

MINUTES
NVTC COMMISSION MEETING – FEBRUARY 3, 2005
GENERAL ASSEMBLY BUILDING – RICHMOND, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Ferguson at 5:10 P.M.

Members Present

Gerald Connolly
Jeannemarie Devolites Davis
Adam Ebbin
William D. Euille
Paul Ferguson
Jay Fisette
Ludwig Gaines
Catherine M. Hudgins
Karen Rae
Gary A. Reese
David F. Snyder
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

David Albo
Sharon Bulova
Timothy Hugo
Dana Kauffman
Elaine McConnell
Scott Silverthorne

Staff Present

Kala Quintana
Stephen MacIsaac (VRE)
Richard K. Taube

Chairman Ferguson suggested that the meeting begin with information and discussion items while the commission waits for a jurisdictional quorum. There were no objections.

WMATA Items

NVTC Support for the Blue Ribbon Panel on Dedicated Sources of Funding. Mr. Taube reported that Senator Whipple has introduced SJ440, which calls upon the Virginia General Assembly to support the Panel's recommendations. MWCOG and NVTA have also passed resolutions of support for the Blue Ribbon Panel recommendations. NVTA's resolution asked that the respective governors and mayor of the three main WMATA signatories make implementation of the panel's recommendations a high priority and that federal officials take action. NVTC Resolution #1066 would mirror NVTA's requests and express support for SJ 440.

WMATA Subsidy Allocation Methodology. Mr. Taube stated that representatives of the District of Columbia have been vocal in calling for changes in the subsidy allocation in order to shift the burden to other jurisdictions.

Legislative Items

Senator Whipple reported that the Governor's transportation proposal has been folded into Senator Chichester's bill. In regards to other legislation, Mr. Taube explained that HB2771, which was approved by the House Appropriations Committee (HAC), would allocate funds generated from insurance license tax revenues on the basis of the highway allocation formula. Delegate Callahan's substitute that would have allocated funds based on population was defeated in HAC on February 2, 2005. This legislation was originally introduced by Delegate Hugo as HB2099 and proposed allocating the funds on the basis of population. This approach would have allocated approximately 27 percent of the funds to Northern Virginia; however, there would have been no specific allocation for transit as occurs when funds are allocated through the Transportation Trust Fund. HB2099 was then changed to allocate funds based on the highway allocation formula and was then rolled into Delegate Callahan's bill (HB2771). The current bill HB2771 allocates funds on the basis of the highway formula and results in significantly lower (17 percent) allocation to Northern Virginia than the population-based formula.

Chairman Ferguson stated that a letter to the Northern Virginia General Assembly delegation has been drafted that would express NVTC's preference that funds in HB2771 be allocated through the TTF formula, or at a minimum, that the population-based allocation formula that was in the original HB2099 and in the HB2771 Callahan substitute be restored.

Mr. Connolly stated that in response to a request from Delegate Hugo, the Fairfax County Board endorsed the original bill (HB2099) but not the current bill. He talked with Delegate Hugo and Delegate Hugo agreed to publicly indicate his commitment to changing the bill to address transit needs.

Chairman Ferguson suggested that the letter be signed by both NVTC's chairman and vice chairman. Mr. Fisetto observed that the letter is lengthy and could use stronger language to convey NVTC's position.

Senator Whipple announced that her legislation to increase the motor fuels tax for NVTC from two percent to four percent was passed in the Senate Finance Committee with a 13-0 vote, with two abstentions.

Mr. Taube stated that staff prepared "A Message to General Assembly Members" about Senator Whipple's bill, including why they should support the legislation. Mr. Zimmerman suggested not referring to the 2002 referendum since it was old news. Delegate Reese expressed his opinion that the commission should not dilute its message on HB 2771 with too many communications.

Mr. Snyder arrived and joined the discussion.

Senator DeVolites Davis stated that until the issue of trust (keeping transportation revenues in the trust fund) is addressed you aren't going to see much progress in increasing any fees for transportation. Senator Whipple stated that the motor fuels tax is already in place and is allocated to Metro. She stated that the legislation may be defeated for other reasons, but the trust issue doesn't apply to this legislation because the money can only be used for Metro.

Ms. Rae stated that it is important to look at the long term and support the right for localities to help their own transportation networks. Chairman Ferguson stated that the commission agrees that it would be helpful to send the information on SB 1099 to the General Assembly.

Minutes of NVTC Meeting of January 6, 2004

Senator Whipple moved, with a second by Mr. Connolly, to approve the minutes. The vote in favor was cast by commissioners Connolly, DeVolites Davis, Ebbin, Euille, Ferguson, Fisetto, Gaines, Hudgins, Rae, Reese, Snyder, Whipple and Zimmerman.

NVTC FY 2006 Administrative Budget

Mr. Taube reported that NVTC reviewed the draft budget at its January meeting. The FY 2006 budget would hold overall expenditures and local contributions constant compared to FY 2005.

Mr. Zimmerman moved, with a second by Senator Whipple, to approve NVTC's FY 2006 budget. The vote in favor was cast by commissioners Connolly, Devolites Davis, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Rae, Reese, Snyder, Whipple and Zimmerman.

FY 2006 State Aid Applications

Mr. Taube reported that the applications on behalf of WMATA, VRE and the commission's local jurisdictions were due on February 1, 2005. After being carefully reviewed by local staff, NVTC electronically submitted the applications. Resolution #1064 would confirm the commission's support of these applications, since it is a requirement of DRPT.

Chairman Ferguson noted that the amount of assistance actually received by NVTC is likely to be much less than the eligible amount of \$194 million, due to a lack of state funds. For FY 2005 this shortfall was \$100 million.

On a motion by Mr. Euille and a second by Mr. Connolly, the commission approved the resolution (copy attached). The vote in favor was cast by commissioners Connolly, Devolites Davis, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Reese, Snyder, Whipple and Zimmerman. Ms. Rae abstained.

Senior Mobility Study Consulting Assistance

Mr. Taube reported that the selection team recommends that NVTC's executive director be authorized to negotiate with the top-ranked firm, and if successful, to execute a contract. If an agreement cannot be reached, the executive director would be authorized to negotiate with the second-ranked firm and execute a contract. The top-ranked firm is WB&A Market Research teamed with KFH Group. The grant-funded project budget is \$114,000. Mr. Taube stated that PRTC will be joining in the research and will be paying to have the study area extended into the PRTC jurisdictions.

Mr. Connolly moved, with a second by Mr. Zimmerman, to authorize NVTC's executive director to execute contract with WB&A Market Research and KFH Group. The vote in favor was cast by commissioners Connolly, Devolites Davis, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Rae, Reese, Snyder, Whipple and Zimmerman.

NVTC 2005 Handbook

Mr. Taube stated that the Handbook has been updated to include current information, including commissioners' biographies.

Mr. Connolly asked if the figure on page 40 reflects the correction of gas tax revenues erroneously credited to the city of Fairfax. Mr. Taube replied that the figure is of projected revenue, but when the actual revenue information is available, the figure will be updated.

Mr. Zimmerman moved, with a second by Mr. Euille, to authorize staff to distribute the 2005 Handbook to interested individuals and to post it on NVTC's website. The vote in favor was cast by commissioners Connolly, DeVolites Davis, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Rae, Reese, Snyder, Whipple and Zimmerman.

Amendment to NVTC's Allocation Resolution for Continuous Funding of Electronic Transit Schedules

Mr. Taube explained that NVTC has used a state grant to initiate electronic schedules for Northern Virginia's transit systems; those schedules are available to download to personal digital assistants, cell phones and hand-held computers. Monthly use has reached as high as 111,636 requests on the www.CommuterPage.com website that is hosting the Northern Virginia schedules. The most popular schedules so far are those of Metrobus, followed by the Fairfax Connector and Loudoun County Transit. Chairman Ferguson observed that Mr. Zimmerman is one of the many people using this technology.

Mr. Taube stated that since the schedules must be kept up to date, NVTC and local jurisdiction staff are recommending that a proposal from the Redmon Group be accepted and a continuing source of funding be provided by adopting Resolution #1065. NVTC's executive director would be authorized to withhold sufficient funding (off-the-top) each year from NVTC jurisdictions' state aid (and in the case of Loudoun County its gas tax) received by NVTC to cover the budgeted costs of the Redmon Group's proposal as well as costs of web-hosting, marketing and promotion. The proposal would remain in force until one of the parties decides to terminate it. New budget estimates would be negotiated each year and local staff must approve the budgeted amounts each year before NVTC's executive director withholds the requested funding.

Senator Whipple moved, with a second by Mr. Connolly, to approve Resolution #1065 (copy attached). The vote in favor was cast by commissioners Connolly, DeVolites Davis, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Rae, Reese, Snyder, Whipple and Zimmerman.

Change Order to NVTC Contract with Cubic Transportation Systems, Inc. for Additional Fareboxes

Mr. Taube stated that several local transit operators have expanded their fleets and would like to equip their new vehicles with SmarTrip-compatible fareboxes. Cubic is willing to provide these fareboxes as a change order to its existing contract with NVTC at \$11,103 each. Reflecting rising production costs, this price is slightly higher than the \$10,924 unit price paid for the 383 fareboxes purchased previously by NVTC but well below the \$11,652 that Cubic is contractually authorized to charge.

Mr. Zimmerman moved, with a second by Mrs. Hudgins, to authorize NVTC's executive director to execute the proposed change order following receipt of written commitments from the jurisdictions to pay their respective amounts. The vote in favor was cast by commissioners Connolly, Devolites Davis, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Rae, Reese, Snyder, Whipple and Zimmerman.

WMATA Action Item

The commission discussed this item earlier in the agenda. Mr. Snyder moved, with a second by Mr. Zimmerman, to approve Resolution #1066 supporting implementation of the Blue Ribbon Panel's recommendations and Senator Whipple's legislation.

In response to a question from Mrs. Hudgins, Senator Whipple stated that she has the resolution which will be included in the Rules Committee agenda on February 4th. There is a whereas clause in it that addresses the need to identify funding for Metro Access, which is a rapidly growing component of WMATA's budget.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Connolly, Euille, Ferguson, Fisette, Gaines, Hudgins, Rae, Snyder, Whipple and Zimmerman. Delegate Ebbin, Delegate Reese and Senator Devolites Davis abstained.

Legislative Action Item

Chairman Ferguson reviewed the proposed letter regarding HB2771 that was discussed earlier in the agenda. The letter would be shortened and language strengthened regarding NVTC's position. Mr. Connolly stated that the letter should emphasize that HB 2771 should include a transit component, not include references to the population allocation method, and state that HB 2099 has been significantly changed.

Mr. Fisette moved, with a second by Mrs. Hudgins, to authorize NVTC's chairman and vice chairman to sign and send the letter to the Northern Virginia General Assembly delegation. The vote in favor was cast by commissioners Connolly, Devolites Davis, Ebbin, Euille, Ferguson, Fisette, Gaines, Hudgins, Snyder, Whipple and Zimmerman. Ms. Rae and Delegate Reese abstained.

Mr. Connolly asked Delegate Reese to communicate to Delegate Hugo the commission's discussion and action taken at this meeting.

Delegate Reese reported that his transportation commission bill has been rolled into another bill that is advancing but the financial mechanism to support it is no longer included.

VRE and Regional Transportation Items

Chairman Ferguson noted that there are no actions required for these items, so they will be deferred until a future meeting. There were no objections.

Other NVTC Business

Mr. Taube reminded commissioners to fill out and return the commissioner surveys. Chairman Ferguson suggested that the commission have a discussion at a future meeting regarding instituting alternates, who would be elected officials, so that NVTC would have a better chance of meeting quorum requirements.

NVTC Financial Reports for December, 2004

Commissioners were provided with the financial reports and there were no questions.

Adjournment

Without objection, Chairman Ferguson adjourned the meeting at 5:55 P.M.

Approved this third day of March, 2005.

Paul Ferguson
Chairman

David F. Snyder
Secretary-Treasurer