

MINUTES
NVTC COMMISSION MEETING –DECEMBER 1, 2022
FIRST FLOOR LARGE CONFERENCE ROOM – 2300 WILSON BLVD.
ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chair Aguirre at 7:06 p.m.

Members Present

Canek Aguirre
Walter Alcorn
Sarah Bagley
Nick Clemente
Katie Cristol
Matt de Ferranti
Jennifer DeBruhl (Alternate, Commonwealth of Virginia)
Adam Ebbin
John Foust
Libby Garvey
Aimee S. Gilroy
Matt Letourneau
Jeff McKay
David Meyer
Dalia Palchik
M. David Skiles
David Snyder
John C. Tuck III
Mike Turner
James Walkinshaw

Members Not Present

John J. Bell
Paul Smedberg

Staff Present

Kate Mattice, Executive Director
Monique Blyther
Matt Friedman
Allan Fye
Rhonda Gilchrest
Adam Hager
Xavier Harmony
Scott Kalkwarf
Tenley O'Hara
Ben Owen
Ann McGrane
Sophie Spiliotopoulos
Melissa Walker
Ronnetta Zack-Williams

Rich Dalton (VRE)
Steve MacIsaac (VRE)
Mark Schofield (VRE)
Joe Swartz (VRE)

Opening Remarks

Chair Aguirre welcomed everyone to the December 1, 2022 NVTC meeting and noted that the meeting is being livestreamed for the public on YouTube.

Chair Aguirre stated that since Mr. Smedberg is not in attendance, DRPT Director DeBruhl will be voting as his alternate. Commission Secretary Rhonda Gilchrest confirmed an in-person quorum was present.

Chair Aguirre reminded Commissioners that each January the Commission approves a slate of officers, committee memberships and board appointments. He called for nominations and requested any Commissioner who wants to change their committee participation or wishes to be considered for an officer or board appointment role, to contact him or the executive director. Proposed nominations for the 2023 slate of officers and appointments will be included in the January meeting materials which will be distributed prior to the holidays.

Ms. Mattice stated that NVTC did not receive any public comments this month.

Recognition of Departing Commissioner

Chair Aguirre recognized City of Fairfax Mayor David Meyer for his service on NVTC. Mr. Meyer decided not to run again this year so he will be stepping down as mayor and therefore NVTC will have a new appointee from the city in the new year. Chair Aguirre stated that Mr. Meyer has represented the City of Fairfax on NVTC since 2014. Mr. Meyer has served as chair of the Legislative and Policy Committee as well as a member of all the other NVTC committees, including the Executive Committee, NVTC WMATA Committee and the Program Advisory Committee. Throughout his tenure on NVTC, Mr. Meyer has been an advocate for a strong safety culture at WMATA, a voice for transit equity by spearheading efforts to make the CUE system fare-free, and a champion for the environmental benefits of transit. Chair Aguirre noted that these are just a few highlights and more are included in the Resolution of Commendation that was prepared for Mr. Meyer.

Mr. McKay moved, with a second by Ms. Garvey, to approve the Resolution of Commendation for Mr. Meyer on his departure from NVTC. The vote in favor was unanimous and cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

Chair Aguirre reiterated NVTC's appreciation to Mr. Meyer and presented him with the Resolution of Commendation and a commemorative award.

Mr. Meyer thanked the Commission and stated he has established many personal relationships with fellow Commissioners and collaborated with the entire Commission on really important issues over the last eight years, starting with the challenges after the L'Enfant Metro incident, financing of capital projects for Metro, looking for alternatives for bus improvements and

connectivity, Bus Rapid Transit (BRT), the new Silver Line Phase 2, refurbishment of key Metrorail stations, among many other exciting initiatives. He stated that NVTC is about emphasizing the “public” in public transit and its more than just defining the budgets and what the future will require, it’s remembering that there are many people that are transit dependent and need public transit and deserve a quality of life that is commensurate with other people in the region. This is a real equity issue and a core reason for what NVTC does. He also thanked Commissioners for their friendship and expressed his respect for what they do, which is done with integrity, honesty and intelligence.

Minutes of the November 3, 2022 NVTC Meeting

Ms. Palchik moved, with a second by Ms. Bagley, to approve the Minutes of the November 3, 2022 meeting. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

Consent Agenda

Chair Aguirre stated that there is one item on the Consent Agenda, which is action to authorize the executive director to award the contract for the Northern Virginia Zero-Emission Bus Strategic Plan.

Mr. Alcorn moved, with a second by Mr. de Ferranti, to approve the Consent Agenda. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

NVTC’s FY 2022 Audited Financial Statements and Compliance Reports

Chair Aguirre stated that the Commission is being asked to accept and authorize distribution of NVTC’s FY 2022 Audited Financial Statements and Compliance Reports. He asked Mr. Kalkwarf to introduce the auditors. Mr. Kalkwarf introduced Dwight Buraker from PBMares, LLC., which is NVTC’s audit firm, as well as the firm in charge of audits for VRE and PRTC.

Mr. Buraker stated that he met with the Executive Committee, serving as the Audit Committee, prior to this meeting to give a more thorough presentation of the audit. He stated that the financial audit includes three opinions on the financial statements, internal controls and federal compliance. All three received clean or unmodified opinions, which are the highest that can be issued.

Mr. Buraker highlighted the new sections of the financial audit, including the Governmental Accounting Standards Advisory Board (GASB) new Requirement 87, which resulted in additional assets of \$4 million being booked related to the lease with the Navy League Building, but has

offsetting liability of \$3.4 million. Also, the debt issuance for VRE is also reflected in NVTC's financials. Commissioners had no questions.

Chair Aguirre congratulated Scott Kalkwarf and Colethia Quarles for all their hard work, which resulted in another clean audit.

Ms. Garvey moved, with a second by Mr. Meyer, to accept and authorize the distribution of NVTC's FY 2022 Audited Financial Statements and Compliance Reports. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

NVTC FY 2024 General and Administrative Budget and 2023-2024 Work Plan

Chair Aguirre noted that no action is being requested, but staff will present the preliminary FY 2024 General and Administrative Budget and 2023-2024 Work Plan, which will both come back for action at the January meeting.

Ms. Mattice stated that the proposed FY 2024 General and Administrative Budget includes resources to accomplish all the work NVTC does. Full details on the budget and Work Plan are included in the meeting materials. She then provided some highlights. The FY 2024 Budget includes a new program analyst position to provide additional support for NVTC's programs. Also, a new project manager position is included to manage the next phase of the Envision Route 7 BRT project and will be funded by the Route 7 project budget. A provision for cost-of-living (COLA) and performance-based increases for existing staff is included.

Mr. Kalkwarf reviewed the four major cost drivers of the budget: salaries and benefits (73%), rent (10%), contracted services (12%), and all other expenses (5%). NVTC's G&A Budget is primarily funded from state aid (DRPT funding). Only 6% comes directly from jurisdictional budgets (fixed in total). In FY 2023, NVTC is managing \$272 million in state aid on behalf of its jurisdictions and NVTC "overhead" is less than 1.2% of state aid. He noted that Commuter Choice funding is approved by CTB each year. Appropriated surplus varies from year to year, depending on prior year budget surpluses. Mr. Kalkwarf stated that the proposed FY 2024 General and Administrative Budget totals \$4,394,650. Total expenses are proposed to increase by \$314,650, or 7.7% over the FY 2023 Budget.

Ms. Mattice stated that the Work Plan identifies all the work staff plans to accomplish throughout the year. Major work will continue to support the WMATA Committee work as well as the expansion of the Envision Route 7 project. The Commission will receive public comment on the Work Plan at the January 5, 2023 meeting. Following that public hearing, the Commission will be asked to take action on the budget and Work Plan.

In response to a question from Mr. Walkinshaw, Ms. Mattice explained that the FY 2024 Budget starts July 1, 2023, so the additional staff for Envision Route 7 won't be hired until then. If the federal earmark does not get approved, staff could present a revised budget.

Washington Metropolitan Area Transit Authority (WMATA)

Chair Aguirre asked WMATA Board member Matt Letourneau, as well as NVTC WMATA Committee Chair Walter Alcorn, to give their reports.

Report from the WMATA Board Members. Mr. Letourneau announced that the Silver Line opened on November 15. He gave a brief update on ridership on the line and the travel patterns. The next big event is the general manager presenting his proposed FY 2024 budget. Mr. Letourneau gave a brief update on the FY 2023 First Quarter Operating Budget results. WMATA's net operating position is favorable to budget by \$48.2 million. Operating expenses were \$515.4 million or \$56.3 million below budget, primarily due to lower-than-expected paratransit trips, services and materials and supplies expenses. Operating revenues were \$86.1 million, excluding federal aid, and \$8.1 million below budget, primarily due to lower-than-expected Metrorail ridership. Total ridership was 36% above the prior year and Metrobus ridership continues to exceed Metrorail ridership, although passenger revenue recovery remains dependent on rail.

Mr. Letourneau reported that on the capital side, through Q1 FY 2023, WMATA has invested \$582 million and is on course to deliver \$2.5 billion for FY 2023. Increased federal support and regional dedicated capital funding made this level of expenditures and investments possible. WMATA anticipates a FY 2023 dedicated capital funding bond issuance in the spring of 2023. Another bond issuance will be considered for the summer. Later this month the Board will review a presentation on the proposed capital and operating budget.

Mr. Letourneau stated that the Safety and Operations Committee received an update on the Roadway Worker Protection (RWP) Program, which protects employees working on the tracks from being struck by trains or roadway maintenance machines. WMATA's RWP incidents increased 23% from 36 incidents in FY 2021 to 47 in FY 2022. However, 20% of the incidents were identified as part of increased safety compliance inspections.

Mr. Letourneau stated that WMATA began testing new fare gate prototypes at the Fort Totten Station. One design includes additional plexiglass half-circles on top of the gates, a usual spot for people to place their hands to hurdle over the gate. The other prototype is a saloon door design with plexiglass barriers that are about 4 ½ feet high. These designs are not final, and staff are working to ensure the gates don't violate any ADA requirements and safety regulations as well as collecting data on methods to deter fare evasion. He stated that this is a pilot project. He also gave a brief update on WMATA's fare evasion citations.

Mr. Turner stated that there is a psychological and emotional difference with intellectually understanding that there is now a Metrorail station in your community compared to actually going to the station and riding the train. The new station in Loudoun County will provide greater accessibility for residents. He thanked everyone and stated that the Silver Line Phase 2 kick-off was great.

Mr. de Ferranti asked if the WMATA Board will be briefing on the announcement today by the District of Columbia about their approach to Metro fares. Mr. Letourneau stated that it is his

understanding that the fare proposal is for bus-only and that the District would pay their portion of the bus subsidy to provide free fares on buses.

Report from the Chair of the NVTC WMATA Committee. Mr. Alcorn announced that the WMATA Committee is planning to hold an all-virtual Meeting on Friday, December 9 at 9:00 a.m. for WMATA staff to present their draft Strategic Transformation Plan. WMATA is currently engaging elected officials across the region in its draft Strategic Transformation Plan. Originally, WMATA intended to present the plan at NVTC's December Commission meeting. However, since it is now being presented to the WMATA Board on December 8, WMATA asked to bring it to NVTC after that date. He encouraged all Commissioners to attend the committee meeting. The meeting will be livestreamed and recorded as well.

Mr. Alcorn then presented three action items for Commission consideration. The first action is to approve NVTC's 2022 Report on the Performance and Condition of WMATA and authorize the executive director to send the report to the governor and the General Assembly. The WMATA Committee has been working on this report for several months and the Commission received a briefing on the report last month. He recognized the hard work of the NVTC team – Andrew D'huyvetter, Ronnetta Zack-Williams and Sophie Spiliotopoulos – for working so well with the committee and drafting the report. In addition, NVTC's communications team – Monique Blyther and Matt Friedman – were instrumental in preparing the look and feel of the report and for preparing the video, which was then shown at the Commission meeting.

Mr. Alcorn moved, with a second by Mr. Clemente, to approve the 2022 Annual Report on the Performance and Condition of WMATA and to authorize the executive director to send the report to Governor Youngkin and the General Assembly. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

Mr. Alcorn stated that the next two action items are additional procurement actions related to the two NVTC-led recommendations from this year's annual report. The first is to authorize the executive director to request proposals via the DRPT General Planning Contract for the Role of Metrobus White Paper and to execute the associated contract. He asked Mr. Fye to provide more information.

Mr. Fye stated that for both actions, the procurement process would involve using DRPT's General Planning Contract (GPC) whereby NVTC could quickly access competitively selected firms for this work. NVTC would provide a statement of work to a number of firms on this vehicle and select from the proposals received. The GPC has the added benefit of expediting procurement of smaller efforts such as this. For this first effort, NVTC would select a firm to explore and evaluate the policy, funding, capital facility, governance, labor and other considerations that Northern Virginia local transit agencies should understand if they assumed any or all of the operation of Metrobus services in Northern Virginia. This effort would not direct the local jurisdictions to take any actions, but rather provide them with analysis to support future decision making in this space. No additional funding is being requested for this effort. It is funded through the Research and Analysis line item in the FY 2023 NVTC General and Administrative Budget and is estimated

not to exceed \$60,000. Staff expect this white paper to be completed within six to eight months from Notice to Proceed.

In response to a question from Ms. Garvey, Mr. Fye provided more detail about what the white paper would cover. It will be a supporting and educating document.

Mr. Alcorn moved, with a second by Mr. de Ferranti, to authorize the executive director to request proposals via the DRPT General Planning Contract for the Role of Metrobus White Paper and to execute the associated contract. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

Mr. Fye stated that the second action would authorize the executive director to send a scope of work for technical consultant support for NVTC's WMATA Operating Funding and Reform Working Group to up to five firms on DRPT's General Planning Contract (GPC) and execute a contract with the selected firm. This is the same procurement vehicle as described for the previous action item. The selected consultant team will support NVTC in convening the working group as well as provide technical and policy research to support the working group. The product of this effort will be a set of recommendations for a new financial operating model for WMATA that reflects Virginia's unique funding and modal relationship with Metro. It is anticipated that this effort would inform a larger regional discussion. This effort is also funded through the existing Research and Analysis line item in the FY 2023 NVTC General and Administrative Budget and is estimated not to exceed \$70,000. Staff anticipate the working group effort to be completed within six to eight months from Notice to Proceed.

Chair Aguirre stated that he is excited that NVTC is taking this first step and making sure Northern Virginia's voice is heard on these issues. Ms. Bagley asked if there are concurrent efforts being done by Maryland and the District. Mr. Letourneau stated that as COVID relief funding is drying up, transit agencies all across the country are having similar discussions regarding operating assistance, so it is a larger discussion. He is not aware yet of specific discussions occurring in Maryland and the District. Ms. Bagley suggested some kind of interjurisdictional work session would be helpful at the right time. Chair Aguirre stated that there could be some new opportunities with a new administration in Maryland.

Mr. Snyder asked about the composition of the members of the working group. Mr. Fye stated that it is anticipated to be a senior staff level effort, similar to the 3% Cap Working Group. Mr. Snyder asked if a Commissioner wanted to apply their expertise to this, such as financial expertise, how would they do that. Mr. Fye stated this could be considered as staff writes the scope of work. Mr. Snyder asked for clarity so that Commissioners can provide their expertise. Mr. Fye stated that the NVTC WMATA Committee and the Legislative and Policy Committee will receive briefings on the work of the working group. He reminded Commissioners that they can attend all committee meetings. Ms. Garvey stated that Northern Virginia has a big stake in this as it's the jurisdictions that pay for WMATA service.

Mr. Alcorn moved, with a second by Ms. Palchik, to authorize the executive director to request proposals via the DRPT General Planning Contract for Technical and Analysis Support for NVTC's

WMATA Operating Funding and Reform Working Group and to execute the associated contract. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

Report from the Chair of the Legislative and Policy Committee

Chair Aguirre asked Mr. Meyer to give his report.

NVTC 2023 Legislative and Policy Agenda Mr. Meyer reported that over the last few months, the draft Legislative and Policy Agenda has been presented to the Commission for discussion. The Commission is now being asked to approve the 2023 Legislative and Policy Agenda.

Ms. Mattice noted that the overview of NVTC's legislative priorities is included in the meeting materials and reflects what was presented last month. The one modification expands the priority to encourage federal agency return to work policies that promote commuting days to be spread uniformly across the work week.

Mr. Meyer moved, with a second by Mr. McKay, to approve the NVTC 2023 Legislative and Policy Agenda. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Snyder, Tuck, Turner and Walkinshaw. Commissioners DeBruhl and Skiles abstained. The motion passed.

General Assembly Session Look Ahead. Mr. Meyer reported that the deadline for bills to be drafted is today, December 1, followed closely by the much-anticipated Youngkin administration budget being released on December 15. As a reminder, Governor Youngkin and his administration will be presenting amendments to the two-year budget that was finally signed in June of 2022. The overall outlook for the financial state of the Commonwealth is good, but with a lot of warnings that the growth seen over the last two years will not be repeated moving forward and that any spending should take that into account. NVTC's Legislative Liaison Aimee Perron Siebert will be attending the budget roll out when the Joint House Appropriations, House Finance and Senate Finance and Appropriations meet to receive the governor's budget and she will be watching the transportation and transit sections closely.

Annual Joint NVTC-PRTC Legislative Forum. Mr. Meyer encouraged Commissioners to attend the annual Joint NVTC-PRTC Legislative Forum next Monday, December 5 at 8:30 a.m. at the Embassy Suites by Hilton in Springfield. Congressman Don Beyer is confirmed to give the welcome message and DRPT Director Jennifer DeBruhl is the keynote speaker. Other confirmed speakers include NVTC Chair Canek Aguirre, PRTC Chair Victor Angry, WMATA General Manager/CEO Randy Clarke, VRE Chief Executive Officer Rich Dalton, PRTC Executive Director Bob Schneider, and NVTC Executive Director Kate Mattice.

Transit Resource Center – NoVaTransit Data Dashboard

Chair Aguirre shared the exciting news that staff are ready to launch the new NoVaTransit Data Dashboard. This has been a multi-month effort to provide accessible and robust information on how the region's transit system are serving Northern Virginia. He asked Mr. Fye to introduce this item.

Mr. Fye stated that Xavier Harmony and Sophie Spiliotopoulos have been working hard behind the scenes to build the NoVaTransit Data Dashboard. Mr. Fye thanked jurisdictional staff for providing data and making sure it is accurate. He asked Mr. Harmony and Ms. Spiliotopoulos to give an overview and demonstration of the dashboard.

Mr. Harmony stated that the big driver of the dashboard is to create more transparency. The purpose of the NoVaTransit Data Dashboard is 1) to aggregate and visualize these data in a publicly accessible way and 2) to make the region's transit data more accessible and transparent to both the public as well as professionals who might find the data useful for their own work. This is a "living" dashboard which will continue to be updated with new data. He reviewed the six data pages:

- **Home:** The home page gives an overview of NVTC's jurisdictions as well as the transit agencies that operate within these jurisdictions.
- **Ridership:** This page describes transit monthly ridership by operator, mode and year.
- **Service:** Transit service is the activity of buses, trains and other transit vehicles when a vehicle is available to the public and there is an expectation of carrying passengers. Transit service is split into two main categories:
 - Scheduled service - what a transit agency plans to provide (i.e., what you see on transit schedules).
 - Actual service - a record of the service actually provided.
- **Productivity:** Transit productivity is the relationship between transit output (ridership) and transit input (service). It helps the user understand how transit service might affect ridership as well as better understand service efficiency.
- **Access to Transit:** The access to transit page reports the number/percent of the jurisdiction's population with access to either a transit stop or station.
 - Access is defined as being within a quarter mile of a bus stop, half mile of a Metrorail station, or a mile of a VRE commuter rail station. Access to paratransit is calculated as the population within three-fourths of a mile of a fixed route, as required by the Federal Transit Administration (FTA).
- **Access to Jobs:** The access to jobs page reports the number/percent of jobs in a jurisdiction with access to either a transit stop or station.
 - Access is defined as being within a quarter mile of a bus stop, half mile of a heavy rail station, or a mile of a commuter rail station. Access to paratransit is calculated as the population within three-fourths of a mile of a fixed route, as required by the Federal Transit Administration (FTA).

Ms. Spiliotopoulos gave a demonstration of some of the ways the data can be used and how to navigate the dashboard. She announced that staff intend to go live with the NoVaTransit Data

Dashboard on December 16. This will enable any final comments to be incorporated into the dashboard.

Ms. Palchik stated that this dashboard is phenomenal. She asked if at some point if it can be available in other languages. Mr. Harmony stated that staff could work on that. Mr. Alcorn asked about Metrobus data. Mr. Harmony explained that staff are still waiting for one more data set for Metrobus.

Mr. Alcorn encouraged staff to include this kind of data in meeting materials and presentations when associated with certain issues or actions. Mr. Meyer stated that some General Assembly members may find this data very helpful. Ms. Bagley expressed kudos to staff. She suggested for the future she would like to see it layering in other information, such as equity areas or activity centers. She also wondered if there is a way to incorporate data on how people are getting to these transit locations, such as biking, walking, etc. to better understand connectivity. Mr. Harmony stated that the intent is to incorporate more information. Ms. Garvey stated that the dashboard makes data understandable. She asked if staff were surprised by any of the data. Mr. Harmony stated that there are so many good findings.

Mr. Turner stepped out of the room.

Virginia Railway Express (VRE)

Chair Aguirre noted that there are three VRE actions items. As Mr. Dalton had not arrived yet from PRTC, he suggested Mr. Walkinshaw introduce the action items.

VRE's FY 2022 Annual Comprehensive Financial Report. Mr. Walkinshaw stated that the VRE Operations Board recommends Commission approval of Resolution #2489, which will accept VRE's FY 2022 Annual Comprehensive Financial Report (ACFR) and associated information from the auditors and authorize the VRE CEO to distribute the ACFR. The audit of VRE's FY 2022 financial statements was completed by the auditing firm of PBMares, LLP, and they have issued an unmodified opinion. The opinion letter states the VRE statements, in all material respects, fairly and accurately present the financial position of the organization. This opinion is the best outcome of a financial audit. He stated that the auditors met with the VRE Audit Committee on November 18, 2022 to review the statements and their opinion, which was followed by a presentation at the full Operations Board meeting.

Mr. Walkinshaw moved, with a second by Ms. Garvey, to approve Resolution #2489 to accept VRE's FY 2022 Annual Comprehensive Financial Report and associated information from the auditors and authorize the VRE CEO to distribute the report. The vote in favor was cast by cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck and Walkinshaw. The motion passed. Mr. Turner was out of the room for the vote.

2023 VRE Legislative Agenda. Mr. Walkinshaw reported that the VRE Operations Board also recommends Commission approval of Resolution #2490, which will approve the 2023 VRE

Legislative Agenda and authorize the VRE CEO to actively pursue the elements of the Agenda. The Commission has seen the VRE Legislative Agenda for presentation and discussion over the last few months. The Legislative Agenda will serve as guidance for staff and the contracted legislation liaisons during the legislative session.

Mr. Walkinshaw explained that the Operations Board made one wording change to the Legislative Agenda to change “consultants” to “contractors” in reference to identifying opportunities to request strategies spreading the days federal workers and contractors are physically in the office throughout the work week. This change has been incorporated into the VRE Legislative Agenda as the version being approved at this meeting.

Mr. Walkinshaw moved, with a second by Mr. McKay, to approve Resolution #2490, which will approve the 2023 VRE Legislative Agenda and authorize the VRE CEO to actively pursue the elements set forth in the document. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck and Walkinshaw. Ms. DeBruhl abstained. The motion passed. Mr. Turner was out of the room for the vote.

Boundary Line Adjustment Deed and Plat for Conveyance of Manassas Park Property to the Commissions. Mr. Walkinshaw reported that the VRE Operations Board recommends Commission approval of Resolution #2491, which will approve a Boundary Line Adjustment Deed and Plat for the conveyance of Manassas Park property to the Commissions and authorize the VRE CEO to execute the boundary line adjustment deed and plat on behalf of the Commissions. The Manassas Park VRE station currently has two contiguous 300-space surface parking lots, one owned by the City of Manassas Park and one owned by VRE. The city and VRE’s joint parking garage project will require permanent fixtures within the city-owned lot immediately adjacent to the station platform. Instead of the city conveying easements to VRE, it was agreed the city should convey to VRE an 8,000 square foot strip of land adjacent to the platform so the fixtures would be on VRE property and not on any city property. Conveyance of the strip of land would be achieved through an adjustment of the boundary line between the city property and the VRE property. Commission approval is required for a boundary line adjustment deed and plat.

Mr. Walkinshaw moved, with a second by Mr. Skiles, approve Resolution #2491, which will approve a Boundary Line Adjustment Deed and Plat for Conveyance of Manassas Park Property to the Commissions. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck and Walkinshaw. The motion passed. Mr. Turner was out of the room for the vote.

Charge to the Operations Board Officers Nominating Committee Regarding Subordinate Officers. Mr. Walkinshaw reported that at its November 18 meeting, the Operations Board approved a Charge to the 2023 Operations Board Officers Nominating Committee Regarding Subordinate Officers. He explained that over the past year VRE Chair Franklin and the Bylaws Committee met to discuss whether changes to the VRE Operations Board Bylaws were needed to adjust the membership of the VRE Executive Committee to:

- 1) better ensure a balance is maintained of the interests of the two Commissions,
- 2) that the interests of the citizens patronizing the VRE are better represented, and/or
- 3) to better ensure a balance is maintained of the interests of all VRE jurisdictions and their citizens.

Mr. Walkinshaw noted that ultimately, the committee found changes to the Bylaws were not warranted, but rather the Operations Board Officers Nominating Committee should take those issues into consideration each year when presenting a slate of nominations for VRE Operations Board officers and consider if additional subordinate officers would help balance the Executive Committee. He stated that no action is needed for this item.

VRE CEO Report. Mr. Dalton reported that this afternoon the U.S. Senate voted on legislation regarding the freight railroad agreements. Once the president signs the bill, the strike will be averted. If there had been a strike, VRE service would have had to shut down. He also announced that tickets for VRE Santa Trains on December 10 are sold out. It is a great community event.

Department of Rail and Public Transportation (DRPT)

DRPT Director DeBruhl stated that she is happy to be in person this month. She announced that earlier this week the region celebrated the opening of the I-66 Outside the Beltway Express Lanes, which will generate \$600 million for transit investments over the life of the project. She also reported that DRPT's FY 2024 grant cycle opened today.

DRPT Director DeBruhl announced that DRPT is celebrating the one-year anniversary of the launch of the Highlands Rhythm Virginia Breeze route in November. The Highlands Rhythm route carried 10,729 passengers in its first year, exceeding expectations. It operates between Bristol, Virginia and Washington D.C. with stops in Wytheville, Radford, Christiansburg, Harrisonburg, Dulles International Airport, and the West Falls Church Metrorail station. The Amtrak Virginia service is also exceeding ridership projections, with the highest ridership months in September and October.

Mr. Turner returned and joined the discussion.

Executive Director Report

Ms. Mattice encouraged Commissioners to read her Executive Director Newsletter, which has multiple photos of the Silver Line opening events. The newsletter also highlights the reopening of Metrorail stations south of the Airport through Alexandria, at least three ribbon cutting events for the Silver Line, and the opening of the I-66 Express Lanes Outside the Beltway. She also had the opportunity to serve on the steering committee of yesterday's ULI Washington Future Forum on Housing and Infrastructure which provided a deep dive for real estate and land use professionals to better understand their role in public transit.

Ms. Mattice stated that as Mr. Meyer announced earlier, the Joint NVTC-PRTC Legislative Forum is being held next Monday on December 5 at 8:30 a.m. at the Embassy Suites by Hilton (8100

Loisdale Road, Springfield). She also reminded Commissioners about the all-virtual NVTC WMATA Committee meeting on Friday, December 9 at 9:00 a.m.

Ms. Mattice noted that the October 2022 Financial Report was provided in the written meeting materials. Commissioners had no questions.

Closed Session

Chair Aguirre stated that the Commission needs a Closed Session for the executive director's annual performance review. He explained that for the benefit of the listening public, the Commission will return to Open Session. The YouTube feed will continue with it muted and a screen notice stating that NVTC is in Closed Session. The meeting will resume LIVE when NVTC returns to Open Session.

Mr. Skiles moved, with a second by Mr. Ebbin, to move the following motion:

"Pursuant to the Virginia Freedom of Information Act, Section 2.2-3711.A.1 of the Code of Virginia, I move that the Northern Virginia Transportation Commission convene a closed meeting for discussion of a personnel matter concerning the executive director's performance evaluation."

The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, McKay, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

The Commission entered into Closed Session at 8:43 p.m. and returned to Open Session at 8:59 p.m. Mr. (McKay left the meeting at the beginning of the Closed Session and did not return.) The live stream feed was restored for public viewing.

Ms. Cristol moved, with a second by Ms. Palchik, the following certification:

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

- 1) Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed; and
- 2) Only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered.

The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

Mr. Alcorn moved, with a second by Ms. Palchik, to approve the contract amendments to the executive director's contract as discussed in Closed Session. The vote in favor was cast by cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, DeBruhl, Ebbin, Foust, Garvey, Gilroy, Letourneau, Meyer, Palchik, Skiles, Snyder, Tuck, Turner and Walkinshaw. The motion passed.

Adjournment

Without objection, Chair Aguirre adjourned the meeting at 9:02 p.m.

Approved this 5th day of January 2023.

Dalia Palchik
Chair

David F. Snyder
Secretary-Treasurer



RESOLUTION OF COMMENDATION

SUBJECT: Commending the Honorable David L. Meyer on His Departure from NVTC

WHEREAS: The Northern Virginia Transportation Commission (NVTC) serves as the voice of public transit in Northern Virginia, promoting the region's transit network through effective and efficient public transit and ridesharing programs to foster economic vitality in the region and the Commonwealth;

WHEREAS: The Honorable David L. Meyer was first elected to the City of Fairfax City Council in 2008 and served five terms before being elected as Mayor from 2017-2022;

WHEREAS: Mr. Meyer was appointed to NVTC in 2014 as an Alternate and then appointed as a Principal Commissioner in 2018;

WHEREAS: Mr. Meyer served as the chair of the NVTC Legislative and Policy Committee and led the committee to develop NVTC's annual Legislative and Policy Agendas and NVTC's federal and state legislative advocacy strategies;

WHEREAS: Mr. Meyer also served on NVTC's Executive Committee, WMATA Committee and the Program Advisory Committee;

WHEREAS: Mr. Meyer has been an advocate for a strong safety culture at WMATA, a voice for transit equity by spearheading efforts to make the CUE system fare-free, and a champion for the environmental benefits of transit; and

WHEREAS: As Mr. Meyer did not seek re-election, his term on NVTC is ending at the end of 2022.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby commends the Honorable David L. Meyer for his many years of service to the citizens of Northern Virginia and to the Commonwealth of Virginia.

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

Approved this 1st day of December 2022.

A handwritten signature in black ink, appearing to read "CAJ", is written over a horizontal line.

Canek Aguirre
Chair



RESOLUTION #2489

SUBJECT: Accept and Authorize Distribution of VRE's FY 2022 Annual Comprehensive Financial Report

WHEREAS: The VRE Operations Board has contracted with the firm of PBMares, LLP for the audit of its financial statements;

WHEREAS: The audit of the VRE FY 2022 financial statements has been completed;

WHEREAS: The auditors have issued an unmodified opinion that the VRE statements, in all material respects, fairly and accurately present the financial position of the commuter rail operation; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby accepts the FY 2022 Annual Comprehensive Financial Report (ACFR) and associated information from the auditors and hereby authorizes the VRE Chief Executive Officer to forward this information to interested groups, firms and members of the public.

Approved this 1st day of December 2022.

A handwritten signature in black ink, appearing to read "Matt de Ferranti", is written over a horizontal line.

Matt de Ferranti
Secretary-Treasurer

A handwritten signature in black ink, appearing to read "Canek Aguirre", is written over a horizontal line.

Canek Aguirre
Chair



RESOLUTION #2490

SUBJECT: Approve the 2023 VRE Legislative Agenda

WHEREAS: VRE is an essential part of the regional transportation network for the Northern Virginia and the DC Metropolitan region;

WHEREAS: VRE serves residents throughout the Commonwealth to provide a meaningful public transportation option;

WHEREAS: It is essential for VRE to educate and advocate for desired legislative and regulatory outcomes with members of Congress and their staff, with staff of federal entities, in the Virginia General Assembly and with the Governor and his administration;

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

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby approves the 2023 VRE Legislative Agenda and authorizes the VRE Chief Executive Officer to actively pursue the elements set forth in the document.

Approved this 1st day of December 2022.

Matt de Ferranti
Secretary-Treasurer

Canek Aguirre
Chair



RESOLUTION #2491

SUBJECT: Approve a Boundary Line Adjustment Deed and Plat for Conveyance of Manassas Park Property to the Commissions

WHEREAS: The Manassas Park VRE station currently has two contiguous 300-space surface parking lots, one owned by the City of Manassas Park and one owned by VRE;

WHEREAS: In order to provide additional parking at the Manassas Park VRE Station, the City of Manassas Park and VRE have been working on a joint project for the design and construction of a parking garage located near the City Hall across the Norfolk Southern railroad tracks from the above-described existing parking;

WHEREAS: The parking garage project will require permanent fixtures within the city owned lot immediately adjacent to the station platform;

WHEREAS: Instead of the City of Manassas Park conveying easements to VRE, it was agreed the city should convey to VRE an 8,075 square foot strip of land adjacent to the platform so the fixtures would be on VRE property and not the city's;

WHEREAS: Conveyance of the strip of land would be achieved through an adjustment of the boundary line between the city property and the VRE property;

WHEREAS: Commission approval is required for a boundary line adjustment deed and plat; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby approves the boundary line adjustment deed and plat for conveyance of Manassas Park property to the Commissions and authorizes the Chief Executive Officer to execute the boundary line adjustment deed and plat on behalf of the Commissions.

Approved this 1st day of December 2022.

A handwritten signature in black ink, reading "Matt de Ferranti".

Matt de Ferranti
Secretary-Treasurer

A handwritten signature in black ink, reading "Canek Aguirre".

Canek Aguirre
Chair