

MINUTES
NVTC COMMISSION MEETING –JULY 7, 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 7:10 p.m.

Members Present

Canek Aguirre
Walter Alcorn
Sarah Bagley (*via electronic participation*)
John J. Bell
Nick Clemente
Katie Cristol
Matt de Ferranti
Jennifer DeBruhl (Alternate, Commonwealth of Virginia) (*via electronic participation*)
Adam Ebbin
John Foust
Libby Garvey
Aimee S. Gilroy (*via electronic participation*)
Matt Letourneau
David Meyer
Dalia Palchik (*via electronic participation*)
M. David Skiles
Paul Smedberg
David Snyder
Dan Storck (Alternate, Fairfax County)
John C. Tuck III
Mike Turner
James Walkinshaw

Members Not Present

Jeff McKay

Staff Present

Kate Mattice, Executive Director	Daniel Segura
Jonathan Bonilla	Sophie Spiliotopoulos
Monique Blyther	Melissa Walker
Genoveva Cutrell	Rich Dalton (VRE)
Andrew D’huyvetter	Steve MacIsaac (VRE)
Matt Friedman	Joe Swartz (VRE)
Allan Fye	Greg Potts (WMATA)
Rhonda Gilchrest	Peter Cafiero (WMATA)
Xavier Harmony	Grant Sparks (DRPT)
Scott Kalkwarf	
Tenley O’Hara	
Ben Owen	

Opening Remarks

Chair Aguirre welcomed everyone to the July 7, 2022 NVTC meeting and noted that the meeting is also being livestreamed for the public on YouTube.

Chair Aguirre stated that several Commissioners are participating electronically via Zoom:

- Ms. DeBruhl under the provision if a member lives 60 or more miles away from the meeting location. She attended an I-81 Advisory Committee meeting Roanoke earlier in the day and is participating electronically from Blacksburg, Virginia.
- Ms. Palchik from Fairfax for a medical reason.
- Ms. Gilroy from California for a family member medical reason.
- Ms. Bagley from Ohio for a personal reason due to work travel.

Commission Secretary Rhonda Gilchrest confirmed an in-person quorum was present. Chair Aguirre acknowledged Dan Storck of Fairfax County, who is serving as Mr. McKay's alternate.

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

Minutes of the June 2, 2022 NVTC Meeting

Ms. Garvey moved, with a second by Ms. Cristol, to approve the minutes of the June 2, 2022 meeting. The vote in favor was cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Ebbin, Foust, Garvey, Letourneau, Meyer, Smedberg, Snyder, Storck, Tuck, Turner and Walkinshaw. Commissioners Bell, Clemente and Skiles abstained. A roll call vote followed for those Commissioners participating electronically and Commissioners Bagley, Gilroy and Palchik cast affirmative votes. The motion passed.

Consent Agenda

Chair Aguirre stated that there are three action items on the Consent Agenda:

- A. Approve the Contract Award for the Envision Route 7 Strategic Framework
- B. Approve the Application and Acquisition of Procurement Cards
- C. Authorize the Executive Director to Extend the Contract for Government Relations

Ms. Garvey moved, with a second by Mr. Snyder, to approve the Consent Agenda. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bell, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck, Tuck, Turner and Walkinshaw. A roll call vote followed for those Commissioners participating electronically and Commissioners Bagley, Gilroy and Palchik cast affirmative votes. The motion passed.

Revised NVTC Electronic Participation Policy

Chair Aguirre stated that there are Virginia Code changes to the Freedom of Information Act going into effect September 1, 2022, which are a result of action in the 2022 General Assembly. Therefore, NVTC needs to update its NVTC Electronic Participation Policy.

Ms. Mattice gave an overview of the policy changes. The most substantive change is that NVTC will be able to conduct all-virtual meetings starting September 1, 2022. However, there are limits, including NVTC Commission and its committees and subcommittees can each hold all-virtual meetings two (2) times per calendar year or 25% of the meetings held during a calendar year and rounded up to the next whole number, whichever is greater. Also, an all-virtual meeting cannot be held consecutively with another all-virtual meeting. She explained that since there is a limited number of times the Commission and its committees and subcommittees can conduct all-virtual meetings during a calendar year, staff will want to be strategic in planning for these types of meetings.

Ms. Mattice also reminded Commissioners of several existing guidelines already included in the NVTC Electronic Participation Policy. NVTC must still have a physical quorum present for a Commissioner to participate electronically for regular in-person meetings. Electronic participation by an individual Commissioner for a personal matter is still limited to two (2) meetings of the public body per each calendar year or 25% of the meetings during a calendar year, whichever is greater. Electronic participation by an individual Commissioner for a medical reason is still unlimited. She concluded by reviewing the procedural requirements for electronic participation. Chair Aguirre stated that the all-virtual meeting option allows for flexibility but is not required.

Mr. de Ferranti moved, with a second by Mr. Bell, to approve the revised NVTC Electronic Participation Policy to go into effect September 1, 2022. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bell, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck, Tuck, Turner and Walkinshaw. A roll call vote followed for those Commissioners participating electronically and Commissioners Bagley, Gilroy and Palchik cast affirmative votes. The motion passed.

Washington Metropolitan Area Transit Authority (WMATA)

Chair Aguirre introduced Greg Potts, Virginia Government Relations from WMATA, and Peter Cafiero, Director of Intermodal Planning from WMATA, who will brief the Commission on the Yellow Line Bridge/Tunnel and Potomac Yard-Related Metrorail Shutdown, followed by NVTC Program Analyst Ronnetta Zack-Williams, who will provide an update on NVTC's regional mitigation and coordination efforts.

Yellow Line Bridge/Tunnel and Potomac Yard-Related Metrorail Shutdown Update and Presentation. Mr. Potts stated that WMATA has two major capital investment projects starting this fall, including the Potomac Yard Station six-week shutdown of rail service south of National Airport Station for "cutover" work and testing (September 10 – October 22) and the Yellow Line

Tunnel and Bridge Rehabilitation with will result in no rail service across the Potomac River between Pentagon and L'Enfant Plaza Stations (September 10 – May 2023).

Mr. Cafiero gave an overview of the service plan which will be in effect during the work, including free shuttle bus services to mitigate service disruptions. For Phase 1 (September 10 – October 22) there will be no rail service south of the Ronald Reagan Washington National Airport Station and no Yellow Line service, although Yellow Line stations north of National Airport Station will be served by the Blue and Green Lines. There will be additional Blue Line service with trains departing north every 7-9 minutes from National Airport. Customers traveling between the Pentagon and L'Enfant Plaza Stations. Metro riders should plan on approximately 15 minutes of extra travel time.

Mr. Potts then reviewed regional coordination, service planning, and communication and outreach before and during the work.

Ms. Zack-Williams gave an overview of NVTC's role in coordinating regional planning and mitigation with other stakeholders. She stated that NVTC will also seek a grant from DRPT and a local match to conduct a "return to ridership" marketing campaign. If awarded, NVTC will lead a collaborative marketing effort on-air and online targeted to potential Northern Virginia riders. The marketing campaign would complement efforts by WMATA and the other Northern Virginia transit providers.

Chair Aguirre stated that he likes the "street teams" communication approach as a way to inform the public. Mr. Skiles asked if WMATA is seeing changes in cost estimates due to inflation and labor shortages. Mr. Potts stated that he can check with the project managers. Ms. Gilroy questioned the timing of station signage as it would seem to be more helpful to put signage up in August rather than two weeks before the work starts. Mr. Potts stated that he can work with WMATA's communication team on this issue. In response to a question from Mr. Alcorn, Mr. Potts stated that the funding for these projects is coming from the dedicated funding.

In response to a question from Mr. Bell, Mr. Cafiero provided more information about the estimates for delays and extra commute time. Mr. Bell stated that it is important to communicate that delays will be real. Ms. Cristol stated that she is pleased to see WMATA providing additional Blue Line service as the timing is not great as people are going back to work. She is interested to know data on ridership and commuting habits and how WMATA is capturing data on return to ridership and what alternatives people are choosing. She questioned if there will be a black hole in the data for September through May. Mr. Cafiero stated that WMATA tracks a lot of data and will continue to do so during the shutdown.

Mr. Turner observed that the Silver Line Phase 2 will be coming on-line in the middle of this work and asked if there will be unintended consequences that WMATA has not anticipated. Mr. Cafiero stated that WMATA has planned for this.

Report from the WMATA Board Members. Chair Aguirre congratulated Mr. Smedberg on his re-election as WMATA Board chair, which marks his fourth term as WMATA Board chair. Mr. Letourneau also expressed his appreciation for Mr. Smedberg's work as chair.

Mr. Letourneau reported that WMATA is working to restore the 7000-series railcars to service later this summer. WMATA has a three-step return to service plan for Metrorail, including restoration of the 6000-series railcars to service, daily inspections of 7000-series trains using a digital gauge, and installation of multiple automatic wayside inspection stations that will permit a gradual restoration of 7000 series trains. In mid-June, WMATA introduced up to eight 7000 series trains back into service. These trains appeared on the Yellow and Green Lines. Once personnel have created a steady rhythm of inspections and consistently deliver eight trains for daily service, WMATA expects to use the trains to increase service on the Blue, Orange and Silver Lines to every 15 minutes in July. WMATA continues to configure and test the Automated Wayside Inspection System equipment to enable further restoration of rail service.

Mr. Letourneau also announced that on June 23 WMATA took control over the Silver Line Phase 2 when the project reached the Operational Readiness Date, which is the point when WMATA takes provisional care and control of the extension from the Metropolitan Washington Airports Authority (MWAA). WMATA will conduct training and testing of the line in advance of its opening for passenger service. The goal is to have the Silver Line Phase 2 opening this fall, but the Washington Metro Safety Commission will need to certify it first. He also noted that there is also a great deal of coordination underway with Fairfax County and Loudoun County regarding bus routes.

Mr. Smedberg acknowledged Senators Warner and Kaine for their help with meetings with the MWAA to push the project forward. He also announced that Mr. Letourneau will continue as chair of the WMATA Finance Committee.

Report from the Chair of the NVTC WMATA Committee. NVTC WMATA Committee Chair Alcorn reported that at the June 16 meeting, the WMATA Committee reviewed staff's proposed strategies to reduce the growth in costs and improve efficiencies for the *2022 Report on the Performance and Condition of WMATA*. The strategies include New Financial Operating Model; Labor Costs; Role of Metrobus and Local Transit Operations; Fare Evasion; Rider Confidence; Fare Structure; and Non-Fare Revenues. NVTC staff will further develop these strategies for discussion at the next committee meeting. The WMATA Committee also asked staff to include a broader context and discussion about WMATA's upcoming FY 2024 operating budget gap and longer-term funding issues.

Mr. Alcorn noted that NVTC staff also provided an update on staff's research on peer transit agency funding models. Staff are looking at the operating and capital revenues of peer transit agencies and will provide a presentation to the committee with a summary of their findings in the fall. He stated that the next NVTC WMATA Committee meeting is scheduled for July 21 at 6:00 p.m. and all Commissioners are encouraged to attend.

Ms. Garvey asked if other large transit systems have their board chairs working without compensation. She asked the WMATA Committee to look into this issue as the WMATA Board chair is doing an incredible amount of work. In her opinion, it is unfair to not provide some kind of compensation. Ms. Mattice stated that the Virginia Code speaks to board compensation, so legislation would need to be changed to provide compensation beyond the standard per diem.

Mr. Alcorn stated that the WMATA Committee has already requested staff to include this topic in peer reviews of other transit systems.

In response to Mr. Storck, Mr. Letourneau stated that in peer-to-peer comparisons with other large transit systems, WMATA actually does well in many areas. Mr. Storck asked if WMATA looked at peer reviews at the international level. Mr. Letourneau replied that for operational issues, WMATA could do that but the challenge is that their funding and financials are very different. Mr. Smedberg noted that WMATA is uniquely funded. Mr. D’huyvetter stated that for the funding analysis staff is also looking at other transit systems that are governed by inter-state compacts.

In response to a question from Mr. de Ferranti, Mr. Letourneau stated that the WMATA Board hopes to have some information on budget and financial projections for the jurisdictions by late summer. For the FY 2024 budget, there will need to be discussions of increasing fares versus service gaps. Also, in response to a question from Mr. de Ferranti about the digital data records on the 7000-series, Mr. Smedberg provided more information about all the steps being taken to get them back into service.

Proposed Commonwealth Transportation Board (CTB) Changes to the Commonwealth Mass Transit Fund and NVTC-WMATA State Assistance

Chair Aguirre stated that on June 21 the Secretary of Transportation directed the Commonwealth Transportation Board to cut part of the state funding that NVTC’s jurisdictions use to support their WMATA capital and operating subsidy from DPRT’s Six Year Improvement Program (SYIP). As this was a surprise, he asked Ms. Mattice to provide the Commission with detail and context so the Commission can provide some direction to staff on next steps.

Ms. Mattice explained that the draft FY 2023 DRPT SYIP is the document that authorizes the transit funding for the coming year, and it was released in April 2022. In the SYIP, DPRT proposed a significant increase in FY 2023 state funding for DRPT’s transit programs, including NVTC’s jurisdictional payments to WMATA as well as local transit system operating and capital assistance. This was a welcome indication to the jurisdictions of the state support that could help the region’s transit systems now and into the future. She stated that to be clear, these funds were not anticipated when the localities prepared their budgets. However, once the draft SYIP was released, the localities did factor these into future revenue outlooks, especially with an eye for how these funds could support potential increases in WMATA operating subsidy payments in the coming years.

Ms. Mattice stated that the final SYIP for all the transportation programs was slated for approval at the June CTB meeting. At that meeting, the CTB moved to approve the DRPT SYIP at which time, the Secretary of Transportation Miller directed to remove \$72 million from the NVTC-WMATA Assistance funding line. For context, this would be a 26% decrease from what was proposed in April and a 24% reduction from the amended FY 2022 approved in January – but is a 16% increase over FY 2021 funding. NVTC jurisdictions have benefited from policy decisions made by the previous administration to provide additional funding to support Metro. She stated that

this CTB action was a surprise, and it is unclear if it is unprecedented. Staff do believe that it was based upon an unclear understanding of the role of NVTC localities and the state in supporting WMATA's capital and operations. In addition, staff are concerned that the Secretary and the CTB are not aware of the work that is being done by the Commission and NVTC's WMATA Committee to analyze, highlight and communicate NVTC's concerns on WMATA budget and operations.

Ms. Mattice noted that on July 20 the Commonwealth Transportation Board will again be meeting. At that time, CTB will be approving the reallocation of the \$72 million to VDOT's highway maintenance activities to support increased costs due to inflation. It is her understanding that if these funds are not used in FY 2023, they will revert to the Commonwealth Transportation Fund for reallocation across the highway, transit and rail programs. As there is opportunity for public comment at the July 20 CTB meeting, there is an opportunity to share NVTC's concerns about the last-minute removal of these funds. There is also an opportunity to educate the Secretary and the Commonwealth Transportation Board – including the four new members who will be joining this month – about NVTC, how much the Commission values a sustainable and reliable Metro system, and to speak to the policy priorities that it is focused on right now. She asked for input from Commissioners on next steps.

Chair Aguirre suggested that this warrants a response from NVTC to at least convey that NVTC has shared concerns about WMATA and to inform CTB about the role of NVTC. He asked for Commissioner comments.

Mr. Skiles asked if staff have talked to the CTB members representing Northern Virginia or the Secretary to find out why this was proposed. Ms. Mattice stated that she has spoken with CTB Member Mary Hynes and staff within the Secretary's office as well as DRPT staff since this occurred. She can't speak to the rationale of why it was proposed. Mr. Alcorn stated that it is his hope that the CTB can come to the conclusion that if the money is being redirected that the money will at least stay in Northern Virginia. He suggested conveying to the CTB on how WMATA is funded by the jurisdictions, which much of it comes from real estate taxes. Mr. Walkinshaw stated that it is his understanding that the Commonwealth underestimated the cost of road maintenance. Mr. Bell stated that there is a difference between one-time funding and funding streams. He stated it is important to convey what happens or goes wrong if the funding is not provided. He also agreed that it is important to keep the funds in Northern Virginia. Ms. Cristol suggested talking about the opportunity costs as the property tax burden is going to increase or the localities will be less able to fund other transportation improvements that makes the whole system work. Mr. Snyder stated that there is no question that WMATA has some serious issues, that there is inflation and that funding is needed for highways, but he hopes the Commonwealth does not get caught in the trap of taking funding from one part of transportation and give it to another. Mr. Foust asked if there can be a specific ask so the region does not lose all the \$72 million.

Mr. Letourneau stated that the challenge is that this is funding that the localities were planning to use to help fund future budget years as part of their subsidies. For him, the concern is the timing and process of the decision to change the funding amount. It came out of nowhere, with no dialogue beforehand and is taking away funding that was proposed in April. He suggested any message should convey the value of Metro to this region. Ms. Garvey suggested that there could

be a misunderstanding about how things work here in Northern Virginia and the benefit of Metro to the region, especially with Amazon moving into Crystal City, which adds to the economic benefit to the entire Commonwealth. Mr. Walkinshaw observed that if the intent of the CTB redirection of funds was to send a message to WMATA, then it's not impacting WMATA in any way. The action impacts the Northern Virginia jurisdictions and its taxpayers.

Mr. de Ferranti suggested Ms. Mattice work with a small group of Commissioners to craft the message. Mr. Skiles agreed with Mr. Foust's suggestion to go with a hard ask but cautioned not to assume the administration does not understand Northern Virginia and its transportation network. He suggested part of the message should focus on the changes that are happening at WMATA through new leadership and improvements to the system. Ms. Palchik suggested including the major drivers of the economic engine of this region, which includes Metro.

Chair Aguirre observed that the consensus from Commissioners is for the executive director to provide testimony at the next CTB meeting. Ms. Mattice stated that she will work with a small group of Commissioners to craft the message.

Transit Resource Center

Chair Aguirre stated that in addition to a written update on the Envision Route 7 BRT, Xavier Harmony and Sophie Spiliotopoulos will give a staff presentation on regional transit performance through the pandemic. He asked Ms. Mattice if she would like to make a few introductory remarks.

Ms. Mattice stated that NVTC staff historically reported transit performance on NVTC's website in static tables. Staff downloaded and manually manipulating data provided by the state for the bus systems and VRE and also posted reports from WMATA. This was a labor-intensive process, subject to easy error, and did not allow the staff much bandwidth to dive in and understand the trends. Now with the great strides by DPRT and WMATA in the use of their own online data portals, NVTC staff have updated NVTC's webpage to direct the public directly to DPRT and WMATA. And, as a result, NVTC staff can now use their talents to move beyond raw data and help tell the stories. This month is the first opportunity for the Transit Resource Center team to really shine with analysis that is above and beyond static tables.

Mr. Harmony stated that he sees this analysis as looking at the heartbeat of Northern Virginia to see how well it is doing in regard to transit. Ms. Spiliotopoulos stated that transit is a huge part of Northern Virginia life as 11% of the region's residents use public transit for commuting. This is more than double the national average of 5%. She noted that transit is used for so much more than commuting. Regarding NVTC's analysis, staff looked at ridership and service trends across the region from 2019 through the pandemic. Staff focused on the following goals for this analysis:

- To provide an overview of the major transit trends over the last three years;
- To explore how travel patterns and habits have changed in the region as well as how transit service has changed; and

- To provide some key transit takeaways for the region that NVTC can use to help support agencies' transit recoveries.

Ms. Spiliotopoulos highlighted two interesting points (of many) that staff concluded from the analysis of ridership trends in the region over the last three years. The first of which is how people travel has changed, as can be seen in the way that bus and paratransit have recovered versus rail. As of February 2022, bus and paratransit nearly reached 50% of pre-pandemic ridership, while rail was below 25%. She did note that numbers are expected to be even higher now, as this data is a few months old. Before the pandemic, rail had twice the ridership of bus, but today they have nearly an even share of ridership. These differing recovery rates are likely related to the different transit populations who ride these modes. Analysis also shows that riders are also moving away from classic weekday travel patterns. Pre-pandemic, weekend trips were only 35% of weekday trips, but by the end of 2020, that percentage had shot up to 58%. This highlights that the pandemic affected commuter trips more than other types of trips (day-to-day life trips such as going to doctor, shopping, errands, etc.), which usually happens on the weekends. This helps explain why weekend travel is now higher than weekday travel.

Regarding service trends, Ms. Spiliotopoulos stated that NVTC analysis shows that transit service generally saw some changes right at the beginning of the pandemic but has overall returned to pre-pandemic service levels. This goes for quantity of service, as well as type of service provided, which service patterns have for the most part, continued to focus on weekday and peak travel, a classically commuter-oriented service pattern. Commuter-oriented agencies saw the biggest and most prolonged changes to service.

Mr. Harmony stated that the study looked at how the region's transit was impacted through the pandemic; why did transit see these impacts (i.e., what types of travel behaviors and what types of transit service changed during this time); and what will the region do about it. Key findings from analysis show that returning transit service has been correlated with ridership recovery and one size doesn't fit all. There is an opportunity for the region to re-evaluate what transit ridership looks like today as well as to redesign transit services for how people use transit today.

Mr. Harmony stated that some of NVTC's regional transit partners are in the process of working on reevaluating their bus systems. He reviewed two case studies. During the pandemic, VRE and DASH both made changes to their service to meet rider's needs. VRE reacted to public comment and brought back full service in 2021. DASH launched a complete bus network redesign in September 2021. After the redesign and elimination of fares, DASH ridership grew from less than 50% of average pre-pandemic levels, one of the lowest levels in the region, to more than 70% of average pre-pandemic level, one of the highest recovery rates in the region. Fairfax Connector is in the process of reviewing their bus service and the WMATA Bus Network Redesign is underway.

Mr. Harmony stated that some of the negative impacts of COVID to transit will resolve themselves as more employees return to the office. Bus is a flexible transit mode and can adapt to the changing travel patterns of the region. NVTC staff will work on the Regional Bus Study in the fall, which focuses on connecting individual transit agency strategic plans with a regional plan, as well as identifying regional transit gaps, potential cross-jurisdictional transit corridors and opportunities to share infrastructure and resources between agencies. Also, NVTC and other

regional transit organizations are implementing marketing campaigns to further encourage ridership.

Ms. Cristol asked in regard to the two case studies, is it possible that the lesson learned is to just run more service, instead of spending more money on marketing, etc. Mr. Harmony responded that there is a “build it and they will come” aspect, but it is slightly more nuanced. So, it is not just how much service, but also what kind of service. Chair Aguirre observed that DASH was very thoughtful of where to put more frequent bus service. Mr. Snyder observed that an interesting follow-up study would be to look at the financial impacts of Metrorail and commuter rail ridership with less fare revenue and increased frequency of service. He also asked for examples in changes to business models. Mr. Alcorn stated that more commuters are now using Fairfax Connector service to get to other destinations, compared to previously when they were using it to get to Metro.

Mr. Meyer stated that the City of Fairfax also made changes to CUE Bus service during the pandemic, including free fares since March 2020, and is in the process of a total redesign of its bus system. Fare revenues only accounted for 8% of the system’s costs and the city made adjustments in the budget process to cover the rest to continue to provide free fares. Some of the reasoning was due to the costs of conversion of equipment, the additional protection for the drivers, and part of a social equity initiative to level the playing field to provide access to transit for all. It was an investment and a significant commitment for the city.

Mr. Walkinshaw asked about ridership trends and if there are any patterns of which parts of the region or certain stations have seen higher return to ridership levels. He would assume the Pentagon Station has returned faster than the L’Enfant Station. He asked at what point does the region assume that these ridership patterns are now permanent. Mr. Harmony stated that the Regional Bus Study will be looking at data from Metro, which has a rich depository of data. DRPT has also made data available on its new web portal. Ms. Garvey stated that the fare free initiatives VRE will be implementing during the Metro shutdown will be a good opportunity to gather data as well as attract new riders.

Transit Technology Program

Chair Aguirre stated that Commissioners were provided with a written update in their meeting materials and that the Commission will receive a verbal update on the Northern Virginia Regional Fare Collection Strategic Plan and NVTC’s emerging work on zero- and low-emission buses later this fall.

Commuter Choice Update

Chair Aguirre stated that Commissioners were provided with a written update on Commuter Choice in their meeting materials, but staff are present to answer questions. Commissioners had no questions.

Legislative Update

General Assembly Update. Ms. Mattice reported that on June 17 the General Assembly came back into Session to vote on Governor Youngkin's 30+ amendments, including yet another attempt at suspending the gas tax for the summer and capping the index at 2%. As expected, the amendment was approved by the House of Delegates and then defeated in the Senate on a 21-18 vote. NVTC had worked continuously on a broad coalition to help defeat the amendment. The General Assembly then adjourned until September 7 when they are expected to return to vote to appoint a State Corporation Commission judge.

Mr. Skiles asked if President Biden's proposal to temporarily suspend the gas tax will have any impact on any transit operations. Ms. Mattice explained that the federal gas tax provides funding to the Federal Transit Administration as well as federal highways. It would have an impact on federal funding to WMATA, PRTC and OmniRide.

Transit Service Delivery Advisory Committee (TSDAC). Ms. Mattice reported that the Transit Service Delivery Advisory Committee (TSDAC) continues to provide feedback to DRPT on the triennial review of the process for allocating capital and operating funding as well as transit agency strategic plans. To date, DRPT has presented several refinements to the Transit Strategic Plan (TSP) guidelines and updates to its capital program, called MERIT (Making Efficient and Responsible Investments in Transit).

Ms. Mattice stated that DRPT is still in the process of reviewing and refining potential changes to the MERIT operating assistance program. For this program, DRPT has a performance-based funding model that seeks to allocate funding based upon ridership and other performance metrics. She explained that the challenge to date is that those systems that saw huge reductions in commuter ridership – specifically Loudoun County Transit and VRE – see a potential reduction in these formula funds. However, all of the other NVTC district systems see potential increases in DRPT funding as a result of strong ridership. DRPT is working to identify solutions to minimize any large losses to these two systems. She stated that more work is continuing this summer with the recommendations open for public comment and final presentation to the Commonwealth Transportation Board for approval later this year. The next TSDAC meeting is scheduled for July 29. There are several opportunities to provide public comment if the Commission wishes to do so.

Federal Update. Ms. Mattice announced that NVTC was pleased to hear from both Congressman Beyer and Congressman Connolly that the Route 7 BRT earmark has been forwarded to the full House Transportation Appropriations Committee for consideration. This \$2 million allocation would allow NVTC to complete planning and NEPA work on the 14-mile Route 7 BRT.

Virginia Railway Express (VRE)

Chair Aguirre congratulated VRE on its 30th anniversary.

VRE CEO Report. Mr. Dalton reported that on June 22 VRE held a 30th anniversary celebration at the Manassas VRE Station. Also, he invited Commissioners to the anniversary reception immediately following the July 15 Operations Board meeting. He reported that on June 28 the bond sale closed with net proceeds of \$119.2 million, which will go toward supporting the Transform Rail in Virginia program. This will allow VRE to expand service in the future. Mr. Dalton reported that for the month of June, VRE on-time performance was up significantly to 87%. VRE ridership continues to slowly increase with the month of June 2022 being the highest ridership since February 2020.

Amtrak Access and Storage Agreement. Mr. Walkinshaw reported that the VRE Operations Board recommends Commission approval of Resolution #2482, which will authorize the VRE CEO to amend the Amtrak Access and Storage Agreement to reflect adding the future VRE Crystal City Station to the list of joint-use facilities and update the list of eligible Amtrak trains for the cross-honor program. This action will allow Amtrak trains to utilize the future VRE Crystal City Station. Acknowledging this now allows for VRE and Amtrak to formally work collaboratively to ensure the needs of both VRE and Amtrak are met as the final design process continues.

Mr. Walkinshaw moved, with a second by Mr. Ebbin, to approve Resolution #2482 (copy attached). The vote in favor was cast by Commissioners Aguirre, Alcorn, Bell, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck, Tuck, Turner and Walkinshaw. A roll call vote followed for those Commissioners participating electronically and Commissioners Bagley, Gilroy and Palchik cast affirmative votes. The motion passed.

Two Master Funding Agreements with the Virginia Passenger Rail Authority (VPRRA) for VRE Projects and Track Access Fees. Mr. Walkinshaw reported that the VRE Operations Board recommends Commission approval of Resolution #2483, which will authorize the VRE CEO to execute two agreements with the Virginia Passenger Rail Authority, specifically, a Master Funding Agreement for VPRRA Supplied Funding for VRE Projects and a Master Funding Agreement for VPRRA Track Access Elective Contributions for VRE Track Access Fees.

Mr. Walkinshaw moved, with a second by Mr. Skiles, to approve Resolution #2483 (copy attached). The vote in favor was cast by Commissioners Aguirre, Alcorn, Bell, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck, Tuck, Turner and Walkinshaw. A roll call vote followed for those Commissioners participating electronically and Commissioners Bagley, Gilroy and Palchik cast affirmative votes. The motion passed.

VRE Free Fare Initiatives. Mr. Walkinshaw reported that VRE staff have evaluated two related free fare proposals for the fall of 2022 and presented these proposals to the VRE Operations Board at its June 17 meeting. The VRE Operations Board will be taking action on these two proposals at its next meeting. The first proposal is “Free Fare September” for all riders.

September is typically a month when the regional transportation system is strained, as kids return to school and workers return from summer vacation, and it historically has been one of the highest ridership months for VRE. This September, many federal agencies are expected to transition to more permanent in-office work schedules. VRE staff believe offering free fares for the month of September will encourage commuters who are considering various commute options to try VRE. It will also be an effective way to express VRE's gratitude to riders who have stuck with VRE through the pandemic. Also, starting on September 10, WMATA will shut down Metrorail stations south of Reagan National Airport on both the Blue and Yellow Lines for at least six weeks, and VRE will be a major contributor to the mitigation efforts in the region. Allowing riders to board for free during September will maximize usage of VRE during the first half of the shutdown. Lastly, a Free Fare September is an excellent way to commemorate VRE's 30th anniversary.

Mr. Walkinshaw also noted that the second proposal is for free fares for riders traveling between Zones 2 (Crystal City and Alexandria) and 3 (Backlink and Franconia-Springfield) and from Zone 2 or 3 into Zone 1 (L'Enfant and Union Station) during October since the shutdown of Metrorail's Blue and Yellow Line service south of Reagan National Airport will continue for at least three weeks into October. Providing free fares for these zones in October will continue VRE's enhanced role in mitigating the effects of the Metrorail shutdown.

Chair Aguirre expressed his excitement about these free fare initiatives. Mr. Walkinshaw suggested NVTC and WMATA include these initiatives in their communication efforts. Mr. Snyder asked if VRE is looking at changes to its business model. Mr. Walkinshaw responded that the Operations Board is discussing these types of issues. With the sale of the bonds, which will allow the Transforming Rail in Virginia project to move forward, VRE will be able to expand service, such as weekend or late evening service. However, as ridership continues to return, VRE's pre-pandemic ridership base will not get VRE back to pre-pandemic levels, so VRE will need to attract more riders, some of whom are looking for more non-traditional service hours.

Department of Rail and Public Transportation (DRPT)

Acting DRPT Director DeBruhl announced that on July 1 DRPT celebrated its 30th anniversary, and as part of that celebration has launched a new website and new branding. She reported that next week the Commonwealth will begin service of the second daily train to Roanoke, the third daily train to Norfolk and restore some rail service to Newport News.

Acting DRPT Director DeBruhl introduced Acting DRPT Chief of Public Transportation Grant Sparks, who is participating remotely, to give a presentation on the findings of the Transit Equity and Modernization Study. This is an effort that DRPT has been working on for the past several years that is focused on identifying opportunities to advance equitable transit within the Commonwealth through the advancement of equity, accessibility and technology.

Mr. Sparks stated that DRPT is wrapping up its year-long Transit Equity and Modernization Study and will be submitting its final report to the General Assembly in August. He gave an overview of the study process. Key findings focus on transit accessibility, adequacy of transit infrastructure,

electrification, emerging technologies, transit safety, and system engagement and governance. He summarized the study recommendations, which are to:

- Develop technical guidance on bus stop design elements, stakeholder coordination, permitting and installation.
- Update MERIT Capital scoring criteria to incentivize improvements to bus stop infrastructure.
- Develop technical guidance for monitoring and reporting on infrastructure performance and condition.
- Establish statewide goals for zero-emission transit vehicles and develop a statewide transition plan to meet those goals.
- Implement recurring assessments of transit technology across the Commonwealth and identify specific needs at the local level.
- Update and enhance DRPT's Transit Strategic Plan (TSP) guidelines to provide strategies for enhanced and more inclusive public engagement.
- Create more Transit Advisory Councils within local transit agencies to advise policy boards on rider perspectives, concerns and key issues.

Mr. Sparks encouraged Commissioners to visit the study website for additional information. Mr. Storck asked if DRPT looked at frequency of service as a factor. Mr. Sparks stated that frequency of service was part of the accessibility topic area. Many of the maps and analyses include frequency of service and travel times. He stated that frequency of service is usually determined by the individual transit system based on how they can best utilize their resources. The study did not take a position on coverage-based transit services versus frequency-based transit services. Mr. Bell asked if "insufficient infrastructure" includes existing structures. Mr. Sparks stated that there are over 1,500 bus stops in Virginia and to look at the current condition of each stop was a challenge. So, using technology DRPT was able to sample over 700 bus stops looking at the quality of the bus stops, as well as enhancements or amenities, such as bus shelters and lighting. The good news is that the analysis shows that the quality was generally good. However, quality does degrade as they get farther away from the urban core.

Executive Director Report

Ms. Mattice encouraged Commissioners to read her Executive Director Newsletter. She reported that NVTC is in the middle of its regional marketing campaign, funded by DRPT and the localities. She asked Mr. Friedman to give a brief update on the campaign.

Mr. Friedman reported that NVTC is in week six of the three-month campaign. This campaign can be seen and heard on radio stations WTOP, WAMU and WLZL—"El Zol;" on audio and video streaming services; in online and social media ads; on WAZE; and in email marketing messages. This is NVTC's third marketing campaign since 2019 and the first to include Spanish advertising. Sample video ads, both in English and Spanish, were shown to the Commission.

Mr. Friedman stated that the campaign encourages people to visit novarides.org, which includes a trip planner by Moovit and links to all of the Northern Virginia transit providers. As of July 6,

the site had over 20,000 page visits, including close to 6,000 to the dedicated Spanish tab. That is already 93% more visitors than NVTC had in the entire 2021 campaign and there is still about two-and-a-half months to go in the campaign. Staff are also starting to get some other data. On Twitter there is a 10% engagement rate—the number of times someone clicks, likes, retweets, etc. One percent is considered great, but NVTC is seeing 10 times that.

Mr. Friedman stated that another part of the campaign is online display ads. With those, there is a high number of people clicking to novarides.org. The so-called click through rate is 0.26, or about three times industry average. The Spanish-language display ads are slightly outperforming those in English at 0.29. Staff will continue to analyze the campaign performance and will summarize the results and report back to the Commission.

Mr. Friedman reminded Commissioners that this campaign is made possible by a grant from DRPT and the local match from the cities of Alexandria, Falls Church and Fairfax, the counties of Arlington, Fairfax and Loudoun; and OmniRide and VRE. He stated that as was mentioned earlier, NVTC is in the early stages of planning for another campaign in 2023 and will use the ongoing lessons of this current campaign.

Ms. Mattice reminded Commissioners that the WMATA Committee meets on July 21 at 6:00 p.m. She also noted that there is no Commission meeting in August, so the next meeting is September 1. Staff will be scheduling committee meetings starting in the fall, including the Legislative and Policy Committee, as well as the Joint Commission Working Group to discuss the I-395 Commuter Choice program. The WMATA Committee is scheduled to meet again in October.

Ms. Mattice noted that the May 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 a VRE matter. 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.3 of the Code of Virginia, I move that the Northern Virginia Transportation Commission convene a closed meeting for discussion of one matter concerning the acquisition of real property for public purposes, including rail operations, rail equipment storage, and commuter parking, where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the Commission.

The vote in favor was cast by Commissioners Aguirre, Alcorn, Bell, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck, Tuck, Turner and Walkinshaw. A roll call vote followed for those Commissioners participating electronically and Commissioners Bagley, Gilroy and Palchik cast affirmative votes. The motion passed.

The Commission entered into Closed Session at 9:38 p.m. and returned to Open Session at 9:53 p.m. The live stream feed was restored for public viewing.

Mr. de Ferranti moved, with a second by Mr. Ebbin, 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, Bell, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck, Tuck, Turner and Walkinshaw. A roll call vote followed for those Commissioners participating electronically and Commissioners Bagley, Gilroy and Palchik cast affirmative votes. The motion passed.

Mr. Ebbin moved, with a second by Mr. Alcorn, to approve Resolution #2484, which will approve the withdrawal of bona fide offer to purchase the land and improvements of Contractors Storage, LLC. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bell, Clemente, Cristol, de Ferranti, Ebbin, Foust, Garvey, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck, Tuck, Turner and Walkinshaw. A roll call vote followed for those Commissioners participating electronically and Commissioners Bagley, Gilroy and Palchik cast affirmative votes. The motion passed. (A copy of the resolution is attached.)

Adjournment

Without objection, Chair Aguirre adjourned the meeting at 9:56 p.m.

Approved this 1st day of September 2022.

Canek Aguirre
Chair

Matt de Ferranti
Secretary-Treasurer



RESOLUTION #2482

SUBJECT: Authorize the VRE CEO to Amend the Amtrak Access and Storage Agreement

WHEREAS: VRE has an Access and Storage Agreement with Amtrak effective July 2020;

WHEREAS: The Access and Storage Agreement, in part, identifies VRE stations used by Amtrak and Amtrak trains eligible for use by VRE riders through a cross-honor program;

WHEREAS: Amtrak has requested to add to the joint-use facilities section of the current agreement the future VRE Crystal City Station;

WHEREAS: VRE desires to add additional Amtrak trains to the list of eligible trains that can be used for VRE riders as part of the cross-honor program;

WHEREAS: The current cross-honor program is suspended, but will likely be reinstated in the fall of 2022;

WHEREAS: This action will add the future VRE Crystal City Station to the list of joint-use facilities and increase the number of eligible Amtrak trains for the cross-honor program; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the VRE Chief Executive Officer to execute an Amendment to the Access and Storage Agreement with Amtrak to modify the joint-use facilities section to add the future VRE Crystal City Station and increase the number of eligible Amtrak trains to the cross-honor program in a form approved by VRE legal counsel.

Approved this 7th day of July 2022.

A handwritten signature in blue ink that reads "Matt de Ferranti".

Matt de Ferranti
Secretary-Treasurer

A handwritten signature in blue ink, appearing to read "Canek Aguirre".

Canek Aguirre
Chair



RESOLUTION #2483

SUBJECT: Authorize the VRE CEO to Execute Two Master Funding Agreements with the Virginia Passenger Rail Authority (VPRA) for VRE Projects and Track Access Fees

WHEREAS: VRE, in the past, has entered into a Master Agreement for Use of Commonwealth Transportation Funds with the Department of Rail and Public Transportation ("DRPT") to fund specific capital improvement projects;

WHEREAS: VRE has also in the past entered into the same agreement with DRPT for grant funds for track access fees to be paid under the operating access agreements with CSX Transportation, Norfolk Southern Railway, and the National Rail Passenger Corporation (Amtrak) (collectively, the "Host Railroads");

WHEREAS: The VPRA now is responsible for providing grant funds to VRE for these purposes;

WHEREAS: VRE staff has negotiated a Master Funding Agreement for VPRA Supplied Funding for VRE Projects which requires execution annually of an individual, project specific addendum for each capital project funded by the VPRA detailing the project scope, the maximum amount of VPRA funding, and a timeline for project completion;

WHEREAS: VRE staff has negotiated a Master Funding Agreement for VPRA Track Access Elective Contributions for VRE Track Access Fees which provides for VPRA's funding, in its discretion, of eighty-four percent (84%) of the train mile fees paid by VRE to the Host Railroads for maintenance, dispatch, and other related services upon execution annually of a track access payment addendum specifying the maximum amount of VPRA funding for track access fees in the given year; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the VRE Chief Executive Officer to execute on behalf of the Commissions, a Master Funding Agreement for VPRA Supplied Funding for VRE Projects and a Master Funding Agreement for VPRA Track Access Elective Contributions for VRE Track Access Fees.

Approved this 7th day of July 2022.

A handwritten signature in blue ink that reads "Matt de Ferranti". The signature is fluid and cursive, with the first and last names being more prominent.

Matt de Ferranti
Secretary-Treasurer

A handwritten signature in blue ink that reads "Canek Aguirre". The signature is stylized and cursive, with a large initial "C" and "A".

Canek Aguirre
Chair

RESOLUTION #2484

SUBJECT: Withdrawal of Bona Fide Offer to Purchase the Land and Improvements of Contractors Storage, LLC

WHEREAS: Since 2015, the Potomac and Rappahannock Transportation Commission (PRTC) and the Northern Virginia Transportation Commission (NVTC) have analyzed alternatives for expansion of VRE facilities in the western part of Prince William County, and determined that the preferred alternative was a project to expand and enhance the VRE rail equipment maintenance and storage facility at the Broad Run VRE commuter rail station, including the construction, maintenance, and operation of additional commuter rail parking for VRE patrons using the Broad Run VRE Station;

WHEREAS: Through preliminary engineering analysis, the Contractors Storage, LLC property was identified as the proper location for the required additional commuter rail parking;

WHEREAS: On February 11, 2021, the Potomac and Rappahannock Transportation Commission, with the concurrence of the Northern Virginia Transportation Commission, authorized making a bona fide offer to Contractors Storage, LLC, to acquire property its owns in Prince William County and the City of Manassas, for the following public uses: the construction, maintenance, and operation of public parking for commuter rail patrons using the existing Broad Run VRE commuter rail station, and facilities ancillary to the boarding platforms at the commuter rail station;

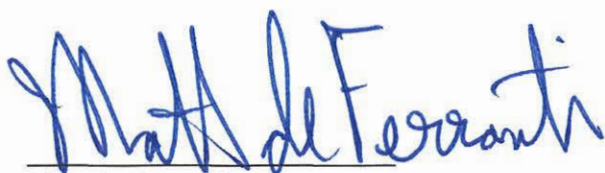
WHEREAS: A bona fide offer letter dated June 14, 2021, was delivered to Contractors Storage, LLC, and, thereafter, VRE staff has been involved in negotiations to acquire the property;

WHEREAS: Since conveying the offer to Contractors Storage, the final engineering design process has revealed issues regarding the suitability of the property for the intended public purposes; and

WHEREAS: VRE staff, with the concurrence of the VRE Operations Board, recommends that the bona fide offer made to Contractors Storage, LLC be withdrawn and further efforts to acquire the property be ended.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby concurs with the action of the Potomac and Rappahannock Transportation Commission to withdraw its June 14, 2021, bona fide offer to Contractors Storage, LLC and terminate further efforts to acquire the property, and directing the VRE Chief Executive Officer to send a letter to Contractors Storage, LLC informing it of the Commission's action.

Approved this 7th day of July 2022.



Matt de Ferranti
Secretary-Treasurer



Canek Aguirre
Chair