

MINUTES
NVTC COMMISSION MEETING – JULY 1, 2004
NVTC CONFERENCE ROOM - ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Euille at 6:51 P.M.

Members Present

David Albo
Sharon Bulova
Gerald Connolly
Adam Ebbin
William D. Euille
Paul Ferguson
Jay Fisette
Ludwig Gaines
Catherine M. Hudgins
Timothy Hugo
Tanya Husick (DRPT)
David F. Snyder
Christopher Zimmerman

Members Absent

Dana Kauffman
Elaine McConnell
Gary A. Reese
Scott Silverthorne
Mick Staton
Mary Margaret Whipple

Staff Present

Rhonda Gilchrest
Jana Lynott
Steve MacIsaac (VRE)
Adam McGavock
Kala Quintana
Jennifer Straub (VRE)
Richard K. Taube
Dale Zehner (VRE)

Minutes of NVTC's Meeting of June 3, 2004

Mr. Gaines moved, with a second by Mrs. Bulova, to approve the minutes. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisetta, Gaines, Hudgins, Husick, Snyder and Zimmerman.

VRE Items

Report from the VRE Operations Board and VRE's Chief Executive Officer. Mr. Taube announced that Sharon Bulova has been appointed by Governor Warner to chair a new statewide rail commission.

Mr. Zehner stated that ridership is up five percent compared to the same time last year. Ridership growth is slowing because VRE is now at capacity. On-time performance for the Fredericksburg Line is at 75 percent and 91 percent for the Manassas Line. On-time performance is improving on the Fredericksburg Line, which has been besieged with heat restrictions and signal and equipment problems. He also announced that VRE will once again run trains on the Fourth of July.

Construction Support Services for the Quantico Bridge Project. Mrs. Bulova reported that the VRE Operations Board recommends approval of Resolution #1031, which would authorize VRE's CEO to award a construction support services contract for \$1 million. Funds are available from federal and state grants. The RFP was issued on May 27, 2004 and seven responses were received on June 28th. Interviews will be conducted on July 2nd and a candidate should be identified by July 15th. Given the commission's meeting schedule, VRE staff has requested the authority to make the award so that work can proceed immediately.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve Resolution #1031 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisetta, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Task Order for Warehouse Management. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #1032. It would authorize VRE's CEO to issue a task order to STV, Inc. to manage VRE's warehouse at Broad Run for three years at a cost not to exceed \$400,000 of budgeted funds.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the commission unanimously approved the resolution. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisetta, Gaines, Hudgins, Husick, Snyder and Zimmerman. (A copy of Resolution #1042 is attached.)

Contract for Facilities Maintenance Services. Mrs. Bulova announced that the VRE Operations Board recommends approval of Resolution #1033, which would authorize VRE's CEO to contract with Lakewood Maintenance of Bowling Green, Virginia for up to \$2 million in the first year of a one-year base contract with four additional option years. Work would include cleaning, landscaping, repairs, painting, installation of phones, and construction of stairs, among other activities.

Mr. Taube explained that on June 28, 2004 a protest was filed by another bidder. Language has been added to the resolution regarding this protest stating that the notice to proceed on the contract shall not be given until the protest has been withdrawn or otherwise resolved.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the commission unanimously approved the amended resolution (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Extension of the Operating Agreement with Norfolk Southern. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #1034, which would extend the existing agreement with Norfolk Southern (NS) through January 15, 2005. The current agreement expires July 15, 2004. It is anticipated that provisions eventually agreed to with CSXT will be applicable to Norfolk Southern.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve the resolution (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Repair of Locomotives. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #1035. Given the commission's meeting schedule and the need to begin as soon as possible, this resolution would authorize VRE's CEO to issue a RFP and award a contract for major repair of locomotives V-01 and V-03. The Operations Board previously authorized such an action for repair of V-03 but V-01 has now suffered a similar failure. The Board authorized a companion task order to STV, Inc. for project oversight not to exceed \$53,900. Funds are included in VRE's CIP.

In response to a question from Delegate Albo, Mrs. Bulova stated that with the exception of the leased Sounder equipment, VRE owns all its locomotives.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the commission unanimously approved Resolution #1035 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Task Order for Maintenance of Gallery Railcars. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #1036, which would authorize VRE's CEO to extend an existing task order for RailPlan International, Inc. to perform Gallery railcar maintenance. The extension is valued at \$52,800 for a total task order value of \$232,750. Funds are available in the FY 2004 operating budget.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve the resolution (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Task Order for General Fleet Maintenance. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #1037. It would authorize VRE's CEO to issue a task order to STV, Inc. for general fleet maintenance, not to exceed \$400,282 plus a 10 percent contingency. This would cover the period of July 1 through December 31, 2004. Funds are available in the FY 2004 operating budget.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the commission unanimously approved Resolution #1037 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Contract for Rebuilding the Trucks on Five Gallery Railcars. Mrs. Bulova reported that the VRE Operations Board recommends approval of Resolution #1038, which would authorize VRE's CEO to contract with Kawasaki Rail Car Inc. of Yonkers, New York to rebuild the trucks on VRE's fleet of five Gallery railcars from Northern Railcar Company. The price would not exceed \$286,925, including a 15 percent contingency. Funds are designated in VRE's CIP.

Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve Resolution #1038 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Closed Session. Mr. Taube explained that a confidential memo was sent to commissioners regarding insurance issues pertaining to CSXT prior to the meeting. If commissioners don't have specific questions, a closed session would not be needed. Mr. Snyder stated that he would recuse himself from any discussion dealing with insurance issues. Commissioners agreed that a closed session was not necessary.

NVTC's FY 2005 State Aid Contract

Mr. Taube stated that the commission is asked to authorize its executive director to execute contracts with the Virginia Department of Rail and Public

Transportation for FY 2005 transit assistance on behalf of NVTC and its member jurisdictions and VRE. Although NVTC is receiving \$2.7 million more in FY 2005 than in FY 2004, the capital matching ratio is dropping to 38 percent (from 40 percent in FY 2004). Compared to the statutory ratio of 95 percent, NVTC is receiving \$37.1 million less capital funding for FY 2005 than it would receive if the state had sufficient funding to meet its statutory share.

Mr. Taube explained that NVTC is receiving \$2.1 million more operating assistance than in FY 2004, although if the 95 percent state matching ratio were achieved, NVTC would be receiving an additional \$60.6 million for FY 2005. Combined, NVTC is shortchanged by \$97.7 million for FY 2005, up from \$82.8 million in FY 2004. Since NVTC is receiving a total of \$81.4 million, the shortfall exceeds that actual total by 20 percent, or stated another way, the actual amount is only 45 percent of the total amount for which NVTC is eligible.

Mr. Taube reported that NVTC and VRE did receive several discretionary grants from DRPT, including \$114,000 for research on elderly mobility needs (95 percent match), \$24,700 for an NVTC intern (95 percent), \$22,800 for a VRE intern (95 percent), \$55,000 for Gainesville-Haymarket (50 percent), and \$20,000 for WageWorks Passport (80 percent). In addition, the Commonwealth Transportation Board provided \$6.2 million for VRE track leases from statewide Surface Transportation Program federal funds.

Mrs. Hudgins moved, with a second by Mr. Gaines, to authorize NVTC's executive director to execute contracts with DRPT for FY 2005 transit assistance on behalf of NVTC and its member jurisdictions and VRE. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Husick, Snyder and Zimmerman.

NVTC By-Laws Amendment

Mr. Taube reminded commissioners that, as discussed at the June, 2004 NVTC meeting, the Virginia Code now has several references to NVTC previously contained only in Acts of Assembly. The bill altered NVTC's quorum requirements, redefined the number of votes required to take any action, added another member of the House of Delegates, and allowed electronic participation in NVTC's meetings by General Assembly members during General Assembly sessions. To conform to these legislative changes, NVTC's by-laws must be amended. The by-laws have also been expanded to include the duties of the executive committee to conform to current practice.

On a motion by Mr. Zimmerman and a second by Mr. Gaines, the commission unanimously approved the amendments to NVTC's by-laws. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Contract Award for Update of the Northern Virginia Transportation Plan

Mr. Taube explained that the Northern Virginia Transportation Authority (NVTA) asked NVTC to procure a consulting team to update the existing Northern Virginia 2020 Transportation Plan, using Regional Surface Transportation Program (RSTP) funds. Three proposals were received in response to NVTC's request and interviews were conducted on June 18th with each team by a panel of local, regional and state agency staff. That selection panel has ranked the firms using the criteria listed in the RFP and recommends award of contract to the top-ranked team headed by BMI-SG of Vienna, Virginia. Other team members include Kittleson & Associates, Inc. of Baltimore; Burgess & Niple, Ltd. of Chantilly, Virginia; Tricord, Inc. of Leesburg, Virginia; and Travesky & Associates, Ltd. of Fairfax.

Mr. Taube explained that the commission is being asked to authorize its executive director to do the following four actions:

- 1) Begin to negotiate a contract within the parameters specified in the RFP at a cost not to exceed \$900,000 with the designated contact person for the top-ranked team;
- 2) Notify NVTA of the commission's action and request that NVTA ratify the commission's selection;
- 3) Request that NVTA authorize NVTC's executive director to execute a contract with the top-ranked team, or if unsuccessful, to negotiate and execute a contract with one of the remaining two teams in the order specified by the selection panel;
- 4) Request that NVTA authorize NVTC's executive director to issue the notice to proceed as soon after the execution of the contract as the project has been incorporated into the State Transportation Improvement Plan by VDOT and RSTP funds are released for that purpose by DRPT.

Delegate Albo asked what kind of work is involved in drafting a plan for \$900,000. Mr. Taube responded that there would be quite a bit of modeling work to update the original 2020 plan to 2030. There would also be a much greater emphasis on transit, ridesharing and pedestrian access than in the past. Mr. Zimmerman gave an overview of the original plan process. The original plan included the provision that it would be updated every three years. Models and data have changed. NVTA has been charged with updating the plan and has asked NVTC to procure the contract.

Delegate Albo stated that he has a problem with spending close to a million dollars for a plan while the region doesn't even have enough funding for projects listed in the plan. Mr. Taube explained that RSTP funds will be used and not NVTC funds. NVTC would hire the consultant and the actual work would be managed by staff from different regional agencies, including VDOT. Mr.

Zimmerman stated that he understands Delegate Albo's concerns about the amount of money being spent, but stated that on the other hand, if you can't communicate the list of projects that the region wants to do and why, then it's hard to acquire funding.

Mr. Snyder stated that one of the roles of NVTA, provided under the statutes enacted by the General Assembly, is to provide a plan—one document—usable by all public policymakers (federal, state and local) to determine the region's transportation priorities. It is a valuable tool in helping the region understand the actual pluses and minuses of individual projects. It will be an objective modeling of data as opposed to a political process. He stated that it will be tremendously helpful to have something that everybody, regardless of where they are in the political spectrum, can point to as a reliable source of information. Mrs. Bulova observed that the drafting of the original 2020 Plan was a huge undertaking with lots of staff time and resources involved. Mr. Zimmerman stated that that the original work was much of the basis of what became the referendum.

In response to a question from Mr. Fiset, Mr. Zimmerman gave an overview of the role of NVTA. He explained that NVTA has the statutory existence and theoretically has a fair amount of power, although at this point there is a lack of funding and staff has not been hired. NVTA prepares the regional position to go before the CTB, as well as allocating CMAQ and RSTP funds. Mr. Ferguson noted that NVTA has not been meeting regularly.

Mr. Fiset stated that the Transportation Coordination Council (TCC) process was to put forward recommendations for expenditure of federal funds. He asked if NVTA has any criteria, such as vehicle miles traveled, air pollution, etc., in identifying and prioritizing the distribution of funds. Mr. Zimmerman replied that these criteria were part of the 2020 Plan, which was approved by the entire region.

Mr. Hugo arrived at 7:15 P.M.

On a motion by Mr. Zimmerman and a second by Mrs. Bulova, the commission unanimously approved the following actions: Authorize NVTC's executive director to begin negotiating a contract with the recommended firm within the parameters specified in the RFP; to notify NVTA of the commission's action and request that NVTA ratify the selection; to execute the contract when authorized to do so by NVTA; and to issue the notice to proceed when RSTP funds are released for that purpose by VDOT. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fiset, Gaines, Hudgins, Husick, Snyder and Zimmerman.

Oath of Office for New Commissioner

Chairman Euille introduced Delegate Tim Hugo, who was appointed to NVTC by Speaker Howell. Chairman Euille then administered the oath of office to Mr. Hugo and commissioners welcomed him to NVTC.

FTA Cancelled Grant for SmarTrip Consulting

Mr. Taube stated that on June 9, 2004, NVTC received notice from FTA that it has cancelled NVTC's \$200,000 federal grant for SmarTrip technical consulting citing the reason that the project no longer qualifies for funding based on the statute. Those funds, with about \$100,000 remaining, have been supporting work by IBI Group, Inc. on behalf of six local bus systems and VRE to integrate SmarTrip fare collection. In response to a question from Mr. Zimmerman, Mr. Taube stated that NVTC is seeking help from its congressional delegation to get FTA to restore the funding. A letter has already been drafted to be signed by them.

Mr. Ferguson moved, with a second by Mrs. Bulova, to authorize Chairman Euille to send a letter to NVTC's congressional delegation thanking them for their help and reiterating NVTC's position. The motion would also authorize NVTC's executive director to continue to make all efforts to resolve this issue. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Ferguson, Fissette, Gaines, Hudgins, Hugo, Husick, Snyder and Zimmerman.

WMATA Items

WMATA Approved Budget for FY 2005. The WMATA Board approved the budget on June 17, 2004. Staff continues discussing local funding agreements for Metro Matters (roughly \$1.5 billion of unfunded high priority capital projects). After a heated discussion by the WMATA Board on WMATA's capital budget, it was decided to reprogram funds from CNG buses and facilities to purchase 100 hybrid-electric buses and additional clean diesel buses.

Mr. Snyder requested that over the summer NVTC staff put together information regarding funding options for Metro Matters and to gather information concerning the failed referendum (reasons it failed, issues involved, public opinion surveys, etc). Chairman Euille stated that local jurisdictional staff is in consensus that other funding sources are going to have to be identified to help fund Metro Matters. Mrs. Bulova offered to provide information about the Braddock District meetings following the referendum to discuss why it failed. Mr. Zimmerman stated that it is important for people to understand that there is a critical path on how to identify funding and jurisdictions will have to look at subsidy issues. The immediate issue is that Metro will have to exercise the option for additional railcars by next November.

Mrs. Hudgins stated that the challenge is that there is not consensus on funding on a regional level between Maryland, the District and Virginia. There is an immediate need to move on identifying potential funding sources. Mr. Snyder stated that APTA has information about funding sources that may be helpful to NVTC.

GEORGE Bus Changes in Fares and Schedules. Following a public meeting, the GEORGE Bus fares and schedule have been modified.

Regional Transportation Items

DRPT's Draft Rail, Public Transportation and TDM Needs Assessment. Mr. Taube stated that DRPT has released a draft final report, prepared by Cambridge Systematics. The report states that Virginia transit ridership grew by 21 percent in three years, although current funding is inadequate to maintain even the existing transit services. Concerns expressed in the report are for gaps in levels of transit service, as well as growth of the elderly population in Virginia and the consequences for transit.

The report includes information about Northern Virginia's transit systems' level of service relative to those in the rest of the commonwealth, as of 2001. Northern Virginia's transit systems provide 63 percent of the state total large and small urban vehicle revenue miles, 54 percent of the total vehicle revenue hours and have 51 percent of the total transit vehicles in service. Northern Virginia's transit systems also provide 83 percent of the total statewide passenger miles in large and small urban areas and 74 percent of the unlinked passenger trips. Growth of transit ridership in Northern Virginia far outpaces the remainder of the state.

Mr. Snyder left the meeting at 7:35 P.M. and did not return.

Brookings Institution Report "Washington Metro: Deficits by Design". Mr. Taube reported that Robert Puentes has completed a thorough examination of the unusual financial structure of WMATA and the relationship of its budgetary challenges to its "problematic revenue base." Mr. Puentes used several NVTC products in his research and has briefed the WMATA Board and TPB on his findings. Unlike many other large transit systems, WMATA does not have dedicated sources of revenue (except NVTC's two percent motor fuels tax that supplies less than two percent of WMATA's annual operating subsidy).

London Congestion Pricing – Implications for Other Cities. Mr. Taube explained that during the discussion of Mr. Puentes's paper, WMATA Board members had questions about his reference to London's congestion charges. Since February, 2003, London has charged a fee for driving private automobiles in its central area during weekdays. The purpose is to reduce congestion and to raise revenues for transportation improvements. Commissioners were provided with a copy of a paper describing the program by Todd Litman of the Victoria

Transport Policy Institute. Chairman Euille stated that when he was over in London last summer people seemed comfortable paying that charge.

Mid-Year Review of Progress on NVTC's Work Program

Staff provided a PowerPoint presentation of the highlights of progress during the first six months of the year and the challenges remaining for the rest of 2004. Kala Quintana reported that new content has been added to NVTC's website and recent hits totaled over 40 per day. NVTC's 40th Anniversary celebration was also a huge success.

Mr. Zimmerman left the meeting at 7:40 P.M. and did not return.

Adam McGavock reported that the GEORGE Bus demonstration project has been completed and is ready to transition to a locally funded transit system. The WMATA operating agreement has been signed and billings are fully up to date. Falls Church will now assume full responsibility for the funding and administration of the GEORGE Bus system. NVTC staff will continue to work on evaluating the project which should be completed in six months.

Jana Lynott reported that the first eight scheduled emergency planning sessions have been held and station areas discussed included the Pentagon, Rosslyn, King Street, West Fall Church, Vienna, Franconia-Springfield, Huntington, and Ballston Metrorail stations. There has been a strong level of commitment from all the agencies participating in the planning.

In response to a question from Mr. Fisette, Ms. Lynott further explained that different emergency scenarios were being looked at, such as a fire at a Metro station and how it would impact the entire system. Mr. Fisette asked how this plan will be coordinated with other jurisdictions. Ms. Lynott replied that many of the same people and agencies are participating in the planning and are also on other regional committees. The written recommendations will be shared with other forums. Mr. Taube explained that NVTC's work is "bottom up" type of planning while the work being done at MWCOG is "top down" type of planning. There are draft plans for each station that are being reviewed by jurisdictions and agencies.

Mr. Taube reported on behalf of Scott Kalkwarf that staff has responded to the suggestions of the auditors. NVTC is also assisting VRE in selecting a fixed asset inventory software package, which was recommended by VRE's auditors. He stated that NVTC will work to identify funding sources to meet the unfunded transit needs of the region. Staff will also play a role in helping VRE negotiate contracts with the railroads.

NVTC Financial Reports for May, 2004

The financial reports were provided to commissioners. Mr. Taube reported that the gas tax revenue adjustment resulting from an error in reporting by the Department of Taxation has not yet been corrected by the department.

Other NVTC Business

Mr. Taube announced that the September meeting will be held at NVTC and not as previously scheduled for Alexandria, since Chairman Euille will not be able to attend.

Mr. Connolly arrived at 7:57 P.M.

Adjournment

Without objection, Chairman Euille adjourned the meeting at 7:58 P.M.

Approved this second day of September, 2004.

William D. Euille
Chairman

Gerald Connolly
Secretary-Treasurer