr. Krizek asked how much WMATA is dependent on robust tourism and if tourists will have issues getting the mobile app. Mr. Wiedefeld stated that tourism is a big driver in revenues, especially during the summer and for major events. He predicts that tourists will come back because this region will continue to be a draw. Tourists tend to use transit, so when they come back WMATA wants to make it as seamless as possible to use the system, including the new mobile app.

Report from Virginia WMATA Board Members. Mr. Smedberg reported that on September 8 WMATA completed its summer 2020 Platform Improvement Project, reopening all remaining stations west of Ballston for service. He also noted that the public comment period on the budget changes is currently open and closes on October 19. There will be further WMATA Board action in November, and these service changes would take effect in January 2021. Mr. Alcorn noted that the public hearing on the budget is scheduled for October 13. Chair Cristol thanked Mr. Alcorn for stepping in to serve as Mr. Letourneau's alternate while he recovers.

Mr. Smedberg noted that the WMATA Board also received an update on the FY 2022 budget, which has an even greater gap than the FY 2021 budget as Mr. Wiedefeld talked about in his earlier comments. The General Manager will release his proposed FY 2022 budget in November.

Mr. Smedberg noted that the WMATA Board received an update from the Metro Transit Police Department (MTPD) chief on recent community policing and engagement efforts, as well as the appointments to the newly created MTPD Investigations Review Panel. Don Nuckols has been appointed to represent Virginia on the panel. He is an attorney with extensive experience in the military and private industry and will represent Virginia well.

Mr. Smedberg stated that the Board also received an update on proposed Metrobus Service Guidelines. WMATA's Metrobus Service Guidelines are over 20 years old, and this update was a key recommendation of the Bus Transformation Project. The service guidelines are intended to enable clear decision making on where to add, adjust, or remove service. WMATA staff are currently engaging with jurisdictional staff for feedback, and the WMATA Board anticipates approving new guidelines in December or January.

Report from the Chair of the 3% Cap Working Group. Chair Cristol reminded Commissioners that this year NVTC was tasked by the General Assembly to convene a working group on the usefulness of the 3% cap on the growth in Virginia's operating subsidy payments to WMATA and whether any additional items should be excluded from the cap. She asked Mr. Smith to give an overview of the status of the report.

Mr. Smith stated that the working group examined the role of NVTC jurisdictions in funding of WMATA, the impact of the historical operating subsidies, and WMATA's past and present drivers of past subsidy increases. The working group found that the 3% cap has only been used for the two budget cycles, it appears that the 3% cap does provide some predictability, and requires WMATA to focus on controlling costs. However, the exclusions do increase the bottom-line subsidy reducing the predictability of the annual subsidy growth. The working group recommends in the report that:

- No changes be made to the existing 3% cap legislation;
- No additional exclusions to the cap be considered at this time;
- No legislative changes be considered before the cap has been in place for five WMATA budget development cycles; and
- NVTC continue to evaluate the impact of Virginia's 3% cap legislation.

Mr. Smith explained that the working group reviewed a significant amount of information on the cap that went beyond the General Assembly directive, so the working group also recommends NVTC staff continue to examine the cap and provide a secondary companion report to the Commission at a later date that will focus on non-legislative actions.

Mr. Snyder thanked the working group and staff for all the work done on this report and stated that he supports the recommendations. Mr. de Ferranti also thanked Chair Cristol and Mr. Smith for their hard work. He stated that it seems wise to be succinct in the report sent to the General Assembly and have a companion report for the Commission. Mr. Krizek asked if the 3% cap should be revisited on a regular basis. Chair Cristol explained that the recommendation would be to revisit it legislatively after the fifth budget cycle. NVTC will continue to look at this issue, including ways the exceptions play out and the interpretation of the exceptions. Mr. Krizek stated that this sounds like a good plan and he will do his best in the General Assembly to advocate for the recommendations.

Report from the Chair of the NVTC WMATA Committee. NVTC WMATA Committee Chairman Aguirre reported that at the last WMATA Committee meeting they reviewed the draft report from the 3% working group and received an update from Virginia's WMATA Board members on the FY 2021 budget changes and the preview of the FY 2022 budget drivers. The WMATA Committee is next scheduled to meet on October 29 to review the draft of the Annual Report on the Performance and Condition of WMATA, which will be presented to the Commission at the November meeting.

Commissioners Filler-Corn, Reid and Sullivan left the meeting for a caucus meeting and did not return.

Minutes of the September 3, 2020 NVTC Commission Meeting

Mr. Krizek moved, with a second by Ms. Bennett-Parker, to approve the minutes of the September 3, 2020 meeting. The vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bennett-Parker, Cristol, de Ferranti, Foust, Garvey, Krizek, McKay, Meyer, Palchik, Smedberg, Snyder, Storck and Turner.

Commuter Choice Program

Chair Cristol stated that after the staff presentations and Commission discussion she will ask for a block vote for the two Commuter Choice-related actions, which include approval of the FY 2020 Commuter Choice Annual Report and approval of the Commuter Choice (I-66) Initial Round Four (FY 2021) Program of Projects and supplemental program based upon existing technical scores.

Report from the Chair of the Program Advisory Committee. Mr. Snyder stated that just as NVTC has heard from Mr. Wiedefeld about the fiscal impacts of the pandemic on WMATA, the Commuter Choice program has also been significantly impacted by the pandemic. He reported that the Program Advisory Committee (PAC) met on September 17 and unanimously endorsed

staff's proposed Initial Round Four (FY 2021) Program of Projects. He stated that staff has presented a set of proposals that does its best to maintain current projects, fund projects with what funding is available, and preserves the list of projects and their technical scores for additional projects to be funded when funding becomes available.

Ms. Mattice introduced NVTC's Commuter Choice Marketing and Outreach Manager Jae Watkins, who will give a presentation on the highlights of the annual report, and NVTC's Senior Program Manager Ben Owen, who will follow with a presentation on the Commuter Choice on the I-66 Corridor Initial Round Four Program of Projects.

Commuter Choice Program At Large. Ms. Watkins stated that the FY 2020 Annual Commuter Choice Report is the first report that has a five-year performance look-back on the funded projects since program inception in 2017. The look-back is a requirement in the Memorandum of Agreement between the Commonwealth and NVTC. Also, for the first time, the report is being presented along with a new companion website. The website will feature all the printed versions of information as well as descriptions, status updates and details of each project under the I-66 and I-395/95 programs. The website will launch by the end of October. The annual report is due for submission to the CTB by October 31, 2020.

Ms. Watkins stated that the report includes data and analysis from both before and after the COVID-19 public health emergency started (through June 30, 2020). After five years of programming, staff was able to do analysis to see what has worked with the program and areas that may need to be adjusted. Lessons learned include:

- Advocating for a more diverse set of projects that advance Commuter Choice goals;
- Ensuring project benefits area readily measurable, particularly Transportation Demand Management (TDM) efforts; and
- Encouraging applicants to coordinate projects with other stakeholders in the region to ensure success.

Ms. Watkins reviewed highlights of the program and its successes. The main message is that the Commuter Choice program is moving more people and fewer vehicles in the I-66 corridor.

Mr. Owen announced that PRTC approved the submission of the annual report at its October 1 meeting. Both Commissions have to take action regarding the I-395/95 Commuter Choice program.

Commuter Choice on the I-66 Corridor. Mr. Owen stated that the Initial Round Four program provides a total of \$3,777,230 for six low-risk, low-cost strategies that will demonstrate robust benefits to toll payers and provide continuity for corridor commuters, as well as support NVTC's program administration and oversight activities for the year. Staff propose a conservative approach to fund only a single year of the two-year Round Four (FY 2021-2022) program at this time using program carryover, interest, and less than 50% of the projected FY 2021 I-66 Inside the Beltway toll revenues that the Virginia Department of Transportation (VDOT) expects to provide to NVTC. The following projects are proposed for funding:

Recommended Commuter Choice on the I-66 Corridor Initial Round Four (FY 2021) Program		
Project Name	Applicant	Funding Request
McLean Metro Station North Entrance	Fairfax County	\$1,000,000
Renewal of Bus Service from Gainesville to Pentagon/Navy Yard	OmniRide	\$461,100
Renewal of Bus Service from Haymarket to Rosslyn	OmniRide	\$137,100
City of Fairfax Bike Share Implementation	City of Fairfax	\$460,000
Lee Highway HOV and Bus-Only Lane in Rosslyn	Arlington County	\$710,000
Renewal of Purcellville Metro Connection Bus Service	Loudoun County	\$709,030
<i>Program Administration and Oversight for FY 2021</i>	<i>NVTC</i>	\$300,000
	TOTAL	\$3,777,230

Mr. Owen stated that as traffic rebounds, it is likely more revenues will be available to fund additional projects. Staff anticipate FY 2022 revenue estimates will exceed the very conservative FY 2021 estimates. Based upon revenue availability, staff will ask the Commission at a later time to select a supplemental (FY 2022) program from the five new transit services, new commuter incentives and larger capital efforts that were submitted to the Round Four call for projects and remain in consideration for funding. These projects represent larger projects that would be challenging to program with the revenue available now and/or efforts that rely on ridership demands that may be slower to materialize given the ongoing repercussions of the public health emergency. Based upon the recommendation of the PAC, the selection of projects under the Supplemental Round Four program will be based upon the strong consideration of the technical scores, based upon availability of funding and public comment. NVTC program administration and oversight needs for FY 2022 will be provided to the Commission for consideration at the same time as the Supplemental Round Four program selection. The proposed I-66 Corridor Supplemental Round Four (FY 2022) program is as follows:

Projects to Be Considered for the Commuter Choice on the I-66 Corridor Supplemental Round Four (FY 2022) Program			
Applicant	Application Title	Score (100 Points)	Funding Request
City of Falls Church	Restoration of Peak-Period Metrobus Route 28X, Tysons Corner to Mark Center	73	\$3,305,967
OmniRide	TDM Strategy – I-66 Corridor Vanpool Parking Benefit	62	\$85,000
Fairfax County	New Bus Service from Reston South to Crystal City	59	\$5,110,800
Town of Vienna	New Park and Ride at Patrick Henry Library	56	\$5,050,000
Fairfax County	TDM Strategy – Fare Buy Down on Bus Service from Reston North to Crystal City	44	\$154,500
<i>NVTC</i>	<i>Program Administration and Oversight for FY 2022</i>		TBD
TOTAL FUNDING REQUEST			\$13,706,267

Mr. Owen reviewed the public comment process for the Initial Round Four program, which included a public comment period open from September 1 – 21. The public could comment via online, email, or voice mail. NVTC also held a virtual Town Hall meeting for the public to learn

about the projects. He reviewed the five comments that were received and were provided with the meeting materials.

Mr. Snyder requested that the second resolve clause of Resolution #2420 be changed to read “Now, therefore, be it resolved that NVTC will select a Commuter Choice on the I-66 Corridor Supplemental Round Four (FY 2022) Program in the spring of 2021 based upon each project's application score, subject to availability of funding and public comment.” There were no objections.

Chair Cristol again asked if there were any objections to approving both Commuter Choice actions items as a block. There were none.

Mr. Snyder moved, with a second by Mr. Meyer, to approve the following actions:

- Authorize the Executive Director to Submit the NVTC Commuter Choice Program FY 2020 Annual Report to the Commonwealth Transportation Board
- Approve Resolution #2420, as amended, to Approve the Commuter Choice on the I-66 Corridor Initial Round Four (FY 2021) Program of Projects for Submission to the Commonwealth Transportation Board and Authorize the Executive Director to Execute the Standard Project Agreements (a copy of the resolution is attached)

The vote was conducted by a roll call vote and it passed unanimously. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bennett-Parker, Cristol, de Ferranti, Foust, Garvey, McKay, Meyer, Palchik, Smedberg, Snyder, Storck and Turner. (Mr. Krizek did not participate in the vote. He had left the meeting during the discussion and did not participate in any further votes.)

Legislative Update

Report from the Chair of the Legislative and Policy Committee. Mr. Meyer stated that the Legislative and Policy Committee met on September 10 to begin developing NVTC's 2021 Legislative and Policy Agenda, which outlines the Commission's state and federal legislative priorities for the coming year. For the state, after the most transformative General Assembly Session for transportation this past spring, moving forward given the fiscal constraints the Commonwealth is facing, NVTC's legislative focus will be protecting existing programs and the revenue streams that fund transit. The committee suggests the following state priorities include:

- Protecting existing programs and revenue streams that fund transit;
- Continued state support for rail expansion, including the Long Bridge;
- Restoring NVT A funding;
- Ensuring that our policies and priorities acknowledge the direct link between transit and promoting equity and social justice issues;
- Seeking flexibility for joint public bodies to meet remotely; and
- Ongoing recognition that NVTC should be the regional body to continue to administer transit programs, such as the Commuter Choice program.

Mr. Meyer also noted that NVTC's federal agenda is focused on:

- Continued funding support for the losses in transit revenues due to COVID-19 and its recovery;
- Renewing dedicated federal funding for WMATA;
- Reauthorizing the FAST Act; and
- Seeking federal support for major capital projects in the region like the Long Bridge.

Mr. Meyer stated that NVTC staff is continuing to work with legislative staff from each of the jurisdictions on the proposed priorities and they will meet on October 7. The Legislative and Policy Committee will meet again on October 15 to finalize the proposed 2021 Legislative and Policy Agenda before it is presented to the Commission at the November meeting for discussion.

Virginia General Assembly Update. Ms. Perron Seibert gave an update on activity during the Special Session. Both House and Senate versions of the budget were released on September 25. She acknowledged Delegate Krizek and Delegate Sullivan for their help in getting budget language included that will allow the joint meeting of NVTC, NVT, CTB and VRE to be held virtually during the pandemic. Language was also included in the House version of the budget to give the Commonwealth Transportation Board (CTB) and DRPT the flexibility to shift operating and capital funding but would require House oversight. This would mean the CTB would need to wait a month to take action after being presented with proposed funding shifts, so that the House could be informed of the changes before a CTB vote was taken. Ms. Perron Seibert also noted that the Senate worked on its version of the budget tonight, which is why Senators Bell and Ebbin were not able to attend the NVTC meeting.

Federal Update. Ms. Mattice reported that earlier this evening the House passed the Heroes Act, which is an approximately \$2.2 trillion COVID-19 bill. The bill includes \$32 billion of COVID-19 emergency transit funding, which is more than double the transit funding provided in the May version of the bill. It is still unclear what will happen on the Senate side.

Ms. Mattice also reported that on September 30 an 11-week extension was given to federal appropriations, which allows for continued PRIIA funding for WMATA. It also includes a one-year extension to the current surface transportation bill, the FAST Act, which provides over \$61 billion over five fiscal years for programs administered by the Federal Transit Administration. This will continue federal highway and transit programs for the next year (outside of any COVID relief packages). The biggest challenge facing reauthorization of the federal highway and transit program will be to identify funding to restore solvency to the federal highway trust fund, which has been shored up with other funding for several years now. It will also be a potential vehicle for a long-term dedicated funding program for WMATA, similar to the PRIIA legislation now expired.

Annual Joint NVTC-PRTC Legislative Briefing. Ms. Mattice announced that the annual Joint NVTC-PRTC Legislative Briefing is scheduled for December 7 at 9:00 a.m. The virtual event will provide an overview of federal and state issues affecting transit in Northern Virginia. NVTC has invited Secretary of Transportation Shannon Valentine to participate as the keynote speaker.

NVTC Transit Resource Center

Ms. Mattice noted that the meeting materials include NVTC's quarterly regional transit ridership and Metrorail parking reports, as well as the Annual FY 2020 Transit Performance Report. Working behind the scenes on these and many of NVTC's data efforts are Dan Goldfarb and Dinah Girma. Ms. Girma will give tonight's presentation providing some highlights of the annual report, which is the first look into the initial ridership and service impacts of the COVID-19 public health emergency on the regional transit systems.

Ms. Girma stated that the FY 2020 Annual Transit Report provides a snapshot of the impacts on ridership during the COVID-19 public health emergency. The initial dip in service for Metro that occurred in July 2019 is attributable to the impact of platform improvements closures, as those platform improvements were completed, ridership bounced back up in mid-August. There was another dip around the holidays, beginning in November and then an uptick in January, as people left and came back from year-end holiday. Mid-February, the data starts to show the impact on ridership and the continued reduction with the steepest drop occurring in mid-March through the end of the fiscal year due to COVID-19. Towards the end of the fiscal year, a slight increase is seen in ridership, with expectation that this will be more apparent when the FY 2020 Q1 report is compiled.

Ms. Girma provided an overview of the average daily transit boardings for Northern Virginia transit agencies, VRE and Metro. Boardings on bus, commuter rail and heavy rail was holding at a steady level since FY 2017. Factors to consider for low ridership in fiscal years prior to the COVID-19 health emergency is Safe Track and platform improvement work. After the COVID-19 public health emergency began, safety measures were implemented in March 2020 by the transit agencies that serve the region. These measures allowed rear-door boarding, fare elimination, social distancing measures and the closure of Metro stations. Another factor to consider is that much of the region has been teleworking since about mid-March.

Ms. Girma concluded by noting that COVID-19 has seriously impacted transit ridership and commuting patterns in the last quarter of FY 2020. Before COVID-19, transit ridership was experiencing a 5% increase, when comparing FY 2020 to FY 2019. Despite telework, as businesses reopen, transit is starting to show increased ridership. Continued investment in transit is vital to post-COVID-19 recovery and long-term sustainable economic growth. NVTC will continue to track ridership during COVID-19 and in subsequent recovery.

Virginia Railway Express

VRE CEO Report and VRE COVID-19 Response. Chair Cristol congratulated Mr. Dalton on his appointment as the new VRE Chief Executive Officer. She asked Mr. Dalton to give his report, which will be followed by VRE Operations Board Vice-Chair Elizabeth Bennett-Parker, who will introduce the action and information items.

Mr. Dalton reported that VRE continues to operate at reduced service levels. He reviewed the measures VRE is taking to address the COVID-19 public health emergency, which include enhanced measures to be ready to welcome back riders. He also noted that VRE continues to require face masks and will provide one if a passenger does not have one. VRE is still seeing almost 100% compliance. He outlined the things VRE is doing to get the message out that it is safe to come back to VRE.

Mr. Dalton reported that VRE is seeing incremental increases in ridership. There were 1,300 daily trips at the beginning of the September and by the end of the month it reached over 1,500. Ridership is returning “one rider at a time,” but VRE is seeing a positive trend. On-time performance for the month of September was 95.5%.

Referral of the Preliminary FY2022 VRE Operating and Capital Budget to the Jurisdictions.

Ms. Bennett-Parker stated that the Commission is asked to approve Resolution #2421 to refer the preliminary FY 2022 VRE operating and capital budget to the jurisdictions. VRE’s preliminary FY 2022 operating budget totals \$91.9 million, which includes operations, maintenance, and existing debt service. This preliminary budget amount is nearly flat to the approved FY 2021 budget of \$91.4 million, which is an increase of 0.5%, and VRE staff are continuing to review departmental budgets to identify further expense reductions. In light of the reduced ridership and ongoing economic challenges from the COVID-19 public health emergency, the preliminary operating budget includes no changes to passenger fares and no increase to jurisdictional subsidy. Ms. Bennett-Parker stated that before the application of any available emergency funding, the preliminary operating budget has a net unfunded amount of \$25.7 million. However, VRE’s federal CARES Act funding will be available to backfill lost passenger revenue and ensure that no additional jurisdictional contribution is required.

Ms. Bennett-Parker stated that VRE’s preliminary FY 2022 capital budget includes commitments of \$101.8 million from federal, state, regional and local funding sources towards the Capital Improvement Program (CIP). VRE’s CIP is undergoing substantial revisions as a result of the Transforming Rail in Virginia program being pursued by the Commonwealth, and the scopes, funding sources, and timelines of many projects are being modified in coordination with DRPT.

Ms. Bennett-Parker explained that VRE staff will submit a final FY 2022 VRE operating and capital budget at the December Operations Board meeting and the Commissioners will be asked for their final approval at their January 2021 meetings.

Ms. Bennett-Parker moved with a second by Mr. de Ferranti, to approved Resolution #2421. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bennett-Parker, Cristol, de Ferranti, Foust, Garvey, McKay, Meyer, Palchik, Smedberg, Snyder, Storck and Turner. (A copy of the resolution is attached.)

VRE CEO Delegated Spending Authority Increased. Ms. Bennett-Parker reported that at its September 18 meeting, the VRE Operations Board approved increasing the VRE CEO’s delegated spending authority to award contracts up to \$200,000 and procurement authorizations up to \$1,000,000 without requiring Operations Board approval. Periodically the CEO delegation of authority limits have been raised. The VRE CEO will provide an expanded

Spending Authority Report to the Operations Board incorporating a summary of all actions that would have previously gone to the Operations Board for approval. The Operations Board had authority to approve this amendment to the CEO spending authority based on the Delegation of Authority plan approved by the Commissions in 2008.

Ms. Bennett-Parker also noted that VRE would like to partner with Commissioners who want to share with their constituents what steps VRE is taking to keep the system clean and safe. She is happy to connect Commissioners with VRE's public affairs administrator.

DRPT Report

Chair Cristol stated that DRPT Director Mitchell was unable to attend tonight's meeting but Commissioners were encouraged to read the written DRPT Report. Chair Cristol observed that Governor Northam announced his appointments to the Virginia Passenger Rail Authority, and she expects DRPT Director Mitchell will speak more on these appointments at the November meeting.

Executive Director Report

Ms. Mattice encouraged Commissioners to read her Executive Director Newsletter. She recognized Matt Friedman for his hard work on the newsletter, as well as his behind the scenes work to make sure the YouTube livestream is working for the public for NVTC meetings.

Ms. Mattice reviewed upcoming committee meetings and events:

- The Legislative and Policy Committee is scheduled to meet virtually on October 15 at 10:00 a.m.
- The WMATA Committee is scheduled to meet virtually on October 29 at 6:00 p.m.
- The annual Joint NVTC-PRTC Legislative Briefing will be virtual on December 7 at 9:00 a.m.

Ms. Mattice noted that the Financial Report for August 2020 was provided to Commissioners in their meeting materials. There were no questions from Commissioners.

Ms. Mattice also reported that the majority of staff continue to work from home, however, starting next week several employees will return to the office on Tuesdays and/or Thursdays. NVTC has implemented strict cleaning and social distancing rules to keep employees safe.

Adjournment

Without objection, Chair Cristol adjourned the meeting at 9:05 p.m.

Approved this 5th day of November 2020.

Jeffrey C. McKay
Secretary-Treasurer

Katie Cristol
Chair



RESOLUTION #2419

SUBJECT: Finding Need to Conduct the October 1, 2020 Meeting Electronically

WHEREAS: On March 12, 2020, the Governor of Virginia declared a state of emergency in Virginia in response to the spread of novel coronavirus, or COVID-19, a communicable disease of public health threat as so declared by the State Health Commissioner on February 7, 2020 ("COVID-19");

WHEREAS: In subsequent Executive Orders, particularly Executive Order Nos. 53 and 55, as amended, the Governor of Virginia, among other measures designed to ensure safe physical distancing between individuals, prohibited public and private in person gatherings of 10 or more individuals and ordered all individuals in Virginia to remain at their place of residence, with limited exceptions, to mitigate the impacts of COVID-19 and prevent its spread;

WHEREAS: The Northern Virginia Transportation Commission finds that it has a responsibility to demonstrate to the public, through the Commission's conduct, the importance of maintaining proper physical distance from others and to avoid gathering in public where the risks of infection are highest, and to take measures that promote physical distancing in order to protect the public health and mitigate the impacts and spread of COVID-19, including, among others, conducting meetings electronically whenever possible;

WHEREAS: On April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB 29 that expressly authorize "any public body, including any state, local, [or] regional body" to "meet by electronic means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . ., provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities" among other provisions; and

WHEREAS: Several member jurisdictions of the Northern Virginia Transportation Commission have adopted continuity of government ordinances pursuant to Va. Code Ann. § 15.2-1413 which ordinances, among other provisions, authorize regional bodies of which the locality is a member may meet electronically to transact business essential to the continuity of government.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby finds that meeting by electronic means is authorized because the nature of the declared emergency makes it both impracticable and unsafe for the Commission to assemble in a single location on October 1, 2020, to discuss and transact the business of the Commission listed on the October 1, 2020 Commission Meeting Agenda.

NOW, THEREFORE, BE IT FURTHER RESOLVED that NVTC that hereby finds that meeting by electronic means is authorized because the items on the October 1, 2020 Commission Meeting Agenda are statutorily required or necessary to continue operations of the Commission and the discharge of the Commission's lawful purposes, duties, and responsibilities.

NOW, THEREFORE, BE IT FURTHER RESOLVED that NVTC hereby finds that the items on the October 1, 2020 Commission Meeting Agenda are encompassed within the continuity of operations ordinances adopted by several member localities of the Northern Virginia Transportation Commission as essential to the continued operation of the government during the disaster posed by the public health emergency resulting from COVID-19.

Approved this 1st day of October 2020.



Jeffrey C. McKay
Secretary-Treasurer



Katie Cristol
Chair



RESOLUTION #2420

- SUBJECT:** Approve the Commuter Choice on the I-66 Corridor Initial Round Four (FY 2021) Program of Projects for Submission to the Commonwealth Transportation Board and Authorize the Executive Director to Execute the Standard Project Agreements
- WHEREAS:** Under the *Second Amended and Restated Memorandum of Agreement Transform66: Inside the Beltway Project* (MOA), NVTC is responsible for selecting and administering multimodal projects under Commuter Choice on the I-66 Corridor that allow more people to travel faster and more reliably through the I-66 Inside the Beltway corridor;
- WHEREAS:** The principal objective of the Commuter Choice program is to select projects that meet goals identified in the MOA, which are to (1) maximize person throughput and (2) implement multimodal improvements to (i) improve mobility along the corridor, (ii) support new, diverse travel choices and (iii) enhance transportation safety and travel reliability;
- WHEREAS:** NVTC is responsible for Commuter Choice project selection; financing and financial management; compliance, including evaluation, reporting, and quality assurance; and providing information to the public;
- WHEREAS:** From November 2019 to January 2020, NVTC conducted a Commuter Choice on the I-66 Corridor Round Four call for projects for a two-year program, for which 11 project applications with a total funding request of \$17.2 million are under consideration for funding;
- WHEREAS:** The MOA projected that, under typical traffic conditions, NVTC would receive \$10 million in FY 2021 and \$15 million in FY 2022 for its Commuter Choice on the I-66 Corridor program, for a total of \$25 million for a two-year program;
- WHEREAS:** Traffic impacts of the COVID-19 public health emergency reduced the projected amount of I-66 inside the Beltway toll revenue available for FY 2021 Commuter Choice projects to approximately \$3.6 million;
- WHEREAS:** Based upon the current uncertainty of future travel behaviors, any estimate of available FY 2022 funding would be speculative at best;
- WHEREAS:** NVTC seeks a conservative approach to fund only a single year of the Round Four program at this time using program carryover, interest, and less than 50% of the projected FY 2021 I-66 Inside the Beltway toll revenues;
- WHEREAS:** NVTC is confident that traffic on the I-66 inside the Beltway corridor and resulting toll revenues will be higher in FY 2022 than in FY 2021 and that there will be greater confidence in forecasting FY 2022 Commuter Choice funding by spring 2021;

WHEREAS: NVTC seeks to provide immediate funding for a one-year program that funds low-risk, high impact projects, namely continuations of previously funded transit services and small capital projects;

WHEREAS: Based upon the evaluation by NVTC staff and the Program Advisory Committee, staff recommends approval of the Commuter Choice on the I-66 Corridor Initial Round Four (FY 2021) Program of Projects that includes six projects and NVTC's administrative costs, totaling \$3,777,230 (Table 1); and

WHEREAS: The Program Advisory Committee recommends that the Commission seek to approve a supplemental program of Round Four projects in spring 2021 sourced from the remaining Commuter Choice in the I-66 Corridor Round Four project applications with strong consideration each project's application score, based upon the availability of funding and public comment (Table 2).

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby approves the Commuter Choice on the I-66 Corridor Initial Round Four (FY 2021) Program and authorizes staff to submit the Program of Projects to the Commonwealth Transportation Board for briefing and action.

NOW, THEREFORE, BE IT RESOLVED that NVTC will select a Commuter Choice on the I-66 Corridor Supplemental Round Four (FY 2022) Program in the spring of 2021 based upon each project's application score, subject to availability of funding and public comment.

NOW, THEREFORE, BE IT FURTHER RESOLVED that NVTC authorizes the executive director, or her designee, to execute the Standard Project Agreements for the Commuter Choice on the I-66 Corridor Initial Round Four (FY 2021) Program following approval by the Commonwealth Transportation Board.

Approved this 1st day of October 2020.



Katie Cristol
Chair



Jeffrey C. McKay
Secretary-Treasurer

**Table 1: Recommended Commuter Choice on the I-66 Corridor
Initial Round Four (FY 2021) Program**

	Commuter Choice on the I-66 Corridor Round Four Project Name	Applicant	Funding Request
1	McLean Metro Station North Entrance	Fairfax County	\$1,000,000
2	Renewal of Bus Service from Gainesville to Pentagon/Navy Yard	OmniRide	\$461,100
3	Renewal of Bus Service from Haymarket to Rosslyn	OmniRide	\$137,100
4	City of Fairfax Bike Share Implementation	City of Fairfax	\$460,000
5	Lee Highway HOV and Bus-Only Lane in Rosslyn	Arlington County	\$710,000
6	Renewal of Purcellville Metro Connection Bus Service	Loudoun County	\$709,030
	<i>Program Administration and Oversight for FY 2021</i>	NVTC	\$300,000
	TOTAL		\$3,777,230

**Table 1: Projects to Be Considered for the Commuter Choice on the I-66 Corridor
Supplemental Round Four (FY 2022) Program**

	Application Title	Applicant	Application Score (100 Points)	Funding Request
7	Restoration of Peak-Period Metrobus Route 28X, Tysons Corner to Mark Center	City of Falls Church	73	\$3,305,967
8	TDM Strategy – I-66 Corridor Vanpool Parking Benefit	OmniRide	62	\$85,000
9	New Bus Service from Reston South to Crystal City	Fairfax County	59	\$5,110,800
10	New Park and Ride at Patrick Henry Library	Town of Vienna	56	\$5,050,000
11	TDM Strategy – Fare Buy Down on Bus Service from Reston North to Crystal City	Fairfax County	44	\$154,500
	<i>Program Administration and Oversight for FY 2022</i>	NVTC		TBD
			TOTAL	\$13,706,267



RESOLUTION #2421

- SUBJECT:** Authorize the Referral of the Preliminary FY 2022 VRE Operating and Capital Budget to the Jurisdictions
- WHEREAS:** The VRE Master Agreement requires the VRE Operations Board submit to the Commissions a preliminary fiscal year budget by September 30 each year;
- WHEREAS:** The VRE Chief Executive Officer has provided the VRE Operations Board with the preliminary FY 2022 Operating and Capital Budget;
- WHEREAS:** The preliminary FY 2022 budget proposes no increase in the total or individual annual jurisdictional subsidy and no increase in passenger fares;
- WHEREAS:** The VRE Operations Board refers the preliminary FY 2022 Operating and Capital Budget to the Commissions for their consideration;
- WHEREAS:** The VRE Operations Board recommends the following action.
- NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby authorizes the Preliminary FY 2022 VRE Operating and Capital Budget be forwarded to the jurisdictions for their formal review and comment.
- BE IT FURTHER RESOLVED** that NVTC directs staff to consider and address comments by the jurisdictions and to forward a final recommended budget to the VRE Operations Board at its December 2020 meeting for consideration and referral to the Commissions for adoption in January 2021.

Approved this 1st day of October 2020.

Jeffrey C. McKay
Secretary-Treasurer

Katie Cristol
Chair