

MINUTES
NVTC COMMISSION MEETING – MARCH 3, 2005
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Ferguson at 8:08 P.M.

Members Present

Sharon Bulova
Gerald Connolly
Adam Ebbin
Paul Ferguson
Catherine M. Hudgins
Tanya Husick (DRPT)
Dana Kauffman
Elaine McConnell
Scott Silverthorne
David F. Snyder
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

David Albo
Jeannemarie Devolites Davis
William D. Euille
Jay Fiset
Ludwig Gaines
Timothy Hugo
Gary A. Reese

Staff Present

Rhonda Gilchrest
Scott Kalkwarf
Adam McGavock
Stephen Maclsaac (VRE)
Kala Quintana
Elizabeth Rodgers
Jennifer Straub (VRE)
Richard K. Taube
Dale Zehner (VRE)

Minutes of NVTC Meeting of February 3, 2004

Senator Whipple moved, with a second by Mr. Connolly, to approve the minutes. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hudgins, Husick, Kauffman, McConnell, Silverthorne, Snyder, Whipple and Zimmerman.

Extension of Contract for Evaluation of Free Bus Fares on Ozone Alert Days

Mr. Taube explained that the commission contracted in 2003 with SG Associates (now BMI-SG) for an evaluation of free bus fares on Code Red Days. The commission is asked to authorize the extension of the contract with BMI-SG to include an additional \$10,500 to be used to retrain survey workers, revise the sample to reflect new bus routes and accomplish an additional day of surveying on a non-Code Red day to provide a baseline for comparison. The funds are available in the Code Red CMAQ allocation to NVTC for FY 2006 of \$694,000 for free bus fares. This survey project has been recommended by NVTA's Interim Technical Committee and approved by NVTA as part of the overall free bus fare program.

Mr. Taube reported that for the past two successive summers, surveys could not be completed due to a lack of forecast Ozone Alert Code Red days. BMI-SG has completed an initial analysis of the effectiveness of the free bus fare program but will need to analyze on-board survey results before conclusions on the effectiveness of the program can be reached and recommendations for any improvements made.

Mr. Connolly moved, with a second by Mr. Zimmerman, to authorize the extension of the BMI-SG contract for another \$10,500 to be used for this work. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hudgins, Husick, Kauffman, McConnell, Silverthorne, Snyder, Whipple and Zimmerman.

Grant Request for Phase 2 of NVTC's Senior Mobility Project

Mr. Taube stated that staff is completing the detailed grant application to be submitted to VDOT through NVRC by the March 11th deadline. NVTC will request up to \$150,000 to test in Phase 2 specific recommendations from Phase 1 of the study to improve transportation for persons 75 years of age and above. Also, additional outreach to non-English speaking seniors would occur, recognizing that over 10 percent of the families in Northern Virginia are Spanish speaking and significant numbers speak Asian and other languages. Resolution #1067 would provide the authority to submit the application.

Mr. Connolly moved, with a second by Mrs. Hudgins, to approve Resolution #1067 (copy attached). The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hudgins, Husick, Kauffman, McConnell, Silverthorne, Snyder, Whipple and Zimmerman.

Request for Funding of an Improved Corridor Traffic Counting Program

Mr. Taube stated that for several years NVTC has actively sought to have improved traffic counting occur in Northern Virginia to permit statistically significant and corridor-specific measures of mode shares. This would permit planners and policy makers to measure the performance of past transportation investments and help guide future allocations of scarce resources. The commission is asked to authorize its chairman to write to VDOT, DRPT, TPB and NVTa to ask that this project receive support and consideration in allocating federal planning technical assistance funds available at TPB for FY 2006. This would permit a pilot program to begin in Fall, 2005 with a complete counting program to continue in FY 2007 and beyond.

Mr. Taube explained that TPB staff has prepared a cost estimate to perform the revised scope of work. In response to a question from Mr. Connolly, Mr. Taube stated that the scope seeks to expand existing traffic counting activities to provide statistically significant estimates of mode shares in Northern Virginia's two major commuting corridors (I-66 and I-95/395/Route 1) at two screen lines (one just outside the Beltway and one at the core). Both of these corridors have strong transit and HOV usage. The cost estimate assumes that TPB would hire a private contractor to identify specific sites and conduct counts each year on the parallel facilities for two days at the two screenlines, and for one day on the mainlines. TPB would provide to the contractor its data from annual counts performed for VDOT on the one day count on the two mainlines as part of its recurring HOV monitoring work.

Mr. Taube stated that in combination with passenger counts provided by each transit system without charge to the project, this counting procedure would yield statistically significant mode share estimates. The estimated cost for this additional counting would be \$250,000 annually, over and above the expected costs for VDOT's HOV monitoring work of about \$250,000 annually. TPB has budgeted \$375,000 for its Spring, 2006 statewide core traffic count. Neither the existing work for VDOT nor the statewide counts permit statistically valid inferences about corridor-specific travel by mode.

Mr. Taube explained that NVTC would request that VDOT and DRPT program sufficient federal technical assistance funds at TPB for FY 2006 to initiate the proposed counting program in Fall, 2005 for either a pilot corridor or screenline, at an estimated budget of \$125,000. If sufficient funds are not available, then funds for one corridor at one screenline are requested (\$62,500 or as little as \$57,000 if done in conjunction with the Spring, 2006 core cordon count). For FY 2007 and beyond, a combination of federal technical assistance

and CMAQ funding would be requested to accomplish the full count of both corridors at both screenlines approximately every three years, if the pilot is successful. Such a pilot program for FY 2006 would allow the region to learn how best to conduct the full-scale project and could result in reduced costs for subsequent counts. If successful, Maryland and the District of Columbia may wish to participate in the future so the enhanced program could be part of TPB's regionwide traffic monitoring program.

In response to a question from Senator Whipple, Mr. Taube stated that NVTC has been criticized by TPB staff in the past on its estimates based on the regionwide traffic counting being done. If this additional work was done, NVTC would have the necessary data it needs to do the analysis. Chairman Ferguson stated that if they are questioning the data, then its important to ask TPB to do the work if this request is not funded.

Mr. Zimmerman moved, with a second by Mrs. Bulova, to authorize NVTC's chairman to write to VDOT, DRPT, TPB and NVTA to ask that this pilot project receive support and consideration in allocating federal planning technical assistance funds available at TPB for FY 2006.

In response to a question from Delegate Ebbin, Mr. Taube explained that the primary sources of funding for such a program are federal planning funds provided to TPB from allocations to Virginia by FHWA and FTA. This is because VDOT is already using that source for its annual HOV counts. TPB's annual workprogram for FY 2006 will be approved in March, 2005 and at this time VDOT has not been able to specify its preferred set of projects for these technical assistance funds, because delays in federal appropriations and authorizations make the exact amount of funds available for VDOT's technical assistance program an unknown. A reasonable estimate is \$320,000. In response to a question from Mr. Connolly, Mr. Taube stated that this would be a pilot program. In response to another question from Mr. Connolly, Mr. Taube stated that VDOT is supportive of NVTC's request, but he doesn't know if VDOT staff would consider it a priority.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hudgins, Husick, Kauffman, McConnell, Silverthorne, Snyder, Whipple and Zimmerman.

Legislative Items

Chairman Ferguson asked members of the General Assembly for an overview of the 2005 Session. Senator Whipple reported that the budget includes \$40 million for Metro railcars, \$20 million for VRE railcars and \$5 million for a statewide bus purchase. Mr. Taube stated that according to DRPT Northern Virginia will get \$1.5 million of that statewide bus purchase.

Senator Whipple stated that her bill (SB 1099), which would have increased the motor fuels tax from two percent to four percent, did not pass the House Finance Committee, although the committee discussed the legislation for 45 minutes before killing the bill. She stated that the committee discussion reflects that there are a lot of prejudices against Metro and this region has its work cut out to educate legislators regarding the value of Metro, including relieving congestion and also the economic benefit to the whole commonwealth. There are many new members of the General Assembly that are potentially not very knowledgeable about the benefits of transit. Mr. Connolly observed that the price of gasoline is predicted to spike as much as another 25-cents per gallon. This is the time for legislation to be passed.

Mr. Snyder recognized Senator Whipple for her hard work on trying to get legislation passed that supports transit. He also acknowledged Mr. Biesdiany of Fairfax County staff. He suggested NVTC generate more written material on the economic benefits of Metro so that people can understand what it means. There's a huge amount of money generated in this region that flows to Richmond and doesn't come back. A job created and supported in Northern Virginia is a huge benefit to the rest of the state. Mr. Zimmerman supported Mr. Snyder's ideas. NVTC has done previous studies showing the economic benefits from Metro. Metro is generating a whole lot of revenue, some of which this region retains, but a lot of which gets distributed to the rest of the state. It is important to make the connection of how people down state are benefiting directly from revenue generated by Metro.

Mr. Connolly observed that the region has to deal with the hostility to Metro that it's facing from the General Assembly. He suggested more education as well as inviting legislators to tour Northern Virginia to see first-hand its transit needs. Chairman Ferguson asked if NVTC has any funding that could be used for this purpose. Mr. Taube responded that NVTC has funds in its marketing budget that could be used to host visits from legislators. Mr. Connolly stated that the tour should include a visit to Metro, to show that Metro is bumping up against capacity and the age of the system and Metro needs legislators' help to find funding sources.

Mr. Kauffman reported that there will be a series of Washington Post articles in mid-March or mid-April, which he anticipates won't put Metro in a good light.

Mr. Connolly stated that the Post continues to criticize the political leadership, blaming both local officials and the General Assembly, about not putting Metro on stable financial footing. Mr. Connolly stated that it was the local officials that convened the Blue Ribbon Panel and all parties have endorsed the Panel's recommendations and now are awaiting General Assembly action.

Mrs. Hudgins stated that it would be helpful for commissioners to have a good question and answer fact sheet about all these issues so that they can respond to questions from the public and the media. Mr. Connolly observed that

it is important to frame the issue. We are now victims of our own success; we built the Metro system and everyone wants to use it and we are now running at capacity. It's not that the system is failing; it is doing what it was designed to do. It is the most successful project that the region has done collectively, but now there needs to be significant reinvestments made to the system. He reminded commissioners that within 12 months Metro Matters was agreed to and funded.

Mr. Zimmerman stated that a peer review panel from APTA reviewed Metro and assessed the organization and made recommendations. The General Manager from MBTA in Boston was one of the panel members and when asked what his overall assessment of Metro was, he stated that it is one of the best running transit systems in the country.

Mr. Shiva Pant observed that you can try to educate members of the House of Delegates but there are still politics involved. He suggested working with the Speaker of the House. It's important to jump political hurdles as well as educating the public.

Chairman Ferguson suggested NVTC could form a working group to develop a press strategy to get the message out. He stated that the Executive Committee could serve in this capacity and if other commissioners want to be involved, they should contact him. Mr. Kauffman suggested having NVTC submit press releases and develop other educational material prior to the Post articles.

Mr. Taube stated that an amendment to SB 934 passed that authorizes the Auditor of Public Accounts to audit WMATA as it pertains to monies furnished to WMATA by the commonwealth, as directed by the Joint Legislative Audit and Review Commission (JLARC). JLARC staff has already requested from NVTC and WMATA copies of audited financial statements. It is unclear whether the bill provides any additional audit authority not already possessed by the commonwealth. NVTC will monitor this.

Mr. Taube also explained that a draft response written as a "Close to Home" piece for the Washington Post has been prepared for commission discussion. He explained that it answers some of the questions raised by the House Finance Committee members before they voted down SB 1099, including Metro employee salaries and fares. Mr. Kauffman suggested highlighting the fact that according to APTA, of the 57 transit agencies that negotiated labor contracts in 2004, Metro ranked 12th lowest by reaching agreement with the labor union for only a 1.5 percent increase. Mr. Connolly also suggested simply stating that Metro doesn't use any state funds for salaries. Mr. Snyder requested not linking the gasoline tax with property tax and just removing any reference to it from the last paragraph. Mr. Connolly asked if the piece should be sent to the Richmond Times Dispatch as well as the Washington Post. Mrs. Bulova asked about the audience that NVTC is trying to reach—the public or legislators? Mr. Connolly observed that the content of the piece is directed at legislators. Mr. Ebbin suggested sending it to the newspapers as well as in letter format to members of the appropriate legislative committees. Senator Whipple suggested raising the

bullet points as questions. Chairman Ferguson stated that once staff has revised the piece it will be distributed to commissioners for their review before it is sent.

Mr. Taube then reviewed some of the legislation passed by the General Assembly that could result in a one-time addition of \$70-105 million for the Northern Virginia region for transit, with a best guess of over \$90 million.

Policy on HOV Performance Monitoring and HOV Exemptions for Hybrid Vehicles

Mr. Taube stated that PRTC has written to Virginia Transportation Secretary Clement and Secretary of Public Safety Marshall to support the recommendations of their HOV Task Force in general but to express concern that HOV lanes have “virtually reached capacity.” In the view of PRTC this problem is compounded by the growth of hybrid vehicles using the lanes. Waiting until the exemption expires on July 1, 2006 will be too late. PRTC calls for a HOV performance monitoring system and a remedial plan, as well as requiring auto dealers to be more forthcoming about the potential end of the hybrid vehicle HOV exemption. NVTC staff has drafted a letter supporting PRTC’s position.

Mr. Taube gave a presentation on the HOV Task Force recommendations. Data show volumes on the HOV lanes of up to 1,500 vehicles per lane per hour, which is the theoretical capacity. The principal cause for alarm is the crowding that is plaguing the lanes, with the inevitable result that HOV users will switch back to driving alone if HOV time savings disappear. There are 5,843 hybrid vehicles registered in Virginia and 90 percent of them are in Northern Virginia.

Mr. Connolly observed that if HOV violators were eliminated, hybrid use wouldn’t be an immediate problem to the HOV lanes. It is important not to frame the issue as hybrid vehicles being bad things. Mr. Snyder agreed and stated that the major emphasis should be on enforcement of HOV violators. Mr. Taube stated that last year’s recommendation by the HOV Task Force was for better enforcement, and fines were increased, points were assessed and more funding provided to the State Police, but it didn’t solve the problem.

Mr. Zimmerman stated that HOV isn’t just about less air pollution, but it’s also about managing a transportation system by moving lots of people. If HOV lanes don’t work, it will bog down the rest of the transportation system. The question is whether the region can get to the July, 2006 hybrid exemption expiration without the HOV facilities failing.

Mr. Taube stated that the HOV Task Force does emphasize enforcement. Delegate Ebbin asked if the legislative action to increase fines and add points have made a difference to HOV violators. Mr. Taube stated that there seemed to be some difference initially after the information campaign, but violations remain a serious problem.

Mr. Connolly stated that he can't support the letter unless the hybrid issue is framed positively. Chairman Ferguson directed staff to revise the letter and share it with all commissioners before it is sent.

Concern for Allocations of CMAQ Funds

Mr. Taube reported that information from the Surface Transportation Policy Project indicates a concern that VDOT, in responding to rescission directives from FHWA, may disproportionately reduce CMAQ allocations on which transit depends. FHWA has directed states to return a portion of previously allocated FY 2005 transportation funds but is allowing each state to decide which programs will be cut. Similar requests are likely to occur for FY 2006 and beyond.

Mr. Taube stated that Virginia is required to return \$31.2 million. CMAQ may be a tempting target since it reflects only 2.4 percent of the obligated funds compared to 5.1 percent of the apportioned funds, resulting in 3.8 percent of the unobligated balances. RSTP, another program on which transit depends, is in a similar precarious position in Virginia, with only 3.2 percent of the obligations compared to 7.9 percent of the apportionments, resulting in 21.1 percent of the unobligated balances.

Mr. Taube explained that a draft letter has been prepared to VDOT Commissioner Shucet expressing NVTC concerns regarding this matter. The letter would be copied and sent to CTB members.

Mr. Zimmerman moved, with a second by Mrs. McConnell, to authorize NVTC's chairman to send to letter to Commissioner Shucet.

Mr. Connolly observed that it is a hard letter to follow and suggested rewording some of it. He suggested a change to the second page so that the letter suggests NVTC believes Mr. Shucet will act correctly on this information.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hudgins, Husick, Kauffman, McConnell, Silverthorne, Snyder, Whipple and Zimmerman.

Results of a Survey of NVTC Commissioners

Mr. Taube stated that NVTC commissioners were asked to complete a survey, which was directed primarily at identifying ways in which attendance at the commission meetings could be improved. A majority of commissioners (11) completed the survey. Mr. Taube reviewed some of the survey results. The majority of commissioners favored the current meeting time and no one objected to the meeting location. Seven commissioners favored continuing the joint

meetings with PRTC, although the joint meeting has not been scheduled this year, since neither commission achieved a quorum at the November, 2004 joint meeting.

Mr. Taube stated that six commissioners favored eliminating the need for a majority of jurisdictions to be present. This would require legislation. Only three favored alternates, with seven opposed. Mr. Zimmerman speculated that more commissioners would be in favor of alternates if it was clarified that alternates would need to be elected officials. Chairman Ferguson stated that the commission could discuss changing the bylaws at the next meeting to allow alternates. Mr. Zimmerman stated that the real problem is with the jurisdictional quorum. Mr. MacIsaac stated that the Code may need to be amended to make any changes, including alternates. Senator Whipple observed that the jurisdictional quorum was included to protect smaller jurisdictions, so it does serve a purpose.

Mr. Snyder moved with a second by Mr. Zimmerman, to propose NVTC's By-Laws for amendment at the next meeting to provide for alternates, subject to legal counsel review. Mrs. Bulova clarified that the alternates would be elected officials. Chairman Ferguson stated that it would be up to each jurisdiction to decide if they wanted to have alternates. The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hudgins, Husick, Kauffman, McConnell, Silverthorne, Snyder, Whipple and Zimmerman.

Mr. Taube suggested that at the next meeting the commission have a presentation on performance based budgeting. Chairman Ferguson stated that this is a good idea since some of the commissioners interested in this issue are not present tonight.

Washington Post Commuting Survey

Mr. Taube stated that the front-page of the Sunday, February 13 Washington Post featured an in-depth article detailing the results of a recent telephone survey conducted by the Post. The survey polled 1,003 adult residents of the D.C. Metro area at the end of January, 2005 and asked a variety of questions relating to their daily commute. NVTC staff asked to gain access to the raw data to see if Virginia results can be stratified and the Post did supply more detailed results for a few of the questions.

Mr. Taube gave a presentation of the findings of the survey. The results show that 58 percent of the respondents felt that the region should find new ways to fund Metro. Opinions on raising the gas tax to support road, traffic and transit improvements were almost evenly split, with 48 percent supporting higher gas taxes and 49 percent opposing. One of the most encouraging items in the survey was the overwhelming support for Metrorail to Dulles.

Mr. Taube stated that there was a survey question about red light enforcement cameras. 65 percent of respondents favored that technique. Mr. Connolly observed that once again the General Assembly has taken away something the people of this region want. Mrs. Bulova further stated that red light photo enforcement is something everyone understands and she suggested that this could become a real rallying point. Mrs. McConnell asked what was the opposition in the General Assembly to the red light cameras. Senator Whipple stated that generally it was a privacy rights issue. Mr. Connolly stated that the red light camera issue encapsulates many other legislative issues in a clear way. That is, legislators in southern Virginia decide what is best for Northern Virginia. Mr. Snyder stated that NVTA will include this issue on its agenda. He asked staff to email this NVTC presentation to him.

Mr. Taube suggested that the following agenda items be held over to the next meeting: FY 2004 Northern Virginia Transit Performance Data, FY 2005 Budgeted Funding Sources for Northern Virginia Transit, and Regional Transportation Items.

NVTC Financial Reports for January, 2005

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

WMATA Items

Mr. Kauffman reported that a Metro town meeting for Virginia is scheduled for April 12, 2005. Mrs. Hudgins announced that the Record of Decision for the Dulles project has been received. Mr. Connolly acknowledged Mr. Kauffman and his statement he gave at Metro as its new chairman.

VRE Items

Report from the VRE Operations Board and VRE' CEO. Mrs. Bulova commended the minutes of the VRE Operations Board meeting of February 21st to commissioners.

Rehabilitation of VRE Locomotive Head End Power Units. Mrs. Bulova reported that VRE's Operations Board recommends approval of Resolution #1068, which would authorize VRE's CEO to increase the existing contract with Transportation Technology, Inc. (TTI) to overhaul Head End Power Units on 15 of VRE's locomotives. The contract would increase by \$165,000 for a new total contract value of \$1,050,329. Funding from federal grants is available in VRE's approved CIP.

On a motion by Mrs. Bulova and a second by Mrs. McConnell, the Commission unanimously approved Resolution #1068 (copy attached). The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hudgins, Husick, Kauffman, McConnell, Silverthorne, Snyder, Whipple and Zimmerman.

Station Security Monitoring System. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #1069. This resolution would authorize VRE's Chief Executive Officer to enter into a contract with Security Services and Technologies of Springfield, Virginia for the installation of a camera-based security monitoring system at five VRE stations. The amount of the contract would not exceed \$597,000, with funds provided from a grant to VRE from the Department of Homeland Security. Three of the five locations are in NVTC jurisdictions.

On a motion by Mrs. Bulova and a second by Mrs. McConnell, the Commission unanimously approved Resolution #1069 (copy attached). The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Hudgins, Husick, Kauffman, McConnell, Silverthorne, Snyder, Whipple and Zimmerman.

Stafford County Action on VRE Budget. Mrs. Bulova reported that the Stafford County Board of Supervisors so far has failed to agree to VRE's recommended budget, because the Board does not wish to provide its share of the increased local subsidy. Instead, it wants increased fares to cover its \$90,000 increased subsidy. The VRE Board has asked its chairman, Elaine McConnell, to work with VRE's CEO and attorney to try to resolve this issue with Stafford County. Failure by Stafford County to appropriate its subsidy amount would require VRE to notify bond holders and adversely affect NVTC's credit worthiness.

Plans to Extend VRE to Gainesville/Haymarket. Mrs. Bulova stated that the General Assembly was asked by Delegate May to designate up to \$5 million for VRE to study the proposed extension. Mr. Taube reported that no money was earmarked for this but there is budget language that requires DRPT to conduct a study about this extension. VRE is not listed as a participant in the study.

Mr. Connolly asked for data on where ridership comes from on VRE and how it matches up with the subsidies. Mr. Zehner replied that there are approximately 900 Spotsylvania riders that use VRE daily. VRE is bumping up against capacity. Mr. Kauffman observed that ridership at Lorton is dropping because riders can't get on the trains due to overcrowding. Mr. Connolly stated that there is some obligation to those riders who live in the jurisdictions who are paying the bills for VRE. Mrs. McConnell stated that it is important that the public is aware that any extension of the rail line will not be happening anytime soon. Mrs. Bulova stated that VRE would like to expand but its immediate needs are capacity and parking issues for existing riders.

Mr. Connolly asked about the VRE reception in Richmond. Those commissioners who attended the reception said it was well attended. Chairman Ferguson stated that it was a good idea to go down to Richmond and have NVTC meet down there. He suggested doing this in the future. Mr. Connolly suggested linking NVTC's meeting and VRE's reception.

Other NVTC Business

Mrs. McConnell invited commissioners to attend a transportation seminar in Fairfax County on March 14th.

Chairman Ferguson stated that Rudy Penner has been invited to participate in NVTC's June meeting and he suggested starting the meeting at 7:30 P.M. There were no objections. Mr. Connolly requested that staff remind commissioners of this time change.

Adjournment

Without objection, Chairman Ferguson adjourned the meeting at 10:02 P.M.

Approved this 7th day of April, 2005.

Paul Ferguson
Chairman

David F. Snyder
Secretary-Treasurer