

MINUTES
NVTC COMMISSION MEETING – JUNE 2, 2016
NAVY LEAGUE BUILDING – FIRST FLOOR CONFERENCE ROOM
ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Fisetete at 7:34 P.M.

Members Present

David Albo
Sharon Bulova
John Cook
Katie Cristol
Christian Dorsey
Adam Ebbin
Jay Fisetete
John Foust
Catherine Hudgins
David LaRock
James LeMunyon
Matt Letourneau
Tim Lovain
Jeff McKay
David Meyer (Alternate, City of Fairfax)
Paul Smedberg
David F. Snyder
Jennifer Wexton

Members Absent

Jim Corcoran
Jeff Greenfield
J. Randall Minchew

Staff Present

Karen Finucan Clarkson
Jen Deci
Rhonda Gilchrest
Dan Goldfarb
Laurel Hammig
Patricia Happ
Scott Kalkwarf
Kate Mattice
Aimee Perron Siebert
Melissa Walker
Steve MacIsaac (Counsel)
Todd Horsley (DRPT)
Doug Allen (VRE)
Joe Swartz (VRE)

Oath of Office for New Commissioner

Chairman Fisetto announced Delegate David Albo has been appointed by the Virginia House of Delegates to fill the vacancy at NVTC left by Delegate Rust's departure. NVTC welcomes back Delegate Albo as he previously served on NVTC. Chairman Fisetto administered the oath of office to Delegate Albo and Commissioners welcomed him back to NVTC.

Chairman Fisetto also recognized Supervisor Ron Meyer, who has been appointed to NVTC by the Loudoun County Board of Supervisors effective July 1, 2016. Mr. Meyer will be sworn in as a NVTC Commissioner at the July meeting.

Minutes of the May 5, 2016 NVTC Meeting

Mr. Letourneau moved, with a second by Mrs. Bulova, to approve the minutes. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Fisetto, Foust, Hudgins, LeMunyon, Letourneau, McKay, Smedberg and Wexton. Mr. Snyder abstained.

Personnel Items

Chairman Fisetto stated the Executive Committee recommended moving the Personnel Items up in the Agenda. Two confidential letters were distributed to Commissioners. Chairman Fisetto explained that if any Commissioner had questions or comments about the proposed actions related to Kelley Coyner's resignation, it has been suggested the Commission should go into Closed Session at the end of the meeting. It was determined that a Closed Session was needed.

Delegate LaRock and Mr. David Meyer arrived at 7:37 P.M.

Delegate LeMunyon asked about the confidentiality of the letters being distributed in an open meeting. Mr. Maclsaac explained that all the personnel action items in the Agenda are public documents. However, the terms and conditions that have been agreed to in regards to Ms. Coyner's resignation are to remain confidential and part of her personnel file and, therefore, the letters should remain confidential.

Washington Metropolitan Area Transit Authority (WMATA)

SafeTrack Plan. Mrs. Hudgins announced that SafeTrack, WMATA's maintenance plan, includes 15 safety surges that will begin at midnight June 4th and run through March 2017. She stated that it will be important to share with constituents how to find information about the work being done because it is going to impact the entire region, not just Metro riders. A wealth of information on SafeTrack is on WMATA's website. NVTC has helped local jurisdictions and transit providers to come together to coordinate plans to address

the impacts of the SafeTrack Plan. Other organizations are also involved in educating the public. She stated that by using the entire region's assets and working together, it will make SafeTrack Plan more successful.

Mr. Lovain arrived at 7:44 P.M.

Mr. Dorsey stated the SafeTrack Plan will accomplish three years of work in less than one year. The inconvenience will be great – riders may have to avoid Metro altogether when work impacts their lines. Three of the Northern Virginia surges include a shutdown of an entire line segment, while several allow for single tracking. WMATA revised the schedule for its year-long plan after the Federal Transit Administration (FTA) said the original plan did not give priority to critical safety-related repairs.

Senator Ebbin arrived at 7:50 P.M. and joined the discussion.

Mr. Dorsey explained that the first surge will start in Virginia on June 4th and include single track service on the Orange and Silver lines between East Falls Church Metro station and Ballston station through June 16th. Weekday train service on the Orange Line will operate on 18-minute headways. Additional Orange Line trains will operate between Ballston and New Carrollton every 6 minutes during rush hours and every 10-minutes during mid-day and evening hours. The Silver Line will operate on 18-minute headways. The second surge will be more challenging and will occur between June 18 – July 3 with Blue, Orange and Silver lines closed between Eastern Market and Minnesota Ave/Benning Road. The Blue Line will also be closed between Arlington Cemetery and Rosslyn.

Mr. Dorsey stated that it is important to understand that this work will not create a new rail system, but will result in a well maintained 40-year old rail system. Mr. Smedberg clarified that the SafeTrack Plan only addresses rail improvements and not any improvements to the stations or other infrastructure. WMATA's General Manager is also implementing managerial and organizational changes. An announcement of who will manage the SafeTrack Plan will be made soon.

Mr. Horsley stated that DRPT has been supporting the SafeTrack efforts at NVTC and with the local transit providers. DRPT will be presenting to the Commonwealth Transportation Board in June a request for additional operating assistance for local transit systems that are providing supplemental service to mitigate the impacts of the SafeTrack Plan.

Mr. Snyder stated that there needs to be synchronized systems to provide accurate information to the riders. He also observed that WMATA will be shutting down service during maximum peak periods during the weekdays which will impose significant inconveniences for most riders instead of shutting down systems not used extensively on the weekends. He asked what other options WMATA considered. Mr. Dorsey stated these issues were taken into consideration, but to do the work on the weekends would have taken three years to complete. There was value placed on doing this quickly but without having to come to the jurisdictions with a request for additional funding.

Mrs. Bulova distributed a copy of a letter from Fairfax County to county employers regarding the SafeTrack plan urging them to engage with their employees and to encourage teleworking, ridesharing, allowing for flexible schedules, and seeking other transit options. She stated that it is important for jurisdictions to be proactive and reach out to the public with information.

Mr. McKay stated that he understands there is no good time to do this work, but he does not understand how the schedule was developed. He asked why a surge is starting three weeks before Christmas on a line with two regional shopping malls. Mr. Dorsey stated that this issue was raised extensively and he understands the frustration. The original surge list was in a different order with Virginia not being affected until later. However, FTA mandated the current schedule. Chairman Fisetto asked if there is any flexibility with the schedule. Mr. Dorsey replied that any change would need to be approved by FTA.

Mr. Letourneau stated that the reality is that everyone in the region will be impacted. Traffic has already gotten worse as people anticipate the coming surges. He suggested that outreach needs to be broadened to include the entire region, and not just Metro riders.

In response to a question from Ms. Cristol, Mr. Dorsey provided some budgetary information. The SafeTrack Plan is being spread over two budget years and there will be a greater impact to the FY2017 budget.

Delegate Albo asked about NVTC's role in WMATA issues. He asked for clarification regarding NVTC's discussions on Metro issues if they are to provide feedback to Virginia's WMATA Board Members or to just provide information to Commissioners. Chairman Fisetto replied that it is both. He asked Ms. Mattice to describe NVTC's staff role with SafeTrack. Ms. Mattice gave an overview of the work NVTC staff has been involved in, which includes daily work to review plans and how on a day-to-day basis the SafeTrack plan will impact local transit providers, who are looking at mitigation strategies. Ms. Hammig stated that the list of stakeholders has grown to include staff from the Metropolitan Washington Airports Authority, the Pentagon, and local and state police. Chairman Fisetto observed that NVTC's role as coordinator seems to be clear.

Mr. Snyder stated he is glad Delegate Albo raised his question because he would like to have a dialogue of what role NVTC can play to help find solutions for Metro. Chairman Fisetto suggested staff bring back options about what constructive role it could play for discussion at the next meeting.

Mr. Foust observed that significant paving projects are expected this summer throughout Northern Virginia. He stated that there needs to be coordination with the SafeTrack Plan. Ms. Mattice observed that this is why it is so important that VDOT is involved in the stakeholder group.

Update on Fare Collection. Ms. Hammig stated that following its decision to no longer pursue the New Electronic Payments Program, WMATA has issued a RFP to explore the refurbishment of existing fareboxes to extend the life of SmarTrip and to replace some of the obsolete components. This will allow for flexibility in the future to be compatible with some of the new technology. The refurbishment will be compatible with old farebox technology.

Ms. Hammig reported that WMATA has created a subcommittee of regional partners to discuss this issue to explore a cost-effective solution. NVTC staff participates in this subcommittee. Concurrently, WMATA convened a Regional Off-Board Fare Payment Subcommittee to look at issues of off-board collection of BRT systems, the D.C. Street Car and the Purple Line.

Transform 66 Multimodal Project Component List

Ms. Mattice gave a presentation on the Transform 66 Multimodal Project, including an overview of the project and the selection process for the list of components. She stated that NVTC staff and the Multimodal Working Group have developed a proposed list of components for the Commission's consideration. The list includes 10 distinct efforts totaling \$9.8 million in requested funding. The following list of components are proposed for submission to the Commonwealth Transportation Board for funding:

1. Loudoun County Transportation Demand Management
2. Fairfax Connector Express Service from Government Center to Foggy Bottom
3. Stone Ridge Enhanced Transit
4. PRTC Gainesville to Pentagon Commuter Service
5. Peak Period Service Expansion to Metrobus Route 2A, Washington Blvd-Dunn Loring
6. Peak Period Service Expansion to ART Bus Route 55
7. Bus Stop Consolidation and Accessibility Improvements
8. Expanded Transit Access, Bike Share
9. Expanded TDM Outreach to the I-66 Corridor
10. Multimodal Real-Time Transportation Information Screens

Ms. Mattice stated that NVTC held two public hearings on May 5th and May 18th and the comments have been compiled for Commissioners to review. Comments received through 5:00 P.M. on June 2nd were provided to Commissioners.

Ms. Mattice stated that \$5 million was originally provided in the Memorandum of Agreement (MOA) between the Commonwealth and NVTC. NVTC recently received notification from Secretary of Transportation Layne that the draft Six-Year Improvement Program being recommended to the Commonwealth Transportation Board for approval at its June meeting provides NVTC with an additional \$5 million in funds to advance additional multimodal improvements.

Senator Ebbin observed that Route 7 is not included as a parallel corridor. Amanda Baxter from VDOT explained that the study area is a continuation of the study area presented in the 2015 Multimodal Study, but she noted that any project that benefits toll users on I-66 can be considered for funding.

Delegate Albo observed that no project received less than a “15” score for person through-put. Mr. Goldfarb explained how the scoring was done. The evaluation rated person through-put with a low, medium or high score or non-applicable. The benefits evaluation with respect to person through-put needed to be proportional to the funding resources. For this initial round, the benefit evaluation was straightforward and simplistic. It relied on less sophisticated methods to develop demand. The scale of the projects and available resources did not warrant complex travel demand forecast modeling or similar methodologies. These efforts would have required far more resources than were available.

Mrs. Bulova moved, with a second by Mr. Snyder, to approve the list of components for submission to the Commonwealth Transportation Board for funding.

Delegate LeMunyon thanked staff for answering his questions over the last week. Commissioners were provided with a copy of the questions and answers. He stated he is prepared to vote in favor of the first six projects but has concerns about the bottom four projects, due to the scoring of person through-put. He stated that they may be good projects but may not be projects that should receive toll funding. Another concern is how much toll revenue will go to operating costs. NVTC needs to be careful about how many projects are selected now and so that there will be enough funds for operating costs for at least two years.

Mr. Goldfarb explained that even though the original submission of the four projects did not include numbers for person through-put, they still received a score based on a “1,” “2,” “3” scoring system. During the scoring of projects, there was an expectation that all four projects would move some people through the corridor so they received a “1.” It was a binary choice of either “0” or “1.” Those TDM projects scored very well on cost effectiveness, so the scoring on person through-put was not a game changer.

Ms. Mattice stated that in regards to operating costs, the projects already have factored in operating costs for service through the second year of tolling. The MOA does include limitations on operating costs in that no more than 25 percent of the original \$5 million can be used for transit operating. Chairman Fisette noted that there is also some interest from the Commonwealth to put a limit on how much operating funds can be used for projects in the future. In response to a question from Chairman Fisette, Ms. Mattice stated that of the \$9.8 million total, only \$3.6 million is for operating costs. The jurisdictions will need to resubmit applications if they want their projects to continue to receive funding past the first two years.

Mr. Letourneau asked about the total amount of revenue being expected for the first two years of the project and what happens if expectations are not met. Ms. Mattice explained

that the \$5 million is from the revolving Toll Fund which will need to be repaid by toll revenue. An additional \$5 million is being included in the SYIP. Ms. Baxter stated that the term of repayment for the original \$5 million in toll funds is 25 years.

Delegate LeMunyon made a substitute motion to separate the list into two blocks: the first block including the first six projects and the second block including the remaining four projects. Delegate Albo seconded the motion. The substitute motion passed with a 9-8 vote, with one abstention. The vote in favor of the motion was cast by Commissioners Albo, Cook, Ebbin, Foust, LaRock, LeMunyon, Letourneau, Smedberg and Wexton. The vote in opposition was cast by Commissioners Bulova, Cristol, Dorsey, Hudgins, Lovain, McKay, Meyer and Snyder. Chairman Fisette abstained.

Delegate LeMunyon moved, with a second by Delegate Albo, to approve the first six projects for submission to the CTB. The vote in favor was unanimous and cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton.

Mrs. Bulova moved, with a second by Ms. Cristol, to approve the last four projects for submission to the CTB. The vote in favor was cast by Commissioners Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton. The vote in opposition was cast by Commissioners Albo, LaRock and LeMunyon. The motion passed.

Mr. Letourneau and Mr. Meyer stepped out of the room.

Virginia Railway Express

VRE CEO Report. Mr. Allen reported on safety and security activities for the month of April, including:

- VRE staff attended the Federal Railroad Administration's Rail Safety Advisory Committee meeting.
- VRE/Keolis Rail Services Virginia continued with operating rules and transportation security training classes for crews.
- VRE hosted TSA staff at the new Spotsylvania station to familiarize them with the layout and the safety/security provisions.
- VRE staff provided Passenger Train Emergency Response training to personnel from the Manassas Fire Department.

Mr. Allen reported overall on-time performance (OTP) for the month of April was 88 percent and Average Daily Ridership was 17,843. He also reported VRE is scheduled to present the Financial Plan to the full Commonwealth Transportation Board at their June 28th work session.

Mr. Allen announced that the Government Finance Officers Association has awarded VRE's Department of Finance a Certificate of Achievement for Excellence in Financial Reporting for its comprehensive annual financial report. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting and its attainment represents a significant accomplishment by a government and its management.

Authorization for the VRE CEO to Execute the Second Year of the First Option Period for Train Operations and Amend the Existing Contract with Keolis Rail Services Virginia, LLC to Remove Maintenance Services. Mrs. Bulova reported that the VRE Operations Board recommends that the Commission authorize the following modifications to the current Operations and Maintenance (O&M) contract with Keolis Rail Services Virginia: 1) Amend the existing agreement to remove the maintenance of equipment and facilities functions, which will now be contracted separately; and 2) Authorize up to \$15,463,003 for the second year of the first option period for a total contract value not to exceed \$131,990,557 for train operations through June 30, 2017.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2303. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Lovain, McKay, Smedberg, Snyder and Wexton.

Authorization for the VRE CEO to Amend the First Year of the Contract with Keolis Rail Services Virginia, LLC for Maintenance Services for Commuter Rail. Mrs. Bulova stated that the VRE Operations Board recommends that the Commission authorize the VRE CEO to amend the first year of the contract with Keolis for Maintenance Services. The amendment changes the start date from July 1, 2015 to July 1, 2016, and increases the contract authorization for the first year of the contract by \$841,768, for a total amount not to exceed \$7,252,371, through June 30, 2017. The maintenance of equipment and facilities is now a separate contract from train operations (see previous action).

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2304 (copy attached). The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Lovain, McKay, Smedberg, Snyder and Wexton.

Authorization for the VRE CEO to Extend the Amended and Restated Operating Access Agreement with CSX Transportation. Mrs. Bulova stated that the VRE Operations Board recommends that the Commission authorize the VRE CEO to execute a one-year extension of the Amended and Restated Operating Access Agreement with CSX Transportation (CSXT) through June 30, 2017. Since 2011, VRE and CSXT have worked to identify additional capacity enhancement projects in the corridor including construction of a third main track. Through this next year, VRE, CSXT and DRPT will meet to determine capacity enhancement projects, prioritize three projects, establish methodologies to identify how the capacity enhancements will result in additional service for VRE and

identify new potential funding sources. VRE staff anticipates these elements will be integrated into a new Amended and Restated Agreement.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2305 (copy attached). The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Lovain, McKay, Smedberg, Snyder and Wexton.

Authorization for the VRE CEO to Execute a Memorandum of Agreement with the District of Columbia Department of Transportation and the Department of Rail and Public Transportation for Phase III of the Long Bridge Expansion Study. Mrs. Bulova reported that the VRE Operations Board recommends that the Commission authorize the VRE CEO to execute a Memorandum of Agreement (MOA) with the District of Columbia Department of Transportation (DDOT) and DRPT to conduct Phase III of the Long Bridge Expansion Study. The MOA fixes VRE's financial contribution for the non-federal match to the TIGER VI grant awarded for this phase of the study at \$300,000 and defines VRE's substantial contributing role in the management of the study. The draft MOA has been reviewed by VRE's legal counsel and is being reviewed by counsel of DDOT and DRPT.

Mrs. Bulova moved, with a second by Ms. Cristol, to approve the Resolution #2306 (copy attached). The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Lovain, McKay, Smedberg, Snyder and Wexton.

Executive Director Report

Ms. Mattice announced that an updated Member Manual is being provided to Commissioners on a flash drive. It is also available on NVTC's website. The Member Manual contains updated and helpful information for both new and veteran Commissioners. It includes a "Nuts & Bolts" section, which provides an overview of the Commission and its bylaws and budget; an "NVTC in Action" section, which speaks to NVTC's many plans, programs, projects and partners; and a "Reference" section, with links to reports, statutory references and historical documents.

Ms. Mattice also announced the upcoming public meetings for the Envision Route 7 project on June 6th in Alexandria, June 8th in Fairfax County, and June 14th in Falls Church. Commissioners are welcome to attend.

Legislative and Policy Committee Report

Mr. McKay gave an update on legislative and policy issues. He stated the Legislative and Policy Committee met earlier tonight and discussed NVTC's Legislative and Policy Agenda for the 2017 legislative session. The Committee expects to have a draft Agenda by September.

In response to a question from Delegate LeMunyon, Mr. McKay stated that the Committee has not discussed the Metro Safety Commission legislation but NVTC staff and WMATA staff have been monitoring this issue. Delegate LeMunyon observed that there could be some Freedom of Information Act (FOIA) issues regarding meeting requirement related to the proposed legislation.

Department of Rail and Public Transportation (DRPT) Report

Mr. Horsley encouraged Commissioners to read the written DRPT Report.

NVTC Transit Performance Reports

Ms. Happ gave a presentation of the Transit Performance Reports and Annual Performance Update. The Annual Performance Update includes 18 charts, graphs and tables of data compiled from all transit operators in Northern Virginia. This information is also available on NVTC's website. There were no questions from Commissioners.

Proposed Changes to NVTC's By-Laws

Ms. Deci provided a brief description of the proposed changes to the By-Laws. She stated that staff and Counsel reviewed the By-Laws and determined several changes were needed to reflect NVTC's updated mission statement, to comply with 2016 General Assembly action to add another member from Loudoun County, and to align with Code citations and wording of the Transportation District Act of 1964.

Mr. Letourneau returned to the discussion at 9:20 P.M.

Chairman Fisette noted that any change to the By-Laws requires presentation of the proposed changes at one meeting and action to be taken at the following or subsequent meetings. The Commission will be asked to vote on the changes at the July Commission meeting.

Delegate Albo asked for the justification of the change in the wording in Section 1. Ms. Deci replied that the change is to update the By-Laws with the new mission statement, which was adopted in 2014. Delegate Albo asked where in the Code does it allow NVTC to "secure funding." Mr. MacIsaac stated that NVTC is able to establish its own identity, essentially like a corporation. By adopting this mission statement, there is no violation of the Code, nor is it inconsistent with the Code. NVTC is identified by state law to be eligible as a federal grant recipient. The Transportation District Act of 1964 gives NVTC plenary authority in all matters associated with transportation. NVTC is eligible to receive funding for transit (example: gas tax funds for WMATA).

Delegate Albo suggested the wording be changed since from his perspective “secure funding” sounds like NVTC can levy taxes. Chairman Fisetete asked if there is a word that would be more acceptable. Mr. Dorsey observed that the word “secure” does not mean the authority to tax. Commissioners discussed different wording choices.

Delegate LeMunyon stated that part of the Code (Section 33) relates to the Northern Virginia Transportation Authority and includes specific language related to some of these topics. According to the Code, NVTA has responsibility for general oversight of regional programs developing mass transit, service as an advocate for transportation needs in Northern Virginia, etc. He asked if there is some way to provide clarification of what each organization (NVTC and NVTA) are doing because there seems to be some overlap.

Chairman Fisetete suggested the Commission at least temporarily add in possible language to address Delegate Albo’s concern so the Commission can take action at the next meeting.

Delegate Albo moved, with a second by Mr. McKay, that the words “secure,” “seek,” “accept,” “manage” or “identify” be considered in the proposed changes to the By-Laws. The Commission then voted on the motion and it passed. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Ebbin, Fisetete, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Smedberg, Snyder and Wexton. Mr. Dorsey voted no.

NVTC Financial Items

The Financial Report for April 2016 was provided to Commissioners and there were no questions.

Mr. Meyer returned to the meeting before the Commission entered into Closed Session.

Closed Session

Chairman Fisetete moved, with a second by Mr. Smedberg the following motion:

Pursuant to the Virginia Freedom of Information Act (Sections 2.2-3711A (1) of the Code of Virginia), the Northern Virginia Transportation Commission authorizes a Closed Session for the purpose of discussion of two personnel matters involving appointees of the Commission.

The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisetete, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton.

The Commission entered into Closed Session at 9:28 P.M. and returned to Open Session at 9:36 P.M.

Chairman Fisette moved, with a second by Mr. Smedberg, 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 Chapter 37, Title 2.2 of the Code of Virginia 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 Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton.

Personnel Items

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2307 accepting Kelley Coyner's resignation letter. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton. (A copy of the resolution is attached.)

Mrs. Bulova moved, with a second by Senator Ebbin, to approve Resolution #2308 appointing Katherine Mattice as Acting Executive Director, including salary compensation as referenced in a June 2, 2016 memorandum, as amended.

Delegate LeMunyon asked about the effective date of the compensation. After further discussion, Mrs. Bulova accepted a friendly amendment to her motion that the compensation be retroactive to May 9, 2016. There were no objections to this friendly amendment.

The Commission then voted on the motion and it passed. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton. (A copy of the resolution is attached.)

Mrs. Bulova moved, with a second by Mr. Meyer, to approve Resolution #2309 appointing Katherine Mattice as a signatory and Pension Trustee. The vote in favor was cast by

Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton. (A copy of the resolution is attached.)

Mrs. Bulova moved, with a second by Mr. McKay, to approve Resolution #2310 appointing Katherine Mattice to the Virginia Transit Association's Board of Directors. The vote in favor was cast by Commissioners Albo, Bulova, Cook, Cristol, Dorsey, Ebbin, Fisette, Foust, Hudgins, LaRock, LeMunyon, Letourneau, Lovain, McKay, Meyer, Smedberg, Snyder and Wexton. (A copy of the resolution it attached.)

Adjournment

Without objection, Chairman Fisette adjourned the meeting at 9:40 P.M.

Approved this 7th day of July 2016.

Jay Fisette
Chairman

Paul Smedberg
Secretary-Treasurer



RESOLUTION #2303

SUBJECT: Authorize the VRE CEO to Execute the Second Year of the First Option Period for Train Operations and Amend the Existing Contract to Remove Maintenance Services

WHEREAS: On October 16, 2009, the VRE Operations Board approved a five-year contract with Keolis Rail Services Virginia for VRE operations and maintenance services and mobilization in the amount of \$18,459,348 through June 30, 2011;

WHEREAS: A contract amendment was approved on December 17, 2010 in the amount of \$2,085,000;

WHEREAS: On May 20, 2011, the Operations Board approved the second contract year, through June 30, 2012, in the amount of \$17,954,527, for a total contract value not to exceed \$38,498,875;

WHEREAS: On April 20, 2012, the Operations Board approved the third contract year, through June 30, 2013, in the amount of \$18,008,591, for a total contract value not to exceed \$56,507,466;

WHEREAS: On April 19, 2013, the Operations Board approved the fourth contract year, through June 30, 2014, in the amount of \$18,974,041, for a total contract value not to exceed \$75,481,507;

WHEREAS: On April 18, 2014, the Operations Board approved the fifth contract year, through June 30, 2015, in the amount of \$20,115,047, for a total contract value not to exceed \$95,596,554;

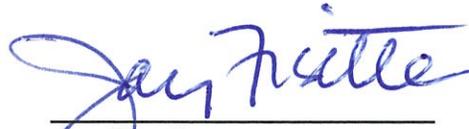
WHEREAS: On May 15, 2015, the Operations Board approved the first year of the first option period, through June 30, 2016, in the amount of \$20,931,000, for a total contract value not to exceed \$116,527,554; and

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 amend the existing Operations and Maintenance Contract by removing the requirements for Maintenance of Equipment and Facilities.

BE IT FURTHER RESOLVED that NVTC authorizes the VRE Chief Executive Officer to modify the Contract with Keolis Rail Services Virginia, LLC for Train Operations by approving up to \$15,463,003, for the second year of the first option period for a total contract value not to exceed \$131,990,557 through June 30, 2017.

Approved this 2nd day of June 2016.



Jay Fiset
Chairman



Paul C. Smedberg
Secretary-Treasurer



RESOLUTION #2304

SUBJECT: Authorize the VRE CEO to Amend the First Year of the Contract with Keolis Rail Services Virginia, LLC for Maintenance Services for Commuter Rail

WHEREAS: The VRE Operations Board previously recommended and the Commissions approved a Contract for Maintenance Services for Commuter Rail with Keolis Rail Services Virginia, LLC;

WHEREAS: The Contract was previously scheduled to start on July 1, 2015;

WHEREAS: After the Commissions authorized the VRE CEO to execute the Contract, VRE received a protest of the award of the Contract;

WHEREAS: The VRE Chief Executive Officer rejected the protest and the offeror filed suit;

WHEREAS: The contract execution was postponed pending the outcome of the suit;

WHEREAS: The Alexandria Circuit Court ruled in favor of VRE awarding the Contract to Keolis Rail Services Virginia, LLC on March 1, 2016;

WHEREAS: The Contract authorization needs to be amended to reflect the new Contract start date of July 1, 2016;

WHEREAS: The Contract amount needs to be increased above the initial Contract authorization of \$6,410,603 for additional rolling stock maintenance including maintenance and inspections for the additional Fredericksburg Line train and life cycle maintenance work scheduled for FY2017; 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 amend the previously authorized, but not executed First Year of the Contract for Maintenance Services with Keolis Rail Services Virginia, LLC for Maintenance Services for Commuter Rail from July 1, 2015 to July 1, 2016.

BE IT FURTHER RESOLVED that NVTC authorizes the VRE Chief Executive Officer to increase the Contract authorization for the First Year of the Contract with Keolis Rail Services Virginia, LLC for Maintenance Services for Commuter Rail by \$841,768, for a total amount not to exceed \$7,252,371, through June 30, 2017.

Approved this 2nd day of June 2016.



Paul C. Smedberg
Secretary-Treasurer



Jay Fisette
Chairman



RESOLUTION #2305

SUBJECT: Authorize the VRE CEO to Extend the Amended and Restated Operating Access Agreement with CSX Transportation

WHEREAS: The Commissions currently have an Amended and Restated Operating Access Agreement with CSX Transportation relating to VRE operations in the Fredericksburg to Washington corridor, with the agreement ending on June 30, 2016;

WHEREAS: VRE staff is currently engaged in ongoing discussions with CSXT concerning a new agreement and does not anticipate conclusion of these discussions prior to the expiration of the Amended and Restated Operating Access Agreement on June 30, 2016;

WHEREAS: A provision in the current agreement permits extending the existing agreement through June 30, 2017, without any changes to the terms and conditions;

WHEREAS: Necessary funding has been incorporated into the FY 2017 budget to allow VRE to continue its operations over CSXT tracks via this extension;

WHEREAS: The purpose of this extension is to allow time to identify and negotiate additional capacity improvement projects in the corridor; 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 extension of the existing Amended and Restated Operating Access Agreement with CSX Transportation through June 30, 2017.

Approved this 2nd day of June 2016.



Paul C. Smedberg
Secretary-Treasurer



Jay Fisette
Chairman



RESOLUTION #2306

SUBJECT: Authorize the VRE CEO to Execute a Memorandum of Agreement with the District of Columbia Department of Transportation and the Department of Rail and Public Transportation for Phase III of the Long Bridge Expansion Study

WHEREAS: The VRE System Plan 2040 identified the expansion of railroad capacity, particularly expansion of the Long Bridge across the Potomac River, as a critical need to support long-term VRE growth and service expansion;

WHEREAS: The District of Columbia Department of Transportation (DDOT) is proceeding towards completion of the first two phases of a Long Bridge Expansion Study and is prepared to conduct a third phase consisting of preliminary engineering and analyses required under the National Environmental Policy Act;

WHEREAS: DDOT was awarded a \$2,800,000 planning grant under the TIGER VI program to advance the Phase III of a Long Bridge Expansion Study;

WHEREAS: The TIGER VI grant requires a non-federal match of \$1,300,000, which the DDOT, DRPT and VRE have committed to fund;

WHEREAS: The District of Columbia Department of Transportation, Virginia Department of Rail and Public Transportation and VRE have drafted a Memorandum of Agreement defining VRE's partnership with the DDOT and DRPT with respect to the contribution of the non-federal match of the TIGER VI grant and management of Phase III of the Long Bridge Expansion Study; 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 a Memorandum of Agreement, in a form acceptable to VRE Legal Counsel, with the District of Columbia Department of Transportation and the Virginia Department of Rail and Public Transportation that sets the non-federal match to the TIGER VI grant and defines VRE's role in the management of Phase III of the Long Bridge Expansion Study.

Approved this 2nd day of June 2016.


Paul C. Smedberg
Secretary-Treasurer


Jay Fiset
Chairman



RESOLUTION #2307

SUBJECT: Accept Resignation of Kelley S. Coyner as Executive Director

WHEREAS: Kelley S. Coyner has served as the Executive Director for NVTC since March 2013; and

WHEREAS: Ms. Coyner has submitted her resignation effective June 3, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the Chairman to accept the resignation of Kelley S. Coyner as the NVTC Executive Director effective June 3, 2016, in accordance with its terms.

Approved this 2nd day of June 2016.

A handwritten signature in blue ink, appearing to read "Paul C. Smedberg", written over a horizontal line.

Paul C. Smedberg
Secretary-Treasurer

A handwritten signature in blue ink, appearing to read "Jay Fisetto", written over a horizontal line.

Jay Fisetto
Chairman



RESOLUTION #2308

SUBJECT: Appoint Katherine A. Mattice as NVTC's Acting Executive Director

WHEREAS: Kelley Coyner has resigned as NVTC's Executive Director effective June 3, 2016;

WHEREAS: Katherine A. Mattice joined NVTC in November 2014 as Director of Transit Programs and Policy; and

WHEREAS: Ms. Mattice brings more than 20 years of experience leading, developing and implementing public transportation and energy initiatives at the Federal Transit Administration and in the private sector.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby appoints Katherine A. Mattice to serve as Acting Executive Director.

Approved this 2nd day of June, 2016.



Paul C. Smedberg
Secretary-Treasurer



Jay Fiset
Chairman



RESOLUTION #2309

SUBJECT: Appoint Katherine A. Mattice as a NVTC Signatory and Pension Trustee

WHEREAS: Kelley Coyner has resigned as NVTC's Executive Director effective June 3, 2016;

WHEREAS: As NVTC's Executive Director, Kelley Coyner served as an official signatory as well as a pension trustee;

WHEREAS: On June 2, 2016, NVTC appointed Katherine A. Mattice to serve as Acting Executive Director; and

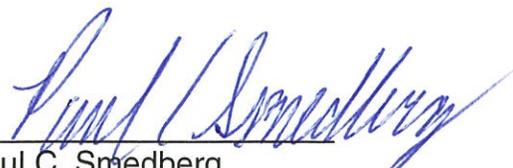
WHEREAS: NVTC's Secretary-Treasurer, Paul C. Smedberg, and NVTC's Director of Finance and Administration, Scott Kalkwarf, continue to serve as official signatories and pension trustees.

NOW, THEREFORE BE IT RESOLVED that the Northern Virginia Transportation Commission hereby confirms the following persons to serve as NVTC signatories (who are eligible to sign individually for any transaction of less than \$5,000 and with one other signatory for transactions of \$5,000 or greater):

Hon. Paul C. Smedberg	Secretary-Treasurer
Katherine A. Mattice	Acting Executive Director
Scott C. Kalkwarf	Director of Finance and Administration

BE IT FURTHER RESOLVED that the individuals listed above shall serve as NVTC employees' pension trustees, with the addition of NVTC's Assistant Financial Officer, Colethia Quarles.

Approved this 2nd day of June, 2016.



Paul C. Smedberg
Secretary-Treasurer



Jay Fisette
Chairman



RESOLUTION #2310

SUBJECT: Appoint Katherine A. Mattice to Serve as a Member of the Virginia Transit Association Board of Directors

WHEREAS: NVTC is empowered to make appointments to the Board of Directors of the Virginia Transit Association (VTA);

WHEREAS: On January 7, 2016, NVTC appointed David Snyder and Kelley Coyner to serve as Principal members to VTA and Jeff McKay as an Alternate, leaving one Alternate position vacant;

WHEREAS: On March 3, 2016, NVTC appointed Katie Cristol to fill the vacancy and serve as an Alternate to the VTA Board of Directors;

WHEREAS: NVTC's Executive Director Kelley Coyner has resigned effective June 3, 2016, leaving a vacancy on the VTA Board of Directors; and

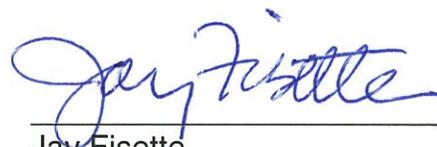
WHEREAS: On June 2, 2016, NVTC appointed Katherine A. Mattice to serve as the Acting Executive Director.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby appoints Katherine A. Mattice to serve as a Member of the Virginia Transit Association (VTA) Board of Directors.

Approved this 2nd day of June, 2016.



Paul C. Smedberg
Secretary-Treasurer



Jay Fisette
Chairman