



NVTC COMMISSION MEETING
[JOINT MEETING WITH THE
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY]

THURSDAY, FEBRUARY 5, 2009

5:30 PM

CONFERENCE ROOM 3 EAST
GENERAL ASSEMBLY BUILDING
RICHMOND, VIRGINIA

NOTE: Special time and location.

AGENDA

1. Oath of Office for New Commissioners.

If any new commissioners are present, Chairman Zimmerman will administer the oath of office.

Recommended Action: Administer oath of office if needed.

2. Minutes of the NVTC Meeting of January 8, 2009.

Recommended Action: Approval.

3. FY 2010 State Transit Grant Applications.

NVTC and local staffs have prepared and submitted electronically to DRPT grant applications for FY 2010 due February 2, 2009.



Recommended Action: Approve Resolution #2122 retroactively approving the applications.

4. NVTC Financial Items for December, 2008.

Information Item.

5. Legislative Items.

A joint discussion of legislative strategy will be conducted with NVTA members.

Discussion Item.



AGENDA ITEM #1

TO: Chairman Zimmerman and NVTC Commissioners
FROM: Rick Taube
DATE: January 29, 2009
SUBJECT: Oath of Office for New NVTC Commissioners

If any new commissioners are present they are required to receive an oath of office.

Chairman Zimmerman will administer the following oath to any new commissioners:

I do solemnly swear that I will support the constitution of the United States and the Commonwealth of Virginia and that I will faithfully discharge all the duties incumbent upon me as a member of the Northern Virginia Transportation Commission, according to the best of my ability.



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AGENDA ITEM #2

MINUTES
NVTC COMMISSION MEETING – JANUARY 8, 2009
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Euille at 8:26 P.M.

Members Present

David Albo
Charles Badger
Sharon Bulova
Kelly Burk
Adam Ebbin
William D. Euille
Jay Fisette
Catherine Hudgins
Mary Hynes
Jeffrey McKay
Paul Smedberg
David F. Snyder
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

Jeffrey Greenfield
Mark R. Herring
Pat Herrity
Joe May
Thomas Rust

Staff Present

Lynn Everett
Rhonda Gilchrest
Scott Kalkwarf
Greg McFarland
Adam McGavock
Kala Quintana
Rick Taube



Minutes of the December 4, 2008 NVTC Meeting

Senator Whipple moved, with a second by Mrs. Bulova, to approve the minutes. The vote in favor was cast by commissioners Badger, Bulova, Burk, Ebbin, Euille, Fisette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Oath of Office for New Commissioner

Chairman Euille noted that no new commissioners have been appointed to NVTC at this time.

Election of NVTC Officers for 2009

Chairman Euille reported that NVTC's executive committee served as the nominating committee and recommends the following slate of officers for 2009:

Chairman: Chris Zimmerman
Vice-Chairman: Catherine Hudgins
Secretary-Treasurer: Bill Euille

In response to a question from Mr. Smedberg, Chairman Euille reported that NVTC has a quorum.

Delegate Ebbin moved, with a second by Mrs. Bulova, to approve the recommended slate of officers, with the understanding that it is contingent upon subsequent action taken by the Fairfax County Board of Supervisors at its January meeting. The vote in favor was cast by commissioners Badger, Bulova, Burk, Ebbin, Euille, Fisette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Chairman Euille administered the oath of office to the new officers. Commissioners congratulated Mr. Zimmerman, Mrs. Hudgins and Mr. Euille.

On behalf of NVTC, Chairman Zimmerman presented a plaque to Mr. Euille for his service as chairman in 2008. Mr. Euille stated that he enjoyed serving as chairman for a second time. He observed that the region is faced with serious economic challenges ahead which will be difficult.

Selection of NVTC Representatives to Boards and Committees

Chairman Zimmerman announced the nominations for the WMATA, VRE and VTA boards, with the understanding that the action is contingent upon subsequent action taken by the Fairfax County Board of Supervisors at its January meeting.

WMATA Board

Principals: Chris Zimmerman and Cathy Hudgins

Alternates: Bill Euille and Jeff McKay

VRE Operations Board

Principals: Sharon Bulova, Pat Herrity, Chris Zimmerman
and Paul Smedberg

Alternates: Jay Fisette, Timothy Lovain and Jeff McKay

Virginia Transit Association Board of Directors

Principals: Chris Zimmerman and Bill Euille

Alternates: Mary Margaret Whipple and Rick Taube

NVTC Legislative Committee

Dave Snyder (Chairman)

Dave Albo (House of Delegates)

Mary Margaret Whipple (Virginia Senate)

Bill Euille

Catherine Hudgins

Mary Hynes

Jeff Greenfield

Kelly Burk

NVTC Executive Committee

Chris Zimmerman, Chairman

Catherine Hudgins, Vice-Chairman

Bill Euille, Secretary-Treasurer

Mary Margaret Whipple, General Assembly

Delegate Albo arrived at 8:32 P.M.

Chairman Zimmerman moved, with a second by Delegate Ebbin, to approve the selections of NVTC's representatives on the Boards and Committees, subject to Fairfax County action. The vote in favor was cast by commissioners Albo, Badger, Bulova, Burk, Ebbin, Euille, Fisette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Designation of NVTC Signatories and Pension Trustees

Mr. Taube stated that Resolution #2118 would establish that Mr. Euille, as the new secretary-treasurer, is eligible to sign NVTC documents (including financial documents) and to serve as trustee of NVTC's Employees' Pension Trust. Mr. Taube explained that at the recommendation of NVTC's auditors, the resolution has been changed to remove Colethia Quarles, NVTC's Assistant Financial Officer, from the names of NVTC's signatories and to list her only as a NVTC employees' pension trustee.

Senator Whipple moved, with a second by Mrs. Bulova, to approve the amended resolution (copy attached). The vote in favor was cast by commissioners Albo, Badger, Bulova, Burk, Ebbin, Euille, Fisette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Public Hearing on and Approval of NVTC's 2009 Workprogram and Schedule

Mr. Taube gave a brief presentation reviewing 2008 accomplishments and plans for 2009 prior to the public meeting. Chairman Zimmerman then opened the meeting for public comment.

Mr. Ed Tennyson stated that the coming year may be the toughest year ever faced by NVTC with the collapsed economy, increasing costs and decreasing revenue. NVTC must focus on finding income and cutting costs wherever it will not hurt the public interest. WMATA must increase its productivity, including cutting two million bus-miles a year. Arlington County and the District of Columbia have added duplicative Circulator bus service that must be rationalized. In regards to Metrorail, its load factor was only 26 passenger-miles per car-mile, which falls short compared to Los Angeles' 30 passenger-miles per car-mile. Fares cannot be raised much higher. Hopefully, the General Assembly will allow us to levy the full four percent motor fuel sales tax approved by Governor Baliles but cut in half the next year.

Mr. Tennyson stated that VRE is grossly overcharged by the commonwealth for insurance. The national average cost of commuter rail insurance is only 1.1 cents per passenger-mile or 2.9 percent of operating costs. VRE is charged over 300 percent more, 4.6 cents per passenger-mile and 12.3 percent of expenses. He stated that the commonwealth should be asked to absorb the insurance costs to offset its failure to fund other mandated costs.

Mr. Tennyson also stated that NVTC should continue to support the Dulles Metrorail "Silver Line" extension, the VRE Gainesville/Haymarket extension; federal aid for half-fares for the disabled and seniors; the implementation of the Columbia Pike Street Car; and the Trans-Dominion Express.

Alan Muchnick, president of the Virginia Bicycling Federation, stated that he has been asking NVTC for more than a decade, to improve pedestrian and bicycle access to public transportation in Northern Virginia, especially for Metrorail and VRE. It is difficult

to find information about bicycle access on the VRE website. VRE's website needs to be updated to provide more user-friendly information about pedestrian and bicycle access to VRE. He stated that before expanding free motor vehicle parking for VRE customers, VRE should provide quality bicycle parking in the form of both rental bicycle locations and weather-protected bike racks at every suburban station. He also urged VRE to establish a bike-on-rail policy for regular bicycles, now that every VRE railcar is designed to accommodate bicycles.

Mrs. Bulova requested that the commission receive copies of the testimony (copies attached). Mr. Tennyson and Mr. Muchnick both submitted their written comments. Chairman Zimmerman suggested that Mr. Tennyson's comments be forwarded to WMATA and Mr. Muchnick's comments be forwarded to VRE.

Mrs. Bulova stated that Mr. Muchnick's suggestions are good ones for improving VRE's website to provide more user-friendly information about pedestrian and bicycle access to the stations, which would provide more connectivity of pedestrian and bicycle access to rail.

In response to a question from Mr. Fissette, Mr. Taube stated that NVTC will respond to these public comments at a future NVTC meeting. Mr. Smedberg asked if Mr. Muchnick has been in contact with VRE staff about the issues he raised in his testimony. Mr. Muchnick stated that he has spoken with Mr. Zehner, VRE's Chief Executive Officer.

Mr. Snyder asked that Metro and local jurisdictions work together to coordinate service so there is no duplicative service. Chairman Zimmerman stated that local jurisdictions and Metro do work together. There may be some service that runs on the same corridors, but it is not redundant service because it runs at different times and/or the buses are full.

There being no further public comments, Chairman Zimmerman closed the public comment period.

Mr. Snyder moved, with a second by Mrs. Hudgins, to approve the 2009 workprogram and schedule. He asked that page 11, paragraph 13 include the wording "...and assist Falls Church in considering participation in future expansion." Mr. Smedberg stated that Alexandria should also be added. Following discussion, the following wording was agreed to: "If asked by participating jurisdictions, serve as project manager for regional streetcar/light rail projects and assist jurisdictions in considering new and expanded projects." There were no objections.

Mrs. Hynes stated that given the budget crisis, she wondered if there should be some new purpose for the CMAQ funding for Code Red Days, where it could be quantified that the program is bringing in new riders and it is effective. Chairman Zimmerman and Mrs. Bulova agreed. Mr. Taube stated that no new CMAQ money is being requested; funding has already been appropriated and is under contract. Mrs. Bulova suggested including language in the goals that the program would be suspended this year and that NVTC would evaluate a reallocation of funding for another higher priority project. Senator Whipple suggested "manage the region's ongoing

CMAQ funded program to provide the most effective way to improve air quality during forecast ozone alerts.” Mrs. Bulova stated that she can support this language as long as NVTC is not subsidizing free bus service during ozone alert days. Senator Whipple then suggested the following wording: “Analyze the transit components of the region’s ongoing air quality program to ensure the most effective use of federal funds to reduce air pollution and greenhouse gases.” Commissioners agreed to this language. Chairman Zimmerman stated that it is implicit that the Executive Director will come back to the commission with specific recommendations well in advance of the ozone alert season, subject to the conditions of the existing contract. The commission then approved the amended motion. The vote in favor was cast by commissioners Albo, Badger, Bulova, Burk, Ebbin, Euille, Fisette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Chairman Zimmerman announced that Mr. Badger has been named Acting Director of the Virginia Department of Rail and Transportation.

FY 2010 NVTC Administrative Budget and Performance Objectives

Mr. Taube stated that in light of the economic changes since September, when the preliminary budget was first presented to the commission, he asked for guidance from the commission on how to proceed with the budget. Following discussion by the commission, Chairman Zimmerman summarized the three principles for the budget: 1) no increase in local subsidies; 2) employee compensation policy should be consistent with the majority of the local governments; and 3) no overall increase from prior year’s budget.

Mr. Euille moved, with a second by Mrs. Bulova, to approve these principles. The vote in favor was cast by commissioners Albo, Badger, Bulova, Burk, Ebbin, Euille, Fisette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Mr. Taube stated that staff will go back and rework the budget using these principles and will return to the commission with a new budget at a subsequent meeting.

VRE Items

Report from the VRE Operations Board and VRE Chief Executive Officer. Chairman Zimmerman noted that Mr. Zehner had not yet arrived. Commissioners agreed to proceed with VRE agenda items and give Mr. Zehner an opportunity to answer questions or make comments when he arrives. Mrs. Bulova encouraged commissioners to read the minutes of the December 19, 2008 VRE Operations Board meeting. She also reported that ridership is up eight percent compared to the same time last year.

Approval of FY 2010 VRE Capital and Operating Budget and Revisions to the FY 2009 Budget. Mrs. Bulova explained that Resolution #2119 would approve VRE’s FY 2010 capital and operating budget as well as revisions to VRE’s FY 2009 budget. VRE would continue to operate 30 trains each workday with projected average daily ridership

of 15,600. Fares would be increased six percent on July 1, 2009. The total jurisdictional subsidy would be reduced by \$900,000 from FY 2009. Following passage by NVTC and PRTC, VRE's FY 2010 budget would be forwarded to participating and contributing jurisdictions for their consideration under the terms of the VRE Master Agreement.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2119 (copy attached).

Chairman Zimmerman stated that this would be the third fare increase in 18 months, although it is not as big as was first contemplated. Mrs. Bulova stated that riders seem tolerant of some fare increase but would not accept service reductions. Mr. Smedberg stated that VRE staff did an excellent job reviewing the budget at the Operations Board meeting.

Inauguration Day Service. Chairman Zimmerman announced that VRE will be providing service on Inauguration Day. Riders will be able to purchase a special \$25 commemorative round-trip ticket. Each ticket will be for a specific reserved train. Delegate Ebbin asked what VRE's capacity would be for that day. Chairman Zimmerman suggested waiting and asking Mr. Zehner when he arrives. Mr. Badger estimated that VRE could carry 8,600 passengers on Inauguration Day and VRE has sold about half of the tickets at this time, but he stated that this information should be confirmed by Mr. Zehner.

Extend Railroad Operating Agreements. Mrs. Bulova stated that the operating agreements with CSXT and Norfolk Southern need to be extended on the same terms while negotiations on revised agreements continue. The current extensions expire on July 31, 2009. Resolution #2120 would authorize the extension of the CSXT agreement through July 31, 2009 and Resolution #2121 would authorize the extension of the Norfolk Southern Agreement through July 31, 2009.

On a motion by Mrs. Bulova and a second by Mr. Smedberg, the commission unanimously approved Resolutions #2120 and #2121 (copies attached). The vote in favor was cast by commissioners Albo, Badger, Bulova, Burk, Ebbin, Euille, Fisette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Testimony for the Commonwealth Transportation Board

Mr. Taube reported that CTB will conduct a public hearing on January 13, 2009 at the Fairfax County Government Center's Board Room. NVTC previously approved a draft statement in October, 2008 but since the hearing has only recently been scheduled it is necessary to update the testimony. Local staff have reviewed the revised draft. A detailed PowerPoint version will be copied for CTB members. A much shorter version is provided to be read by NVTC's chairman or his designee.

Chairman Zimmerman expressed his opinion that the PowerPoint version is not necessary and he suggested putting it into a different format that is easier to read.

Senator Whipple stated that she is a visual person and she likes the PowerPoint version.

Senator Whipple moved, with a second by Mrs. Bulova, to authorize NVTC's chairman or his designee to present the testimony on behalf of the commission. The vote in favor was cast by commissioners Albo, Bulova, Burk, Ebbin, Euille, Fissette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman. Mr. Badger abstained.

Legislative Items

Mr. Taube reported that NVTC's legislative agenda has been distributed to the Northern Virginia General Assembly and congressional delegations, NVTC's jurisdictions, the Governor's office, and posted on NVTC's website.

In response to a question from Delegate Albo, Mrs. Bulova stated that VRE has a "ready to go" list of projects to be funded, including acquisition of locomotives, the Gainesville/Haymarket extension, platform extensions, and the Cherry Hill station.

Delegate Albo reported that he is drafting a bill so that if there is a federal economic stimulus package, the funds would have to be distributed through the transportation construction formula fund. If it goes through maintenance, this region will get very little of it. He predicts that there would be a huge battle for the funds. Mr. Badger stated that it is Secretary Homer's intent to restore previously cut funding with any stimulus funds. Chairman Zimmerman suggested NVTC have a more detailed discussion of this issue at its February 5th meeting in Richmond. Mr. Snyder stated that staff should put together criteria for projects that move people and freight.

Senator Whipple stated that she spoke with the Governor and expressed concern that with the economic stimulus package, there could be confusion between the urgent and the important and that highway projects would get preference over transit projects.

Mrs. Burk left the meeting at 9:33 P.M.

Chairman Zimmerman stated that WMATA formally adopted a list of projects totaling \$500 million that are ready to go. Mrs. Hudgins stated that the Dulles Rail Phase II would be a good project for funding consideration. Mr. Smedberg stated that it would be helpful to have a letter drafted including some of these points for next month's meeting. There is a concern that these decisions will be made at the state level.

Mr. Snyder moved, with a second by Mr. Euille, to endorse Metro's list of ready to go projects. The vote in favor was cast by commissioners Albo, Bulova, Ebbin, Euille, Fissette, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman. Mr. Badger abstained.

Chairman Zimmerman asked local boards and councils to include the endorsement of Metro's list on their next agenda.

Metro Items

Metro Budget. Chairman Zimmerman reported that Metro's proposed budget would hold subsidies level, with no fare increase. This requires substantial cuts in the budget, including eliminating 891 positions and an eight percent reduction in bus routes.

Ridership at Virginia's Metrorail Stations. Metrorail ridership remains very strong in Northern Virginia. In response to a question from Delegate Ebbin, Chairman Zimmerman stated that the last three highest Metrorail ridership days were normal work days, with an additional sports game or other event to boost ridership over the top.

Inauguration Day Planning. Chairman Zimmerman stated that Metro will provide enhanced service on the weekend before the inauguration, running eight-car trains and augmenting existing routes. On Inauguration Day, Metro will run continuous peak service for 17 hours. Other Inauguration Day transit plans were discussed, including crowd control measures.

Series 7000 Railcar Procurement. On December 18, 2008, the WMATA Board of Directors approved the procurement of 748 new railcars, which will be delivered over a five-year period commencing in FY 2013. A best value competitive negotiation procedure will be followed. The estimated cost is over \$2 billion. Of the 748 railcars, 128 are for the Dulles project to be delivered in FY 2013 and 2014.

Paper Transfers Eliminated. After an extensive public information campaign, WMATA eliminated paper transfers on January 4, 2009.

Regional Transportation Items

I-95/395 HOT Lanes Correspondence. Commissioners were provided with a copy of "*Documentation of FHWA Review*," which noted NVTC and PRTC concerns, but FHWA has "determined that these concerns do not raise any environmental issues that would prevent FHWA from completing its review of the Categorical Exclusion (CE) and the supporting documentation." The CE was approved and signed on January 7, 2009, under the National Environmental Policy Act for the northern segment of the project.

Transit Ridership Gains. The American Public Transportation Association has reported that nationwide public transit ridership rose by over six percent in the third quarter of calendar 2008 (July – September). Results for the first five months of FY 2009 (July – November) in Northern Virginia are also outstanding.

Inauguration Planning. VDOT asked NVTC staff to help coordinate planning for safely and efficiently transporting people participating in Inauguration Day on January 20th.

America's Worst Small Towns for Commuters. Forbes has identified what it characterizes as the worst small town commuting locations in American. The "winner" is Linton Hall, Virginia, an unincorporated area identified by the U.S. Census located 25 miles from Washington, D.C., four miles south of Gainesville (Rt. 29 and I-66). Forbes says 78 percent of its 21,118 residents drive an average of 46.3 minutes to get to work. The author used Census data released in early December, 2008.

Michael Townes Interview. Michael Townes, Hampton Roads Transit's Chief Executive Officer, reflects in a Mass Transit article from November, 2008, about transit in the Tidewater area and his recently concluded tenure as chairman of APTA. He cites Northern Virginia as a positive example of how to be successful with the General Assembly.

NVTC Financial Items for November, 2008

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

Adjournment

Mr. Euille moved, with a second by Mrs. Bulova, to adjourn the meeting. The vote in favor was unanimous. Chairman Zimmerman adjourned the meeting at 9:50 P.M.

Approved this 5th day of February, 2009.

Christopher Zimmerman
Chairman

William Euille
Secretary-Treasurer



RESOLUTION #2118

SUBJECT: Designation of NVTC Signatories and Pension Trustees.

WHEREAS: The Honorable William Euille has been elected Secretary-Treasurer of NVTC for 2009; and

WHEREAS: NVTC desires that the person holding the office of Secretary-Treasurer be designated as an official signatory as well as a pension trustee.

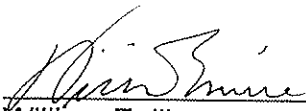
NOW, THEREFORE BE IT RESOLVED that the Northern Virginia Transportation Commission hereby selects the following persons to serve as NVTC signatories (who are eligible to sign individually for any transaction of less than \$5,000 and with one other signatory for transactions of \$5,000 or greater):

Hon. William Euille
Richard K. Taube
Scott C. Kalkwarf

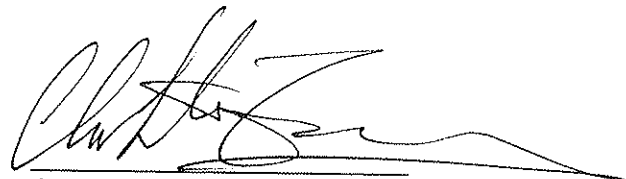
Secretary-Treasurer
Executive Director
Director of Finance and Administration

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

Approved this 8th day of January, 2009.



William Euille
Secretary-Treasurer



Christopher Zimmerman
Chairman



NVTC Northern Virginia Transportation Commission

RESOLUTION #2119

SUBJECT: Approval of VRE's FY 2010 Capital and Operating Budget and Revisions to the FY 2009 Budget.

WHEREAS: The VRE Master Agreement requires that the commissions be presented with a fiscal year budget for their consideration at their respective January meetings prior to the commencement of the subject fiscal year;

WHEREAS: The VRE Operations Board has recommended a FY 2010 Operating and Capital Budget within the guidelines developed in concert with the jurisdictional chief administrative officers;

WHEREAS: The budget is built on an average daily ridership of 15,600 and 30 trains with a six percent fare increase and a local subsidy reduction of \$0.9 million; and

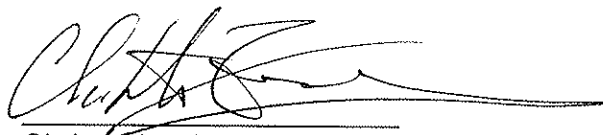
WHEREAS: The budget is designed to maintain ridership and efficient performance.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission does hereby adopt the revised FY 2009 and recommended FY 2010 VRE Operating and Capital budget and directs that the FY 2010 budget be forwarded to the local jurisdictions for inclusion in their budgets in accordance with the VRE Master Agreement;

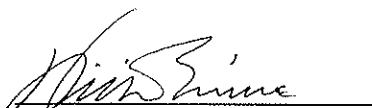
BE IT FURTHER RESOLVED that NVTC does also direct that the executive directors of both PRTC and NVTC submit to the Transportation Planning Board of the National Capital Region and to the Federal Transit Administration or other federal agencies, the appropriate Transit Improvement Program projects and grant applications for FY 2009 and FY 2010; and

BE IT FURTHER RESOLVED that NVTC additionally directs that the executive director of NVTC should submit to the commonwealth the approved VRE budget as part of the VRE's FY 2010 state aid grant applications.

Approved this 8th day of January, 2009.



Christopher Zimmerman
Chairman



William Euille
Secretary-Treasurer





RESOLUTION #2120

SUBJECT: Extend CSXT's Operating Agreement.

WHEREAS: The commissions currently have an amended operating/access agreement with CSXT relating to VRE operations in the Fredericksburg to Washington corridor, with said agreement ending on January 31, 2009;

WHEREAS: 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 operating/access agreement;

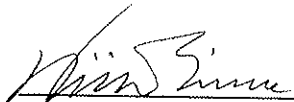
WHEREAS: A proposal to extend the existing agreement to July 31, 2009, without any changes, is expected from CSXT;

WHEREAS: The purpose of this extension is to allow time to negotiate and resolve the outstanding liability issues relating to a new agreement; and

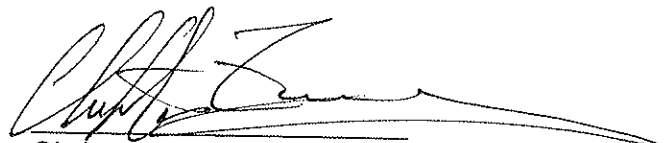
WHEREAS: Necessary funding has been incorporated into the FY 2009 and FY 2010 VRE budgets to allow VRE to continue its operations over CSXT tracks via this contract extension.

NOW, THEREFORE, BE IT RESOLVED THAT the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to execute an extension of the existing amended operating/access agreement with CSXT to July 31, 2009.

Approved this 8th day of January, 2009.



William Euille
Secretary-Treasurer



Christopher Zimmerman
Chairman





RESOLUTION #2121

SUBJECT: Extend Norfolk Southern's Operating Agreement.

WHEREAS: The commissions currently have an amended operating/access agreement with Norfolk Southern relating to VRE operations in the Manassas to Washington corridor, with said agreement ending on January 31, 2009;

WHEREAS: Staff is currently engaged in ongoing discussions with Norfolk Southern concerning a new agreement and does not anticipate conclusion of these discussions prior to the expiration of the amended operating/access agreement;

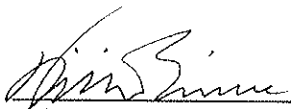
WHEREAS: A proposal to extend the existing agreement to July 31, 2009, without any changes, is expected from Norfolk Southern;

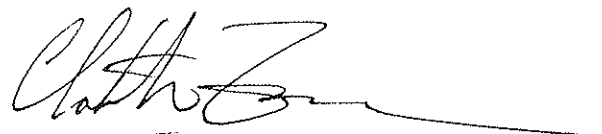
WHEREAS: The purpose of this extension is to allow time to negotiate and resolve the outstanding liability issues relating to a new agreement; and

WHEREAS: Necessary funding has been incorporated into the FY 2009 and FY 2010 VRE budgets to allow VRE to continue its operations over Norfolk Southern tracks via this contract extension.

NOW, THEREFORE, BE IT RESOLVED THAT the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to execute an extension of the existing amended operating/access agreement with Norfolk Southern to July 31, 2009.

Approved this 8th day of January, 2009.


William Euille
Secretary-Treasurer


Christopher Zimmerman
Chairman



Before the
NORTHERN VIRGINIA TRANSPORTATION COMMISSION

In the Matter of
THE 2009 WORK PROGRAM

1-8-09

Testimony of E. L. Tennyson, PE

The coming year may be the toughest year ever faced by NVTC with the collapsed economy, increasing costs and decreasing revenue. Political support is evaporating.

NVTC must focus on finding income and cutting costs wherever it will not hurt the public interest. We have \$ 10 billion invested in MetroRail and another quarter billion invested in Virginia Railway Express. Unlike buses, these assets are nailed in place, We must use them where they are or lose them. Since they are, by far, the most efficient transport facilities, we must continue to support and use them to accomplish both our goals and legal requirements.

The Washington Metropolitan Area Transit Authority is, by far, the greatest cost and the greatest asset. NVTC must insist that WMATA increase its productivity. It is not over loaded. MetroBus averages only 11 passenger-miles per bus-mile. Baltimore averages 14 and Los Angeles 16. WMATA can and must do better. It needs to cut two million bus-miles a year where no one will notice. Too much wasteful bus service has been added. Arlington and The District have added duplicative Circulator bus service that must be rationalized. MetroBus passengers went down 13 % from 2005 to 2007 but service was added. (FTA data) We can't afford this. The nation is in crisis. Bus losses are huge.

MetroRail gained 7 % during the same time with 13 % more passenger-miles but costs soared 21 %, far beyond any cost index. In 2007, MetroRail cost 44 cents per passenger-mile but the annual average on other subway systems was only 38 cents. That six cents difference is worth \$ 96 million per year. MetroRail's load factor was only 26 passenger-miles per car-mile. That is far better than bus, but falls short of Los Angeles' 30. Even two more passenger-miles per car mile would save \$ 16 million per year. We can not raise fares much higher. Congress and the Legislature have both determined we can not raise gasoline taxes as people can not afford it, While not a cogent argument, it is a fact so it puts a ceiling on transit fares. We can not save on imported oil and air pollution while we escalate transit fares and cut auto use cost with subsidies we have no money for, This means we may have to ask our own local people to pay the added tab on their property tax bill, Hopefully, the General Assembly will allow us to levy the full 4 % motor fuel sales tax approved by Governor Baliles but cut in half the next year. MetroRail saves us so much oil and money it is well worth funding.

Virginia Railway Express likewise. Despite the 2 % tax they have to support VRE, two exurban jurisdictions have tried to block adequate VRE funding so they can divert the money to extraneous purposes. VRE is grossly overcharged by the Commonwealth for insurance. The national average cost of commuter rail insurance and casualties is only 1.1 cents per passenger-mile or (not and) 2.9 % of operating costs. VRE is charged

over 300 % more, 4.6 cents per passenger-mile and 12.3 % of expenses. The commonwealth should be asked to absorb the insurance cost to offset its failure to fund other mandated costs. Not even the sovereign state can decide not to pay its legally obligated bills.

Obviously, the Dulles Silver Rail Line must go forward with NVTC's total support. Its construction is not a cost, but an investment in an asset worth many millions every year as a more efficient way to provide transportation for many, many years to come.

With such severe congestion on I-66, the VRE Haymarket extension must also go forward. While the extension is not in NVTC territory, its service sure is. Congestion on I-66 in Fairfax and Arlington counties and on highway 123 in Vienna will just get worse if VRE is not extended, VRE is a very low cost form of travel but needs financial assistance because highways are thought to be free, Obviously, they are not, They cost a bundle

NVTC should plan to seek federal aid for half-fares for the disabled and senior citizens. This is a federal mandate, not a local choice. The ADA requirements cost millions for people who seldom or never use transit but transit riders have to pay for them. This is not right and is counterproductive. The cost per trip is very high.

The high cost of MetroBus service dictates that NVTC continue to seek implementation of the Columbia Pike Street Car. If it cost \$ 150 per car-hour with 75 passengers at peak, that is \$ 2 per passenger. With MetroBus at \$ 140 per hour for 56 passengers the cost is \$ 2.50 per passenger, 25 % more. Federal aid is available for capital but not for operations. We also need the property value improvement the street car will likely bring and the cleaner air. The Commonwealth will eventually have to solve the funding problem.

We also need to assist the state with its Trans-Dominion Express to share the cost of passenger stations and tracks and save the lives of college students who are now killed on the highways.

Edson L. Tennyson, PE
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(703) 281-7533

Comments to the Northern Virginia Transportation Commission
Regarding Its Proposed 2009 Workprogram
Allen Muchnick, president of the Virginia Bicycling Federation
January 8, 2009

Good evening. I'm Allen Muchnick, president of the Virginia Bicycling Federation.

For more than a decade, I've asked the Commission to improve pedestrian and bicycle access to public transportation in Northern Virginia, especially for Metrorail and VRE.

Tonight, I visited the VRE website to look for information on bicycle access. Such information is difficult to locate and not very useful.

VRE still prohibits regular bicycles on all trains, although it now owns a full fleet of railcars specifically designed to accommodate bicycles. To find the bike-on-rail policy on the VRE website one must navigate through "Service Information" then "On-Board Policies".

To find out about bicycle parking at VRE stations, one must navigate the VRE website through "Service Information", then "Station Locations" and then click on information about each individual station. According to the VRE website, 8 of the 18 VRE stations have no bicycle parking facilities at all, although three of those VRE stations are near Metrorail stations that do have bike racks. In addition, the Alexandria and Franconia-Springfield VRE stations are adjacent to Metrorail stations where WMATA has rental bike lockers, but the VRE website does not provide that information.

Of the 10 VRE stations where bicycle racks are reportedly present, the VRE website provides almost no information as to the number and quality, the basic design, or the specific location of the bike racks, except to note that the bike racks at Burke Center are in the new parking garage. Evidently, none of the remaining VRE stations offer weather-protected bike racks and no VRE stations provide bicycle lockers, except at the two WMATA stations that I cited earlier.

The webpage for each VRE station shows a vicinity highway map for motor vehicle access, but no maps or links to maps depicting routes for pedestrian and bicycle access are displayed.

At the same time, the VRE website indicates that VRE is providing free parking for 8,241 motor vehicle spaces and that the motor vehicle parking capacity at six VRE stations exceeds 90% capacity.

10/10/08

Before further expanding free motor vehicle parking for VRE customers, VRE should provide quality bicycle parking in the form of both rental bicycle lockers and weather-protected bike racks at every suburban station.

I also urge VRE to establish a bike-on-rail policy for regular bicycles, now that every VRE railcar is designed to accommodate bicycles.



AGENDA ITEM #3

MEMORANDUM

TO: Chairman Zimmerman and NVTC Commissioners

FROM: Rick Taube and Scott Kalkwarf

DATE: January 29, 2009

SUBJECT: NVTC's Authorization to Submit FY 2010 State Grant Applications.

NVTC's applications on behalf of WMATA, VRE and the commission's local jurisdictions are due February 2, 2009. To meet this deadline, NVTC staff will submit electronically the attached materials. They have been carefully reviewed by local staff. The commission is asked to adopt Resolution #2122, which confirms the commission's support of these applications and is a requirement of the Virginia Department of Rail and Public Transportation.

An attachment compares total eligibility for WMATA and the local bus systems for FY 2010 versus 2009. As can be seen, for NVTC's jurisdictions and WMATA the FY 2010 eligibility is about \$20 million less than in FY 2009 for capital and \$240,000 less for operations. However, the Metro preliminary operating budget for FY 2010 is unavailable so the actual FY 2009 budget was used as a placeholder. The actual grant will be based on certified expenses from the previous year.

For VRE, the FY 2010 eligibility is \$770,000 less than in FY 2009 for capital and about \$4.2 million less for operations.

The amount of assistance actually received by NVTC for FY 2010 is likely to be much less than the eligible amount of \$262 million unless the General Assembly acts to provide significantly greater funding.





RESOLUTION #2122

SUBJECT: Approval of FY 2010 NVTC and VRE State Administrative/FTM, Capital, and Related Grant Applications and Authority to Apply for Funds from the Commonwealth Transportation Board, Federal Transit Administration and other Grant Agencies.

WHEREAS: The Northern Virginia Transportation Commission (NVTC) wishes to obtain state and federal grants to help defray NVTC, WMATA, local bus systems and Virginia Railway Express (VRE) operating and capital costs.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission's executive director is authorized, for and on behalf of NVTC and its members, 1) to execute and file an application to the Virginia Department of Rail and Public Transportation (DRPT), for grants of public transportation assistance for the fiscal year 2010 commencing July 1, 2009 in the amount of \$160.4 million to defray the public transportation cost of NVTC and its members for administration, fuels, tires, lubricants and maintenance parts at a matching ratio of 95%; 2) to accept from DRPT grants in such amounts as may be awarded; and 3) to furnish DRPT such documents and other information as may be required for processing the grant request.

BE IT FURTHER RESOLVED that NVTC's executive director is authorized, for and on behalf of NVTC and its members, 1) to execute and file an application to DRPT, for grants of public transportation assistance for FY 2010 for capital expenses in an amount that will not exceed \$75.1 million to defray up to 95 percent of the costs borne by NVTC and its members for equipment, facilities and the associated expenses of any approved capital grant; 2) to revise the capital portion of the application to reflect refined estimates by WMATA or local governments when they become available; 3) to accept from DRPT grants in such amounts as may be awarded; and 4) to furnish to DRPT such documents and other information as may be required for processing the grant request.



RESOLUTION #2122

BE IT FURTHER RESOLVED that NVTC's executive director is authorized, for and on behalf of NVTC and PRTC and their members, 1) to execute and file FY 2010 VRE applications to DRPT and to seek up to \$13.4 million for FTM and administrative costs and up to \$13.0 million for capital; 2) to revise the application to reflect refined estimates by VRE; 3) to accept from DRPT grants in such amounts as may be awarded; and 4) to furnish to DRPT such documents and other information as may be required for processing the grant request.

BE IT FURTHER RESOLVED that NVTC's executive director is authorized, for and on behalf of NVTC and PRTC and their members, 1) to execute and file an application to DRPT for a grant of financial assistance in the amount of \$38,000 to defray 95 percent of the costs of a VRE intern; 2) to accept from DRPT grants in such amounts as may be awarded; and 3) to furnish DRPT such documents and other information as may be required for processing the grant request.

BE IT FURTHER RESOLVED that NVTC certifies that the funds for all of the above grants will be used in accordance with the requirements of Section 58.1 638.A.4 of the Code of Virginia, that NVTC will provide matching funds in the ratio required by the Act, that the records of receipts of expenditures of funds granted to NVTC may be subject to audit by DRPT and by the State Auditor of Public Accounts, and that funds granted to NVTC for defraying the public transportation expenses of NVTC shall be used only for such purposes as authorized in the Code of Virginia.

BE IT FURTHER RESOLVED that NVTC's executive director is authorized, for and on behalf of NVTC and its members, to furnish to TPB, CTB and other state and federal funding agencies such documents, information, assurances and certifications as may be required for pursuing the above grant requests and continuing previously awarded grants.

RESOLUTION #2122

Approved this 5th day of February, 2009.

William Eulle
Secretary-Treasurer

Christopher Zimmerman
Chairman

NVTC
SUMMARY OF STATE CAPITAL AND FORMULA GRANT ASSISTANCE APPLICATIONS
FOR FY 2010

<u>NVTC</u>	<u>FY 10</u>	<u>FY 09</u>	<u>Increase (Decrease)</u>
<u>CAPITAL</u>			
Local Capital (see schedule A)			
Alexandria	-	1,233,960	(1,233,960)
City of Fairfax	-	-	-
Fairfax County	4,642,000	20,239,301	(15,597,301)
Arlington	11,770,000	21,196,828	(9,426,828)
Falls Church	-	-	-
Total	<u>16,412,000</u>	<u>42,670,089</u>	<u>(26,258,089)</u>
Eligibility amount @95%	<u>15,591,400</u>	<u>40,536,585</u>	<u>(24,945,185)</u>
WMATA Capital (see schedule B)			
Metro Matters Program	54,450,000	49,127,000	5,323,000
Beyond Metro Matters - IRP	-	-	-
BMM - Project Development	825,000	825,000	-
Debt Service	7,412,486	7,412,486	-
Total	<u>62,687,486</u>	<u>57,364,486</u>	<u>5,323,000</u>
Eligibility amount @95%	<u>59,553,112</u>	<u>54,496,262</u>	<u>5,056,850</u>
Total Capital	<u>79,099,486</u>	<u>100,034,575</u>	<u>(20,935,089)</u>
Eligibility amount @95%	<u>75,144,512</u>	<u>95,032,846</u>	<u>(19,888,335)</u>
<u>OPERATING FTM/ADMIN (see schedule C)</u>			
Eligibility amount @ 95%			
WMATA	135,142,303	136,224,369	(1,082,066)
Local	25,286,168	21,316,863	3,969,305
Total operating eligibility	<u>160,428,471</u>	<u>160,668,331</u>	<u>(239,860)</u>
<u>VRE</u>			
<u>CAPITAL (see schedule D)</u>			
Total budget (non-federal)	13,716,400	14,527,429	(811,029)
Eligibility amount @ 95%	<u>13,030,580</u>	<u>13,801,058</u>	<u>(770,477)</u>
<u>OPERATING FTM/ADMIN</u>			
Eligibility amount @ 95%	<u>13,380,785</u>	<u>17,619,474</u>	<u>(4,238,689)</u>

NVTC
 APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE
 LOCAL CAPITAL
 FY 2010

SCHEDULE A

	<u>TOTAL COST</u>	<u>FEDERAL</u>	<u>NON- FEDERAL</u>
CITY OF ALEXANDRIA			
Total	-	-	-
CITY OF FAIRFAX			
Total	-	-	-
FAIRFAX COUNTY			
Engine Assembly, Spare Parts, ACM	214,000	-	214,000
Other - Columbia Pike Corridor	1,000,000	-	1,000,000
Other - W. Fall Church Metro Access	100,000	-	100,000
Other - Vienna Metro Mezzanine & Staircase	1,000,000	-	1,000,000
Purchase Replacement 40-ft Buses (3)	1,245,000	-	1,245,000
Purchase Route Signage	1,015,000	-	1,015,000
Purchase Shop Equipment - Strap Hangers (68)	68,000	-	68,000
Total	4,642,000	-	4,642,000
ARLINGTON			
Bus Construction Admin/Maint Facility - Art House	500,000	-	500,000
Construction of Rail Related Facilities - Ballston-MU Metro Station Access	400,000	-	400,000
Other - Columbia Pike Street Car	1,500,000	-	1,500,000
Other - Rosslyn Station Access Improvements	5,700,000	-	5,700,000
Other - Bus Stop Shelter Improvement Program	50,000	-	50,000
Other - Transit Bus Information Technology	100,000	-	100,000
Purchase Replacement 30-ft Buses (8)	3,520,000	-	3,520,000
Total	11,770,000	-	11,770,000
CITY OF FALLS CHURCH			
Total	-	-	-
GRAND TOTAL			
	<u>16,412,000</u>	-	<u>16,412,000</u>

NVTC
 APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE
 WMATA CAPITAL SUBSIDIES
 FY 2010

SCHEDULE B

	<u>Alexandria</u>	<u>Arlington</u>	<u>Fairfax City</u>	<u>Fairfax County</u>	<u>Falls Church</u>	<u>Total</u>
Metro Matters Program (a)	8,782,000	17,210,000	383,000	27,519,000	556,000	54,450,000
BMM - Reimbursable (b)	-	-	-	-	-	-
BMM - Project Development (c)	133,000	261,000	6,000	417,000	8,000	825,000
Debt Service (d)	1,418,184	2,740,174	46,723	3,168,927	38,478	7,412,486
Total	<u>10,333,184</u>	<u>20,211,174</u>	<u>435,723</u>	<u>31,104,927</u>	<u>602,478</u>	<u>62,687,486</u>

(a) From the FY10 Metro Matters Annual Work Plan distributed on December 15, 2008, which includes a portion of identified urgent capital needs.

(b) Beyond Metro Matters Reimbursable projects - These are non-regional projects that the individual jurisdictions include on their respective state capital grant request based upon their understanding of the current year budgeted expenditures

(c) Beyond Metro Matters Project Development - Regional capital costs for project development activities not part of the Metro Matters funding agreement.

(d) Gross Revenue Transit Refunding Bonds Series 1993 and 2003 maturing FY 2011 and FY 2014 respectively.

NVTC

APPLICATION FOR FTM/ADMIN OPERATING FORMULA ASSISTANCE
FY 2010

SCHEDULE C

	LOCAL SYSTEMS						TOTAL	
	City of Fairfax		Fairfax County		Arlington County	Falls Church	LOCAL SYSTEMS	NVTC & WMATA
	Alexandria	Fairfax	Fairfax County	Fairfax County				NVTC
FY08 total operating expenses (certification)	12,672,447	2,787,010	46,870,401	6,753,824	472,875	69,556,557	302,917,855	372,474,412
FTM	2,485,080	547,500	7,879,821	2,236,223	117,998	13,266,622	50,888,177	64,154,799
Administrative Expenses	1,880,730	166,260	7,354,499	3,889,536	59,372	13,350,397	107,751,281	121,101,678
Other Operating Expenses	7,979,190	2,250,844	60,666,771	5,197,161	447,630	76,541,596	186,707,293	263,248,889
Total Operating Expenses	12,345,000	2,984,604	75,901,091	11,322,920	625,000	103,158,615	345,346,751	448,505,366
Total Operating Revenue	3,710,000	683,100	9,160,000	2,646,302	18,000	16,217,402	203,091,695	219,309,097
Deficit	8,635,000	2,281,504	66,741,091	8,676,618	607,000	86,941,213	142,255,056	229,196,269
Total Federal / Other State Operating Asst	-	-	6,645,000	-	-	6,645,000	-	6,645,000
Deficit before State Operating Assistance	8,635,000	2,281,504	60,096,091	8,676,618	607,000	80,296,213	142,255,056	222,551,269

Eligibility Amounts -

FTM/Admin @ 95%	4,147,520	678,072	14,472,604	5,819,471	168,502	25,286,168	135,142,303	160,428,471
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NVTC

VRE

APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE
FY 2010

SCHEDULE D

	Per Application			
	<u>Total Cost</u>	<u>Federal</u>	<u>Fed Source</u>	<u>Non-Federal</u>
ADP Hardware - Fare Collection Parts	\$123,000	\$98,400	FTA 5307	24,600
ADP Software - Fare Collection Upgrade	\$300,000	\$240,000	FTA 5309	60,000
Construction of Rail Related Facilities - IRP	\$550,000	\$440,000	FTA 5309	110,000
Construction of Rail Related Facilities - Broad I	\$400,000	\$320,000	FTA 5309	80,000
Construction of Rail Related Facilities - Frederi	\$705,000	\$564,000	Other	141,000
Construction of Rail Related Facilities - WUT /	\$1,000,000	\$800,000	FTA 5307	200,000
Debt Service for Rail Projects - Sumitomo Acq	\$1,932,000	\$1,545,600	FTA 5309	386,400
Debt Service for Rail Projects - Sumitomo 50 (	\$828,000	\$662,400	FTA 5309	165,600
Debt Service for Rail Projects - Sumitomo 50 (	\$1,672,000	\$1,337,600	FTA 5307	334,400
Debt Service for Rail Projects - Sumitomo 50 (	\$1,350,000	\$0		1,350,000
Debt Service for Rail Projects - Capital Fleet E	\$900,000	\$720,000	FTA 5307	180,000
Debt Service for Rail Projects - 93 & 98 Debt S	\$6,764,000	\$0	FTA 5307	6,764,000
Lease Locomotives	\$200,001	\$160,001	FTA 5307	40,000
Capital Cost of Contracting	\$2,000,000	\$1,600,000	FTA 5309	400,000
Other - Enhancement Grant / Signage	\$100,000	\$80,000	Other	20,000
Other - Grant Project Management	\$375,000	\$300,000	FTA 5307	75,000
Other - Security Enhancements	\$100,000	\$80,000	FTA 5307	20,000
Other - Capital Project Contingency	\$133,000	\$106,400	FTA 5307	26,600
Other - Construction Management	\$300,000	\$240,000	FTA 5309	60,000
Other - Parking Lot Lease - Rippon	\$140,000	\$112,000	FTA 5307	28,000
Other - Grant & Project Management	\$308,000	\$246,400	FTA 5309	61,600
Other - Fredericksburg Parking Lease	\$25,000	\$20,000	FTA 5307	5,000
Other - Capital Project Contingency	\$217,000	\$173,600	FTA 5309	43,400
Other - Rolling Stock Modifications	\$1,200,000	\$960,000	FTA 5307	240,000
Purchase Replacement Locomotives	\$1,605,000	\$1,284,000	FTA 5309	321,000
Purchase Replacement Locomotives	\$3,132,000	\$2,505,600	FTA 5307	626,400
Track Lease Payments	\$9,767,000	\$7,813,600	SSTP	1,953,400
	36,126,001	22,409,601		13,716,400



AGENDA ITEM #4

TO: Chairman Zimmerman and NVTC Commissioners
FROM: Scott Kalkwarf and Coletia Quarles
DATE: January 29, 2009
SUBJECT: NVTC Financial Items for December, 2008

Attached for your information are NVTC financial reports for December, 2008.

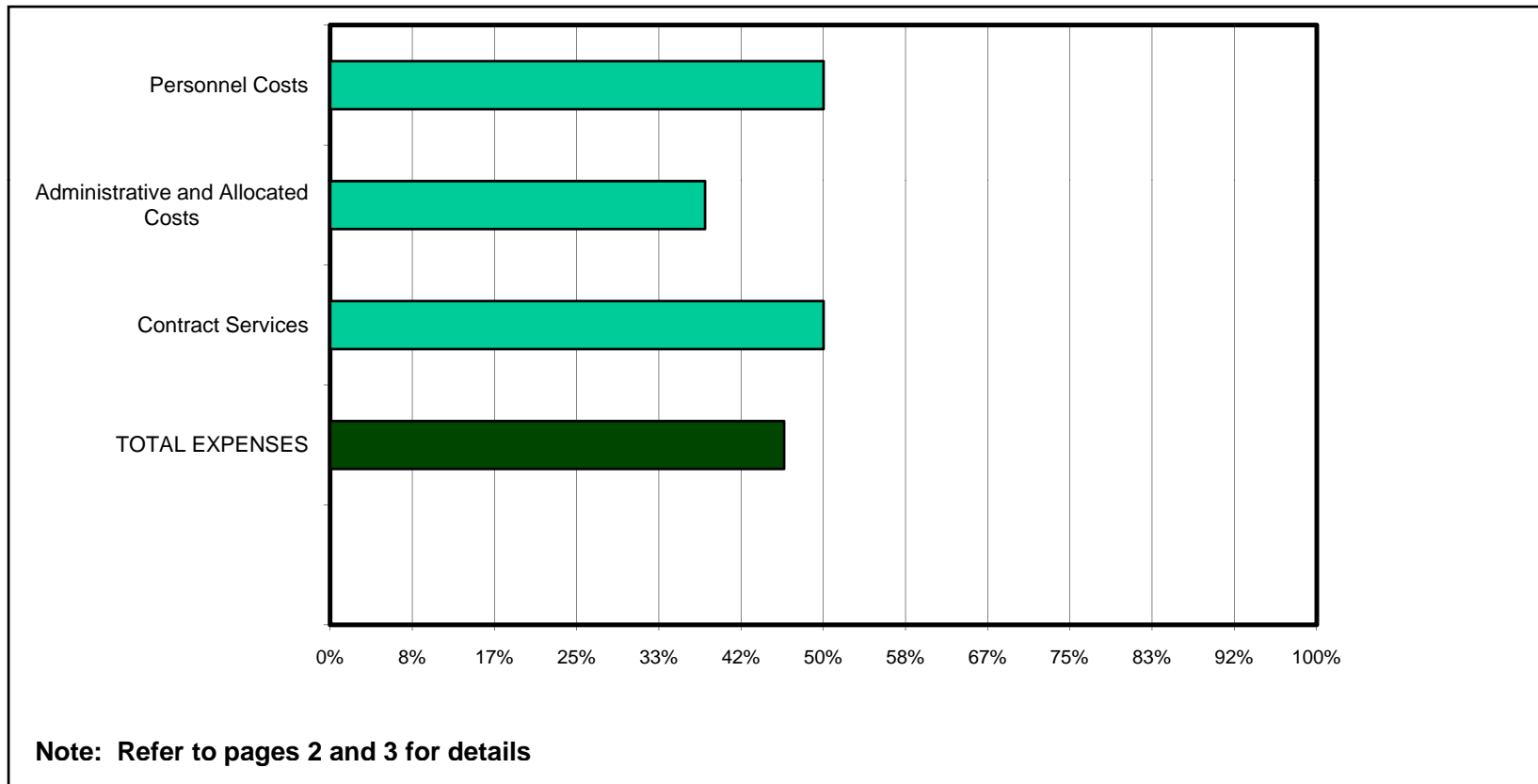


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Northern Virginia Transportation Commission

Financial Reports
December, 2008

Percentage of FY 2009 NVTC Administrative Budget Used
December, 2008
(Target 58.33% or less)



**NORTHERN VIRGINIA TRANSPORTATION COMMISSION
G&A BUDGET VARIANCE REPORT
December, 2008**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Annual Budget</u>	<u>Balance Available</u>	<u>Balance %</u>
<u>Personnel Costs</u>					
Salaries	\$ 79,684.94	\$ 353,776.81	\$ 700,900.00	\$ 347,123.19	49.5%
Temporary Employee Services	-	-	1,000.00	1,000.00	100.0%
Total Personnel Costs	79,684.94	353,776.81	701,900.00	348,123.19	49.6%
<u>Benefits</u>					
Employer's Contributions:					
FICA	2,864.04	21,779.02	47,400.00	25,620.98	54.1%
Group Health Insurance	4,877.79	23,900.10	62,900.00	38,999.90	62.0%
Retirement	4,700.00	29,430.00	57,600.00	28,170.00	48.9%
Workmans & Unemployment Compensation	176.43	1,051.60	3,200.00	2,148.40	67.1%
Life Insurance	272.70	1,474.55	4,100.00	2,625.45	64.0%
Long Term Disability Insurance	280.79	1,586.14	4,400.00	2,813.86	64.0%
Total Benefit Costs	13,171.75	79,221.41	179,600.00	100,378.59	55.9%
<u>Administrative Costs</u>					
Commissioners Per Diem	1,600.00	6,200.00	42,000.00	35,800.00	85.2%
<i>Rents:</i>					
Office Rent	16,452.13	92,956.13	188,730.00	95,773.87	50.7%
Parking	1,522.00	5,354.00	11,950.00	6,596.00	55.2%
<i>Insurance:</i>					
Public Official Bonds	1,754.00	2,254.00	4,500.00	2,146.00	47.7%
Liability and Property	900.00	1,400.00	2,600.00	1,200.00	46.2%
	854.00	854.00	1,800.00	946.00	52.6%
<i>Travel:</i>					
Conference Registration	524.73	2,446.74	16,700.00	14,253.26	85.3%
Conference Travel	-	75.00	2,100.00	2,025.00	96.4%
Local Meetings & Related Expenses	79.54	597.09	4,700.00	4,102.91	87.3%
Training & Professional Development	445.19	1,774.65	6,400.00	4,625.35	72.3%
	-	-	3,500.00	3,500.00	100.0%
<i>Communication:</i>					
Postage	1,020.42	3,792.58	11,950.00	8,157.42	68.3%
Telephone - LD	600.00	1,261.18	4,700.00	3,438.82	73.2%
Telephone - Local	83.39	468.85	1,350.00	881.15	65.3%
	337.03	2,062.55	5,900.00	3,837.45	65.0%
<i>Publications & Supplies</i>					
Office Supplies	2,165.38	7,691.34	23,900.00	16,208.66	67.8%
Duplication	208.71	1,499.23	4,200.00	2,700.77	64.3%
Public Information	1,456.67	5,692.11	9,700.00	4,007.89	41.3%
	500.00	500.00	10,000.00	9,500.00	95.0%

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION
G&A BUDGET VARIANCE REPORT
December, 2008**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Annual Budget</u>	<u>Balance Available</u>	<u>Balance %</u>
<i>Operations:</i>	289.95	1,883.70	25,650.00	23,766.30	92.7%
Furniture and Equipment	-	-	13,150.00	13,150.00	100.0%
Repairs and Maintenance	-	-	1,000.00	1,000.00	100.0%
Computers	289.95	1,883.70	11,500.00	9,616.30	83.6%
<i>Other General and Administrative</i>	287.05	3,519.08	6,950.00	3,430.92	49.4%
Subscriptions	-	-	400.00	400.00	100.0%
Memberships	72.43	634.58	1,800.00	1,165.42	64.7%
Fees and Miscellaneous	214.62	1,524.95	2,950.00	1,425.05	48.3%
Advertising (Personnel/Procurement)	-	1,359.55	1,800.00	440.45	24.5%
40th Anniversary	-	-	-	-	0
Total Administrative Costs	<u>24,093.66</u>	<u>120,743.57</u>	<u>320,380.00</u>	<u>199,536.43</u>	<u>62.3%</u>
<u>Contracting Services</u>					
Auditing	2,500.00	10,000.00	18,000.00	8,000.00	44.4%
Consultants - Technical	-	-	1,000.00	1,000.00	100.0%
Legal	-	-	1,000.00	1,000.00	100.0%
Total Contract Services	<u>2,500.00</u>	<u>10,000.00</u>	<u>20,000.00</u>	<u>10,000.00</u>	<u>50.0%</u>
 Total Gross G&A Expenses	<u><u>\$ 119,450.35</u></u>	<u><u>\$ 563,741.79</u></u>	<u><u>\$ 1,221,880.00</u></u>	<u><u>\$ 658,038.21</u></u>	<u><u>53.9%</u></u>

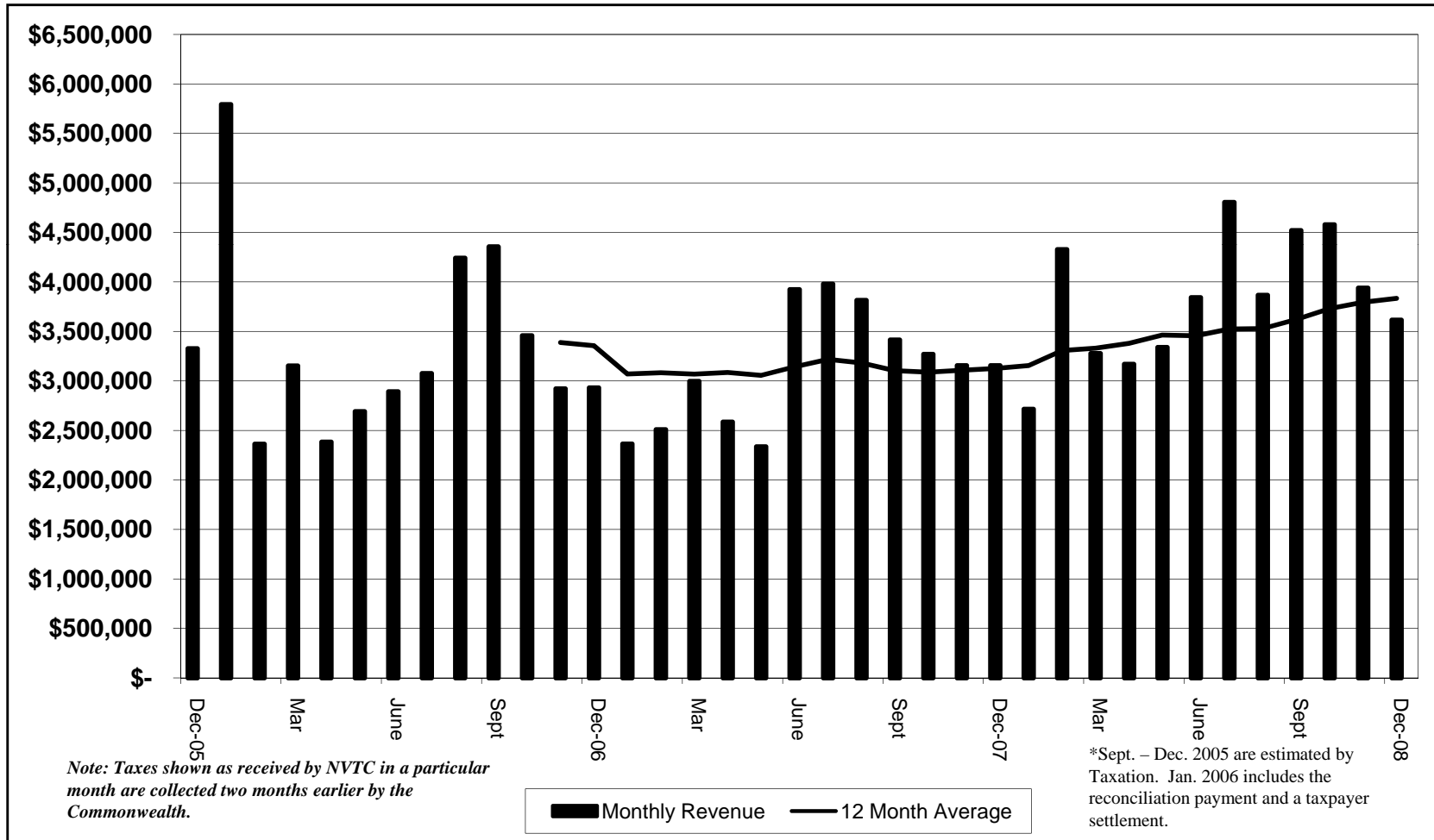
**NVTC
RECEIPTS and DISBURSEMENTS
December, 2008**

<u>Date</u>	<u>Payer/ Payee</u>	<u>Purpose</u>	<u>Wachovia</u>	<u>Wachovia</u>	<u>VA LGIP</u>	
			<u>(Checking)</u>	<u>(Savings)</u>	<u>G&A / Project</u>	<u>Trusts</u>
RECEIPTS						
9	DRPT	Capital grant receipts				1,029,688.00
10	DRPT	Capital grant receipts				2,500,000.00
10	VRE	Staff support		6,157.42		
10	Staff	Expense reimbursement		13.24		
12	DRPT	Capital grant receipts				\$ 4,578,378.00
16	Dept. of Taxation	Motor Vehicle Fuels Sales tax receipt				3,616,007.01
17	DRPT	FTM/Admin grant receipt				5,247,696.00
18	DRPT	GPS/AVL project grant receipt			29,223.00	
31	Banks	Interest earnings		4.68	754.50	194,922.37
			<u>-</u>	<u>6,175.34</u>	<u>29,977.50</u>	<u>17,166,691.38</u>
DISBURSEMENTS						
1-31	Various	NVTC project and administration	(171,340.52)			
19	IBI	Consulting GPS/AVL	(31,147.39)			
23	Stantec	Consulting Bus Data	(10,459.30)			
31	Wachovia	Bank charges	(40.22)			
			<u>(212,987.43)</u>	<u>-</u>	<u>-</u>	<u>-</u>
TRANSFERS						
11	Transfer	From LGIP to checking	100,000.00		(100,000.00)	
22	Transfer	From LGIP to checking	100,000.00		(100,000.00)	
24	Transfer	From LGIP to LGIP (Bus Data)			10,459.30	(10,459.30)
			<u>200,000.00</u>	<u>-</u>	<u>(189,540.70)</u>	<u>(10,459.30)</u>
NET INCREASE (DECREASE) FOR MONTH			<u>\$ (12,987.43)</u>	<u>\$ 6,175.34</u>	<u>\$ (159,563.20)</u>	<u>\$ 17,156,232.08</u>

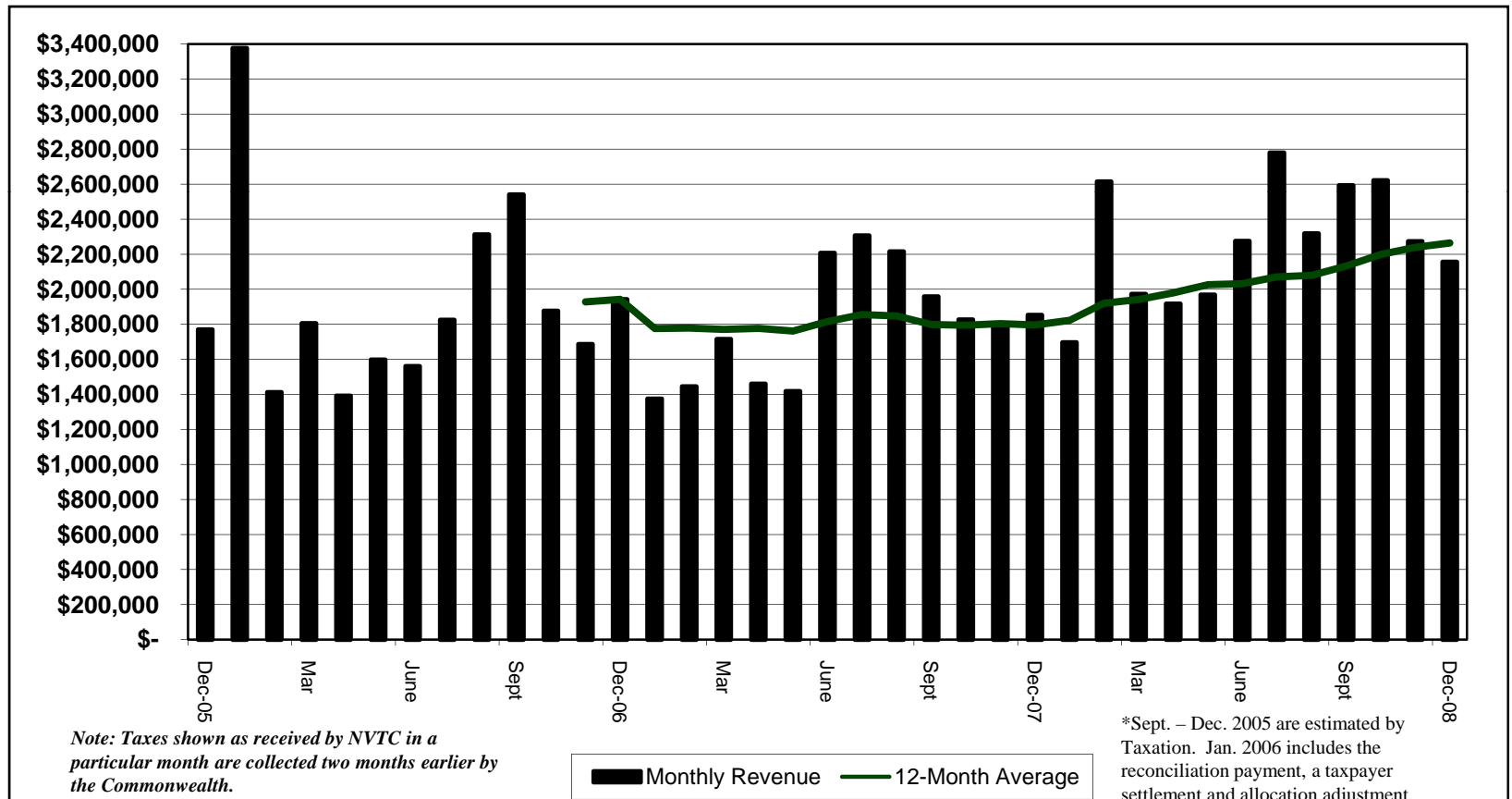
**NVTC
INVESTMENT REPORT
December, 2008**

<u>Type</u>	<u>Rate</u>	<u>Balance 11/30/2008</u>	<u>Increase (Decrease)</u>	<u>Balance 12/31/2008</u>	<u>NVTC G&A/Project</u>	<u>Jurisdictions Trust Fund</u>	<u>Loudoun Trust Fund</u>
<u>Cash Deposits</u>							
Wachovia: NVTC Checking	N/A	\$ 106,734.03	\$ (12,987.43)	\$ 93,746.60	\$ 93,746.60	\$ -	\$ -
Wachovia: NVTC Savings	0.03%	201,269.76	6,175.34	207,445.10	207,445.10	-	-
<u>Investments - State Pool</u>							
Nations Bank - LGIP	1.82%	117,294,812.97	16,996,668.88	134,291,481.85	408,902.82	115,247,545.82	18,635,033.21
		<u>\$ 117,602,816.76</u>	<u>\$ 16,830,293.59</u>	<u>\$ 134,592,673.55</u>	<u>\$ 710,094.52</u>	<u>\$ 115,247,545.82</u>	<u>\$ 18,635,033.21</u>

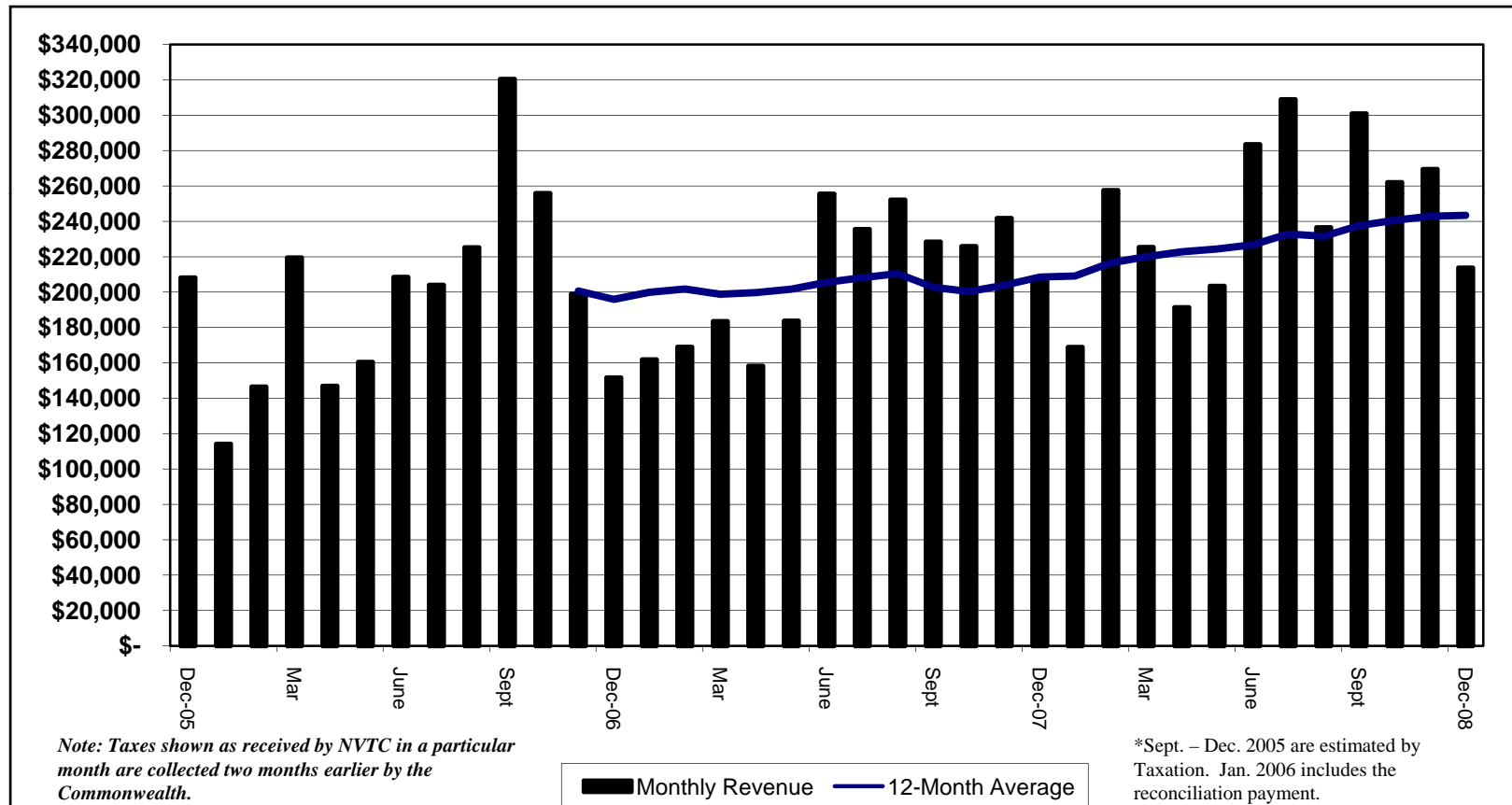
NVTC MONTHLY GAS TAX REVENUE ALL JURISDICTIONS FISCAL YEARS 2006-2009



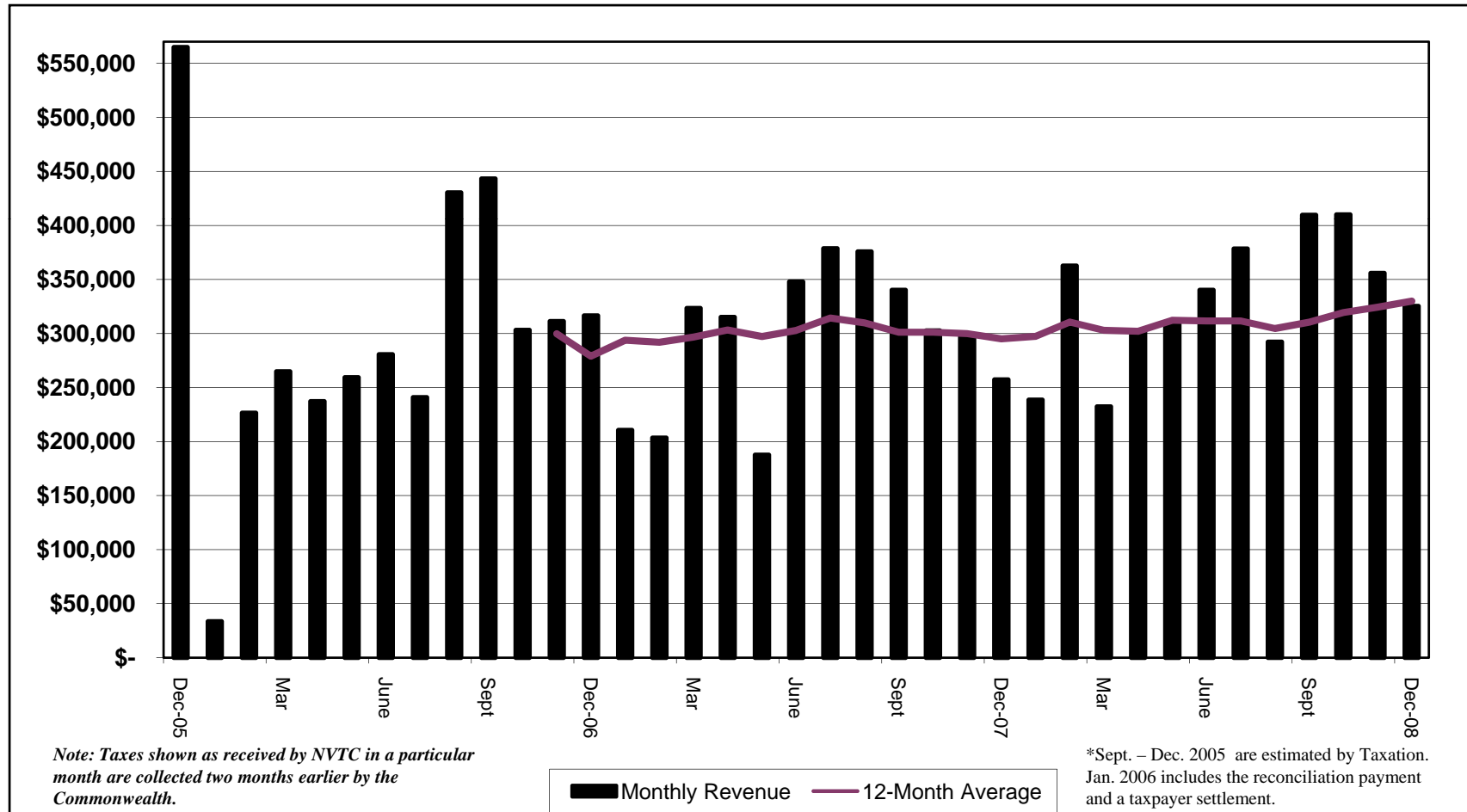
NVTC MONTHLY GAS TAX REVENUE FAIRFAX COUNTY FISCAL YEARS 2006-2009



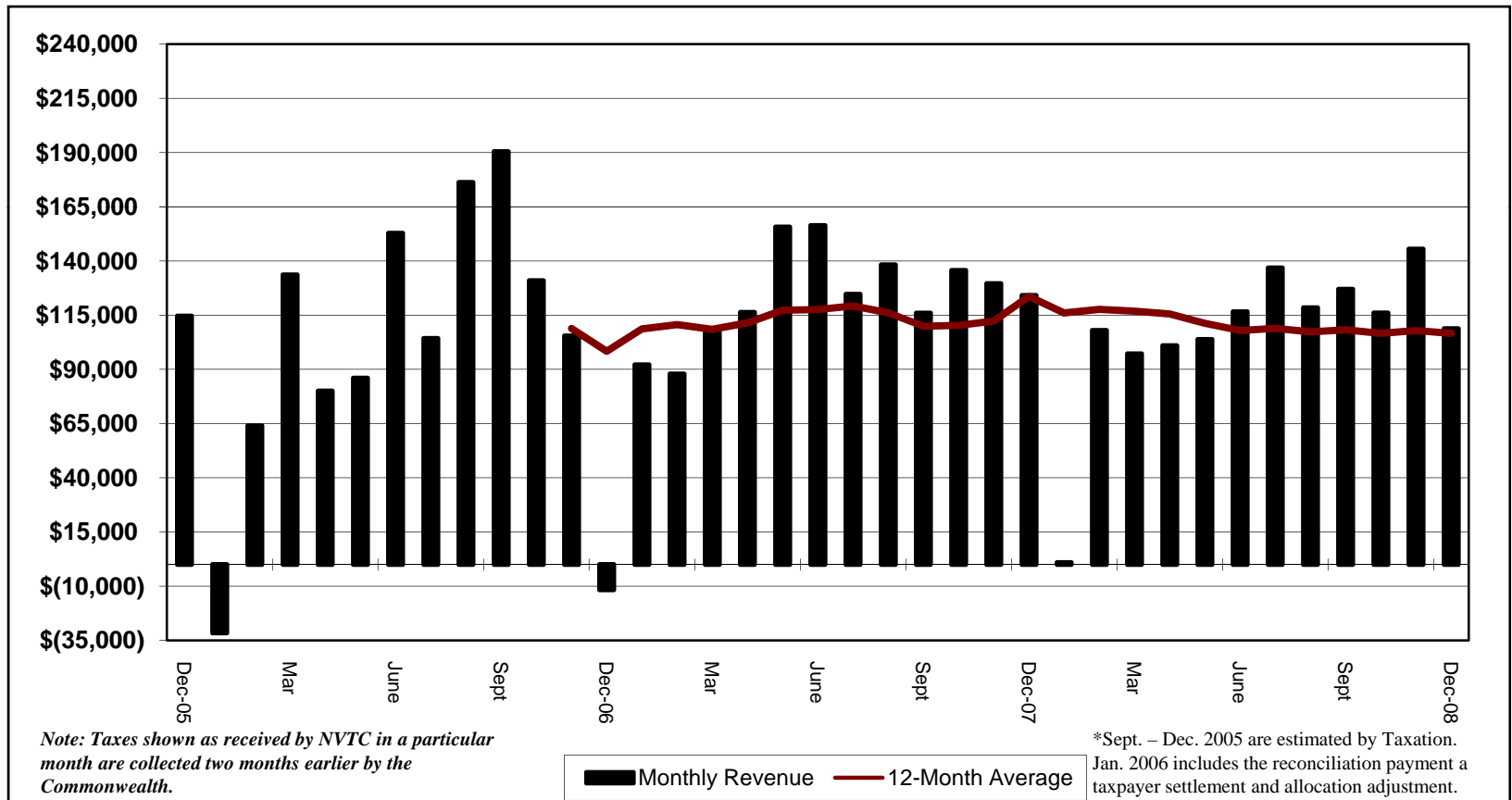
NVTC MONTHLY GAS TAX REVENUE CITY OF ALEXANDRIA FISCAL YEARS 2006-2009



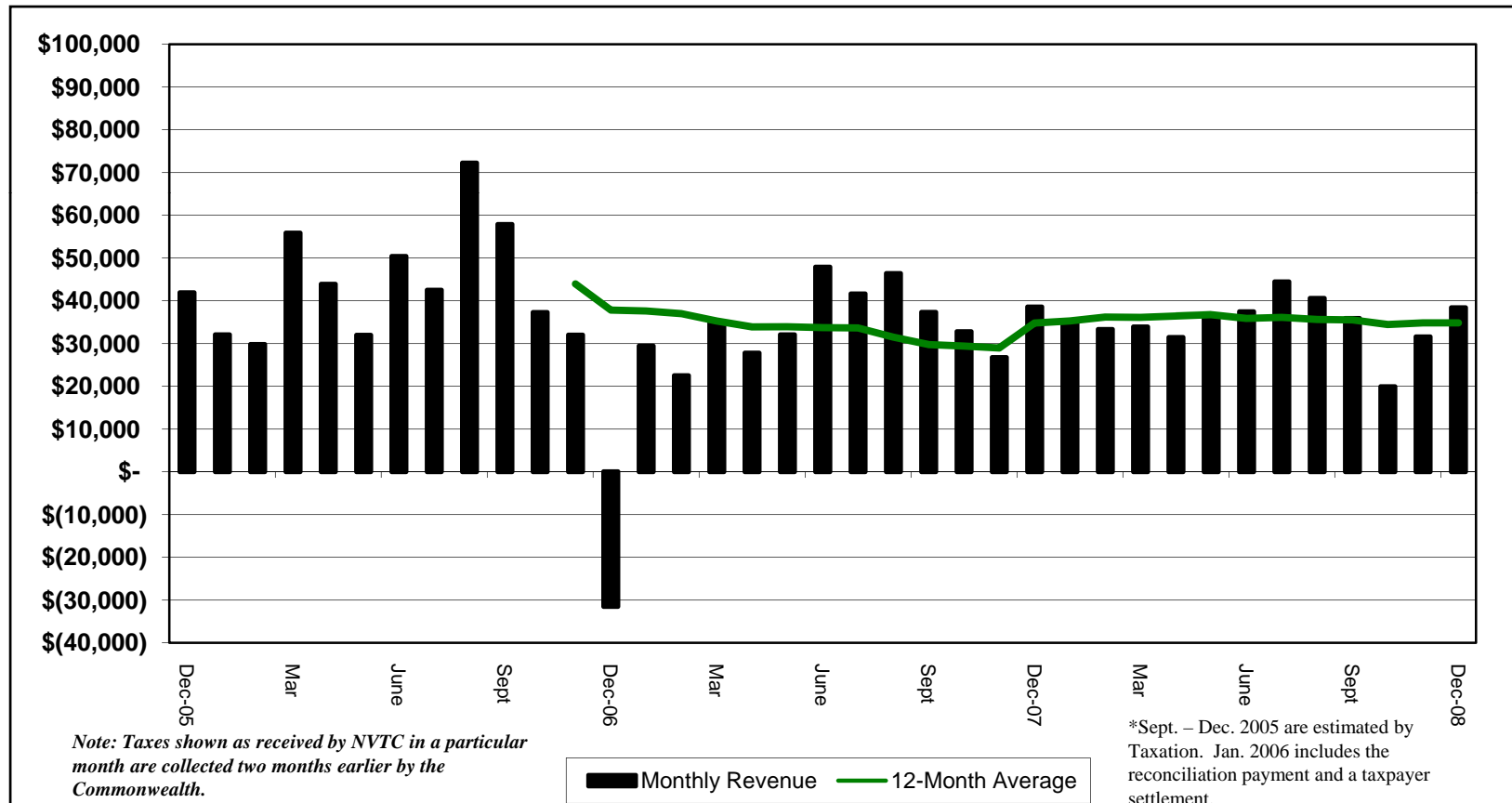
NVTC MONTHLY GAS TAX REVENUE ARLINGTON COUNTY FISCAL YEARS 2006-2009



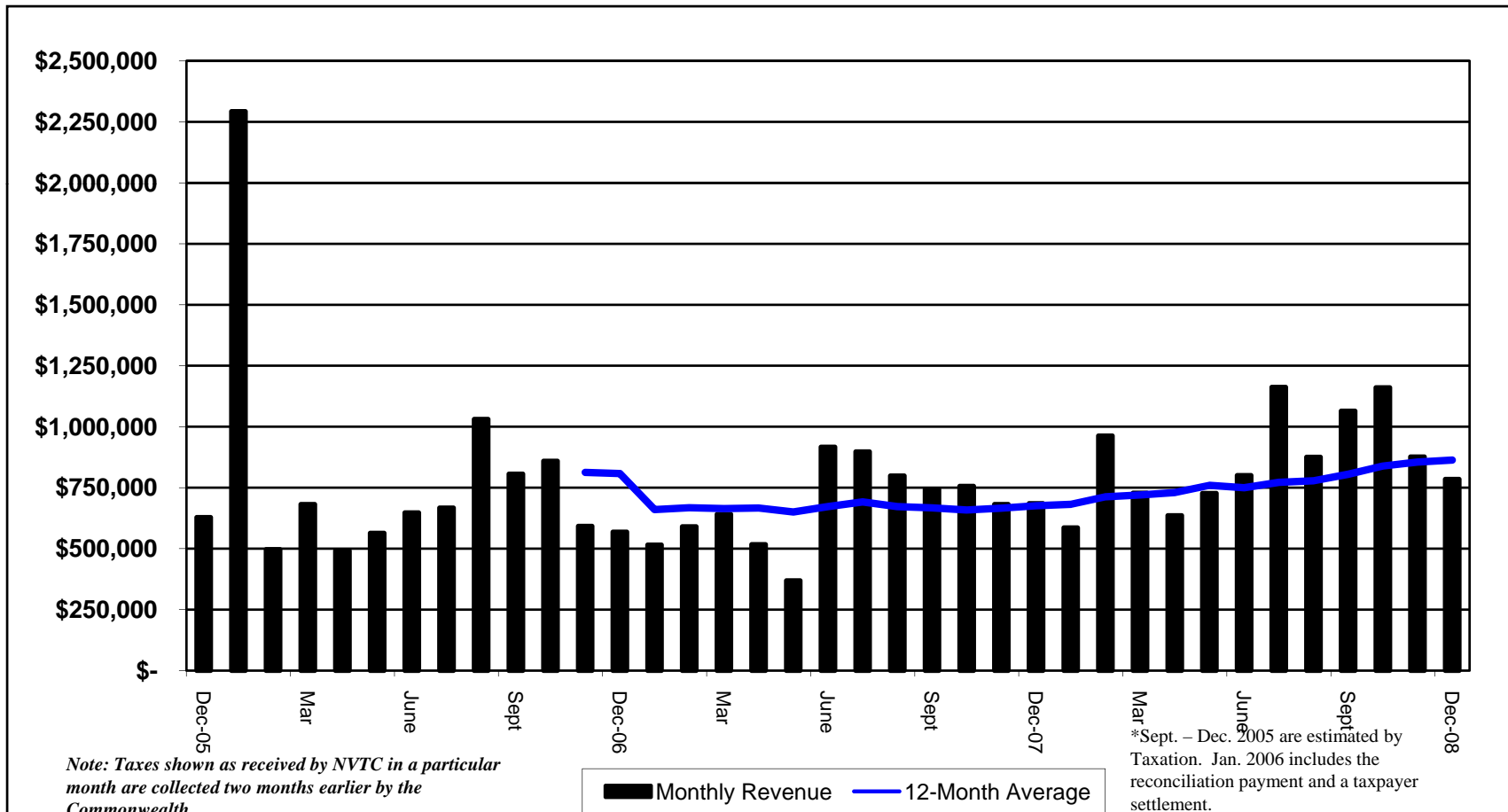
NVTC MONTHLY GAS TAX REVENUE CITY OF FAIRFAX FISCAL YEARS 2006-2009



NVTC MONTHLY GAS TAX REVENUE CITY OF FALLS CHURCH FISCAL YEARS 2006-2009



NVTC MONTHLY GAS TAX REVENUE LOUDOUN COUNTY FISCAL YEARS 2006-2009





AGENDA ITEM #5

TO: Chairman Zimmerman and NVTC Commissioners
FROM: Rick Taube
DATE: January 29, 2009
SUBJECT: Legislative Items

Copies of NVTC's approved 2009 Legislative Agenda are attached for your information. The agenda has been distributed to the Northern Virginia General Assembly and congressional delegations, NVTC's jurisdictions, the Governor's office, and posted on NVTC's website.

Also attached are items describing the status of important legislation. NVTC and NVTA members will have a joint discussion of legislative strategy.

The CTB will conduct a public hearing on its revised six-year program in Richmond on February 5th starting at 6:30 p.m. If there are new developments, NVTC and/or NVTA may wish to send a representative to make another statement (testimony was presented by NVTC and NVTA in Northern Virginia on January 13, 2009). CTB will act on the revised plan on February 19, 2009.



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2009 NVTC STATE AND FEDERAL LEGISLATIVE AGENDA

Approved: December 4, 2008



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STATE LEGISLATIVE ACTION ITEMS

Top Regional Priorities

1. **Promptly enact language agreed to by signatories in Virginia, Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Authority's Interstate Compact** and thereby qualify the metropolitan region to receive \$1.5 billion in new federal funding for WMATA over the next decade. **Provide new state funding for Virginia's share of the \$150 million annual non-federal required match, from sources other than funds already destined for Northern Virginia.**

2. **Meet the need for increased investments in public transit.**
 - a. Virginia's transit systems are experiencing unprecedented growth in ridership. At the same time, declining state and local assistance is placing increasing pressure on these systems to raise fares and/or cut service. Transit needs more funding to meet the challenges of congestion relief, clean air, greenhouse gas reduction, energy conservation, emergency response, access to jobs and household savings. As the General Assembly considers how to respond to reduced transportation revenues, **transit should be held harmless from any cuts to preserve the return on past investments because transit is the most effective way to move people.**

State transportation revenues are not keeping up with inflation because most revenues come from a fixed fee per gallon of fuel and from new car licenses; both fuel purchases and car registrations are falling. Sources of revenue that would keep pace with inflation include sales taxes and indexed motor fuel taxes as well as ad valorem taxes such as NVTC's two percent motor fuels tax. **New sources such as these should be considered for statewide and regional transit funding. For example, NVTC favors an increase in its two percent motor fuels tax to four percent.**

- b. **Ensure that any new state and regional funding for transit is consistent with the eight principles adopted by the Northern Virginia Transportation Authority, its local governments and other agencies such as NVTC.**



Those principles speak to:

- State responsibility for funding transportation;
 - Coordination with Northern Virginia local governments and other regions;
 - The need for at least \$700 million of additional annual funding to meet 2030 plan targets in Northern Virginia;
 - Stable, reliable and permanent funding sources;
 - Achieving regional goals as well as local priorities;
 - Northern Virginia receiving a fair share of any new statewide funding programs;
 - State responsibility to match federal interstate and primary earmarks;
 - Providing an ongoing revenue stream of new capital funding for WMATA with no sunset.
- c. The commonwealth should retain its responsibility for funding transit and **act to meet the statutory target of 95 percent of eligible operating and capital assistance**. For FY 2009, another \$188 million was needed to meet this target, or which almost \$150 million was due for operating assistance. Where shortages of state transit funding occur, more flexibility should be provided to use capital assistance for operating costs in order to retain current service levels. **Budget language could provide this flexibility to combat a threatened 15 percent decline in state transit operating assistance for FY 2010**. For example, such language could, on a one-time basis, give the Commonwealth Transportation Board the authority to direct the Virginia Department of Rail and Public Transportation to transfer funds from the mass transit capital fund to transit operating assistance to hold all grantees harmless from reduction of operating grants below FY 2009 levels.
- d. **Increase transit's share to 25 percent of any new statewide funding for transportation**, whether or not it is directed to the Transportation Trust Fund (currently a 14.7 percent share for transit). This change was incorporated in SB 6009 that passed the Senate in the 2008 session. HB 3202, passed by both House and Senate, included an increased share for transit for bond funds.
- e. **The General Assembly should also provide new regional funding sources for transit and the fees should be imposed entirely by the state, or at least a mixture of state and locally imposed fees should be used.**

- f. **Include significant funding (at least a 25 percent share) for transit as a critical strategy in any new spending measures that seek to conserve energy, enhance clean air, mitigate climate change, provide access to jobs, stimulate the economy and respond to emergencies and disasters.**
- g. Regardless of whether state funds for transit increase or decrease, federal stimulus funds may be provided for eligible transit projects that are ready to go. **State funds should be prioritized to provide any required match** to be certain those new federal funds are used promptly to help boost Virginia's economy.

Preserving and Increasing Flexibility of Existing Transit Funding

- 3. If no new federal, state or regional revenues are provided for transit, and even if state funding declines, **state priorities should be set to shift flexible transportation funds to those transit projects and services that would yield immediate and long-term benefits (job access, clean air, energy savings, emergency response and climate protection), that are ready to start and that may have partial federal funding requiring a state match.** Transit projects focus on moving people, not only vehicles. Examples include 15 new VRE locomotives, expansion of VRE to Gainesville-Haymarket and additional capacity via a third main line in the Washington, D.C.–Fredericksburg corridor, as well as accelerating the Dulles rail project.
- 4. Governor Kaine has announced his intentions to make greater use of bonds to fill a budget shortfall in FY 2009 (about \$250 million more bonds). Rather than reserve such bonding for fiscal emergencies, **the General Assembly should encourage the commonwealth to routinely issue more bonds to support transit projects that yield significant benefits over the life of the bonds.** Given Virginia's conservative bonding practices in the past, additional capacity should be available without jeopardizing the commonwealth's vital AAA rating.

Further, revenues to cover debt service on bonds authorized in HB 3202 have declined and there is a likelihood that transit's amount will be reduced along with the total. Because HB 3202 required a minimum of 20 percent of the bonds to be used for transit, **the Commonwealth Transportation Board has the authority to increase transit's share above 20 percent. The CTB should do so and if not the General Assembly should act.** This is essential because bond funds

(at an 80 percent state matching share) help offset a much lower matching ratio for capital-projects funded from the TTF.

5. **The General Assembly should take funds for transit operations off the top in the same way that highway maintenance is treated.** Current state policy stresses the need to maintain highways, with funds for capital projects diverted to maintenance if necessary to protect past investments and current levels of service. The same approach should apply to public transit since transit operations are equivalent to highway maintenance.
6. NVTC supports legislation that would **provide protections from diversion of Transportation Trust Fund revenues to non-transportation uses.**

Protection for Transit

7. **Direct the Virginia Secretary of Transportation to guarantee that in contracts with the private sector involving conversion of existing High Occupancy Vehicle facilities to High Occupancy Toll facilities, no deterioration in safety and performance of transit services provided on those facilities will be allowed and compensation will be provided to local governments forced to incur expenses to relieve congestion at access and egress points.**

As currently contemplated, very narrow shoulders and below standard lane widths threaten the safe operation of buses (for example, 11-ft. buses plus side mirrors would operate in 11-ft lanes with shoulders as narrow as two feet). Transit systems must be protected against any claims that result.

Regarding performance, currently buses operate in free-flow conditions (65 mph outside and 55 mph inside the Beltway) on the HOV lanes. Yet, minimum average allowed speeds on the new HOT lanes may be 45 mph and queuing in hot spots may cause transit service to deteriorate. It is not acceptable for a publicly funded facility built primarily for transit to be allowed to experience reductions in transit service quality. **The General Assembly should direct that caution be exercised in executing agreements with the private sector sponsors to mitigate unanticipated adverse consequences.**

8. **Enact amendments to the Virginia Code to provide enhanced penalties for assaults on transit operators.** These additional penalties will improve safety for operators, passengers and the public at large.

Rail Related Actions

9. **Fair terms of public passenger rail access should be required for any state funding provided for the benefit of freight railroads.**
10. **Amend Title 18 of the Virginia Code to provide increased fines and penalties as a low-level felony for individuals deliberately defrauding VRE when boarding VRE trains.** Penalties for boarding without a ticket would remain unchanged.
11. **Amend Title 46 of the Virginia Code to prohibit pedestrians from crossing public thoroughfares when trains are present.** At least 20 other states have similar laws.
12. **Amend Title 56 of the Virginia Code to allow VRE to enter into a contract to secure liability insurance for commuter rail operations utilizing an independent third party, rather than the Virginia Division of Risk Management, to manage claims processing and oversee the VRE Insurance Trust Fund.**
13. **Amend Title 56 of the Virginia Code to include third party claims in the liability cap for commuter rail operations** since the existing cap excludes third party claims.
14. **Adopt legislation excluding VRE from the CSX and Norfolk Southern-imposed requirement to purchase terrorism insurance coverage.**
15. As the commonwealth seeks to provide more revenue to meet its statutory target of 95 percent of the eligible non-federal transit operating and capital expenses, **VRE's jurisdictions should be made whole for unpaid subsidies from outlying jurisdictions whose residents use VRE without their local jurisdictions contributing to VRE's success.**
16. **Legislation should specify that as the commonwealth initiates new intercity passenger rail service, ongoing operating and capital expenses should not come from the existing Mass Transit Fund and new intercity trains should not disrupt schedules of existing commuter trains.**

Additional Legislative Request

17. **Enact legislation to authorize NVTC to choose to provide equal per diem payments for its board members who are elected officials.** Currently, NVTC is required by state law to pay General Assembly members \$200 per meeting and other elected officials no more than \$50 per meeting.

FEDERAL LEGISLATIVE ACTION ITEMS

Immediate and Ongoing Funding

1. As part of the process to restructure federal transportation programs and authorize multi-year funding, and to provide a federal stimulus to jolt the economy, **provide immediate and ongoing funding for important Northern Virginia transit projects**, including 15 new locomotives for VRE costing \$65 million, expansion of VRE to Gainesville-Haymarket at \$250 million, VRE parking expansion at \$35 million and VRE platform extensions at \$25 million, and acceleration of such projects as rail to Dulles and the Columbia Pike Streetcar, among others.
2. **Include significant funding (at least a 25 percent share) for transit as a critical strategy in any new spending measures that seek to conserve energy, enhance clean air, mitigate climate change, provide access to jobs, stimulate the economy and respond to emergencies and disasters.**

Assistance for WMATA

3. **Promptly appropriate new funding for WMATA of \$150 million annually as previously authorized by Congress.** Such appropriations are needed to justify the new federal WMATA Board members included in the authorization language.
4. **Promptly enact amendments to the WMATA Compact identical to those to be previously enacted in Virginia, Maryland and the District of Columbia.**

Authorization of Improved Transportation Programs

5. The current multi-year authorization of federal surface transportation programs (SAFETEA-LU) expires at the end of FY 2009. Many organizations have offered detailed recommendations for a major restructuring rather than fine-tuning existing programs. Among the primary reasons for this view are shortfalls in gasoline tax revenues flowing to the Highway Trust Fund, proliferation of separate programs with complex eligibility criteria and rampant earmarking, all without a unifying policy focus.

NVTC supports the policy principles adopted by the National Capital Region Transportation Planning Board and those of the American Public Transportation Association and the Northern Virginia Transportation Authority among others. Among the revisions with greatest benefit to NVTC's members are:

- **The level of federal investment in U.S. transportation infrastructure, including maintenance of the existing system and expansion, must increase significantly.**
- Recognizing that federal fixed per gallon taxes on motor fuels are no longer reliable sources of funding, **new methods must be identified that will grow along with the need to maintain existing facilities and support improvements and system expansions.** Temporary transfers of General Funds or raiding the Transit Trust Fund are not worthwhile strategies to resolve this long-term structural imbalance.
- **Fees for highway use that vary with numbers of auto occupants, types of vehicle miles driven and times and places driven should be used to reduce congestion as well as providing revenues.** New technologies make such variable pricing feasible.
- **Leverage available federal funds with national infrastructure banks and bonding programs.**
- **Simplified, consolidated and streamlined federal transportation programs should be created with uniform, rigorous and comprehensive benefit/cost analyses across all modes, consideration of energy efficiency and environmental protection, inclusion of safety and security, and reduced federal review time.**
- **Urban mobility (and hence support for public transit) should be recognized as a vital federal responsibility, in cooperation with states, local governments and regional agencies through intergovernmental partnerships, with greater decision-making authority for metropolitan areas and local governments.**

Equitable Tax Incentives for Transit Users

6. **Increase tax-free monthly transit benefits to \$220 from \$120 to match the benefits currently available for parking.**

Rail Related Actions

7. **The federal cap on commuter rail liability should be broadened at a level no greater than \$200 million per occurrence to include third party protection for freight railroads on which commuter systems operate.**
8. **Additional federal funding should be provided to commuter rail systems to meet new federal Positive Train Control mandates.**

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Composite view

Bills	Committee	Last action	Date
HB 1579 - Oder - Transportation funding, etc; certain revenues attributable to economic growth in Hampton Roads, etc.	(H) Committee on Transportation	(H) Assigned Transportation sub: 4	01/16/09
HB 1590 - Poisson - Income tax, state; toll payment tax credit.	(H) Committee on Finance	(H) Referred to Committee on Finance	10/14/08
HB 1600 - Putney - Budget Bill.	(H) Committee on Appropriations	(H) Referred to Committee on Appropriations	12/17/08
HB 1633 - Saxman - Offshore drilling; apportion royalties that State receives to certain funds and programs.	(H) Committee on Appropriations	(H) Assigned App. sub: Economic Development, Agriculture and Natural Resources(Cox)	01/19/09
HB 1661 - Scott, J.M. - Motor fuels tax; converts rates to percentage that shall be calculated by DMV Commissioner.	(H) Committee on Finance	(H) Assigned Finance sub: 3	01/16/09
HB 1669 - Albo - Income tax, state; State shall return to cities & counties 50% of growth in collections.	(H) Committee on Appropriations	(H) Referred to Committee on Appropriations	12/22/08
HB 1723 - Albo - Highway Maintenance and Operating Fund; provides a formula for allocating proceeds.	(H) Committee on Transportation	(H) Assigned Transportation sub: 4	01/16/09
HB 1730 - Cole - Tax legislation; requires a sunset date of no more than four years on all.	(H) Committee on Finance	(H) Subcommittee recommends reporting	01/28/09
HB 1759 - Marshall, R.G. - Transportation Capital Projects Bond Act of 2009; created.	(H) Committee on Transportation	(H) Assigned Transportation sub: 4	01/22/09
HB 1784 - Hull - Government, local; equalizes municipal and county taxing authority.	(H) Committee on Finance	(H) Assigned Finance sub: 2	01/16/09
HB 1835 - Toscano - Rail Enhancement Fund; may be used to subsidize railroad operations.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/12/09
HB 1839 - Albo - Commercial real estate tax; used for local projects and construct new roads.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table by voice vote	01/28/09
HB 1846 - Lingamfelter - Motor fuels tax; converts rates to percentage that shall be calculated by DMV Commissioner.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table by voice vote	01/28/09
HB 1848 - Lingamfelter -	(H) Committee on	(H) Assigned App. sub:	01/23/09

Transportation; Auditor of Public Accounts to administer operational performance audit.	Appropriations	Transportation (May)	
HB 1861 - Shannon - Street maintenance payments; increased where traffic volumes exceed statewide average by 20%.	(H) Committee on Transportation	(H) Assigned Transportation sub: 4	01/16/09
HB 1880 - Miller, P.J. - Rail and Public Transportation, Department of (DRPT); responsible for safety of rail fixed system.	(H) Committee on Transportation (S) Committee on Transportation	(S) Referred to Committee on Transportation	01/26/09
HB 1932 - Plum - HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.	(H) Committee on Transportation	(H) Incorporated by Transportation (HB2476-Hugo)	01/27/09
HB 1993 - Bulova - Highway maintenance funds; requirements for Commonwealth Transportation Board in allocating.	(H) Committee on Transportation	(H) Assigned Transportation sub: 4	01/27/09
HB 1995 - Bulova - Northern Virginia Transportation Authority; adds Cities of Alexandria, etc., to use % of revenues.	(H) Committee on Transportation	(H) Reported from Transportation (22-Y 0-N)	01/27/09
HB 2011 - Ebbin - Pedestrians; prohibits crossing of railroad grade crossings if train is present or approaching.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/09
HB 2019 - Rust - Transportation corridors; Transportation Board to establish connection with Transportation Plan .	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/09
HB 2020 - Rust - Highway maintenance funds; provides method Transportation Board is to allocate additional funds.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/09
HB 2055 - Lohr - Development rights; makes extensive changes to provisions for making transfer process more usable.	(H) Committee on Counties, Cities and Towns	(H) Assigned CC & T sub: 2	01/23/09
HB 2066 - Hamilton - Public-Private Transportation Act of 1995; establishes provisions that apply.	(H) Committee on Transportation	(H) Assigned Transportation sub: 4	01/27/09
HB 2088 - Fralin - Rail and Public Transportation, Department of; grants to publicly owned railroads.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/09
HB 2117 - Nichols - HOT lanes; prohibits on any portion of I-95 between Potomac River and City of Fredericksburg.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/09
HB 2118 - Nichols - Secondary highway system construction allocations; allocates among counties on basis of	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/09

population.			
HB 2119 - Nichols - Rail Enhancement Fund; waive requirement that projects funded thereby include minimum 30% cash .	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/13/09
HB 2130 - Miller, J.H. - Supplemental Highway Construction Fund; established.	(H) Committee on Appropriations	(H) Assigned App. sub: Transportation (May)	01/20/09
HB 2158 - Toscano - Charlottesville-Albemarle Regional Transit Authority; established.	(H) Committee on Counties, Cities and Towns	(H) Subcommittee recommends reporting	01/28/09
HB 2161 - Toscano - Retail Sales and Use Tax; additional tax authorized in City of Charlottesville & Albemarle County.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table by voice vote	01/28/09
HB 2194 - Watts - Motor fuels tax; rate increase used for transportation purposes.	(H) Committee on Finance	(H) Subcommittee failed to recommend reporting	01/28/09
HB 2202 - Vanderhye - Greenhouse gas emissions; State Air Pollution Control Board to adopt regulation requiring reporting.	(H) Committee on Agriculture, Chesapeake and Natural Resources	(H) Referred to Committee on Agriculture, Chesapeake and Natural Resources	01/14/09
HB 2206 - Frederick - Budget Bill; Governor to include funding for transportation in biennium equal to at least 10%.	(H) Committee on Appropriations	(H) Assigned App. sub: Technology Oversight & Government Activities (Landes)	01/20/09
HB 2230 - Marsden - Highway construction allocations; Transportation Board allocate projects in Northern Virginia, etc.	(H) Committee on Transportation	(H) Assigned Transportation sub: 1	01/23/09
HB 2232 - Marsden - Crashes on HOT lanes under construction; if no apparent bodily injuries, drivers must move vehicles.	(H) Committee on Transportation	(H) Assigned Transportation sub: 2	01/23/09
HB 2299 - Caputo - HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.	(H) Committee on Transportation	(H) Incorporated by Transportation (HB2476-Hugo)	01/27/09
HB 2416 - Bouchard - Photo-monitoring systems; removes approval of VDOT of proposed intersections for system.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/14/09
HB 2420 - Bouchard - Intermodal Planning and Investment, Office of; updates responsibilities.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/14/09
HB 2425 - May - Highways, primary and secondary; transfer roads, bridges, etc., therefrom to local system of roads.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/14/09
HB 2463 - O'Bannon - Government Efficiency Review Commission;	(H) Committee on Rules	(H) Referred to Committee on Rules	01/14/09

established.			
HB 2470 - Hugo - Northern Virginia Transportation District Fund; dedication of state matching funds.	(H) Committee on Finance	(H) Subcommittee recommends striking from the docket by voice vote	01/28/09
HB 2476 - Hugo - HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.	(H) Committee on Transportation	(H) Committee substitute printed 093593548-HI	01/27/09
HB 2479 - Hugo - Real property tax rate; reduces tax imposed on commercial property in Northern Virginia.	(H) Committee on Finance	(H) Subcommittee recommends reporting with amendment(s)	01/28/09
HB 2480 - Hugo - Real property tax; commercial property in Northern Virginia and Hampton Roads.	(H) Committee on Finance	(H) Subcommittee recommends reporting with amendment(s)	01/28/09
HB 2583 - Merricks - Local government investment pool; limitations.	(H) Committee on Appropriations	(H) Assigned App. sub: Technology Oversight & Government Activities (Landes)	01/23/09
HB 2596 - Ebbin - Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.	(H) Committee on Appropriations	(H) Assigned App. sub: Transportation (May)	01/23/09
HJ 620 - Oder - Constitutional amendment; Transportation Fund, Highway Maintenance and Operating Fund, etc.	(H) Committee on Privileges and Elections	(H) Assigned P & E sub: Constitutional	01/15/09
HJ 626 - Poisson - Motor fuel tax; joint subcommittee to study replacement with mileage-based fee.	(H) Committee on Rules	(H) Referred to Committee on Rules	10/14/08
HJ 687 - Rust - Highways; Joint Commission on Transportation Accountability to develop plan to toll certain.	(H) Committee on Rules	(H) Referred to Committee on Rules	01/13/09
HJ 714 - Valentine - Passenger and freight rail programs; JLARC to study long-term funding needs of State.	(H) Committee on Rules	(H) Assigned Rules sub: Studies	01/16/09
HJ 720 - Marshall, R.G. - Constitutional amendment; Transportation Fund, Highway Maintenance and Operating Fund, etc.	(H) Committee on Privileges and Elections	(H) Assigned P & E sub: Constitutional	01/22/09
HJ 756 - Cosgrove - VAMPO; General Assembly recognizes need for and encourages Secretary of Transportation to establish.	(H) Committee on Transportation	(H) Referred to Committee on Transportation	01/19/09
SB 850 - Colgan - Budget Bill.	(S) Committee on Finance	(S) Referred to Committee on Finance	12/17/08
SB 863 - Edwards - TransDominion Express Commission; created.	(S) Committee on Rules	(S) Referred to Committee on Rules	12/29/08

SB 864 - Edwards - Rail Transportation Development Authority; created.	(S) Committee on Finance	(S) Rereferred to Finance	01/15/09
SB 995 - Miller, J.C. - Hampton Roads Transportation Authority; abolished, makes several technical changes.	(S) Committee on Finance	(S) Rereferred to Finance	01/15/09
SB 1041 - Hanger - Fuels taxes; annually adjusted.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/09
SB 1066 - Puller - Trains; fine for boarding or riding with fraudulent or counterfeit ticket, etc.	(S) Committee for Courts of Justice	(S) Assigned Courts sub: Civil	01/27/09
SB 1097 - Herring - Income tax, state; tax credit to employers for expenses incurred in allowing employees to telework.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/09

More...

Email complete list (include message below, if desired): kala@nvtdc.org

Lobbyist-in-a-Box

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Composite view

Bills	Committee	Last action	Date
SB 1097 - Herring - Income tax, state; tax credit to employers for expenses incurred in allowing employees to telework.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/09
SB 1098 - Herring - Income tax, state; tax credit to employers for employees who enter into flextime agreements.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/09
SB 1232 - Barker - HOT lane construction contracts; requirements for minimum average speed for vehicles using.	(S) Committee on Transportation	(S) Referred to Committee on Transportation	01/13/09
SB 1283 - Newman - Motor fuels tax; change in tax basis.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/14/09
SB 1368 - Barker - Highway systems; allocation of maintenance funds.	(S) Committee on Transportation	(S) Referred to Committee on Transportation	01/14/09
SB 1498 - Barker - Motor fuels tax; converts rates to percentage that shall be calculated by DMV Commissioner.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/23/09
SB 1511 - Whipple - Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.	(S) Committee on Privileges and Elections	(S) Reported from Privileges and Elections (15-Y 0-N)	01/27/09
SB 1532 - Saslaw - Motor fuels tax; changes percentage in Northern Virginia.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/23/09
SJ 357 - Barker - Rapid transit service network; continues mandate of study.	(S) Committee on Rules	(S) Assigned Rules sub: Studies	01/26/09
SJ 387 - Barker - HOT lanes; expressing sense of General Assembly concerning contracts entered into by VDOT.	(S) Committee on Rules	(S) Referred to Committee on Rules	01/23/09

Email complete list (include message below, if desired): kala@nvtvc.org

Rick Taube

From: Christopher Zimmerman [Czimmerman@arlingtonva.us]
Sent: Tuesday, January 13, 2009 4:04 PM
To: Kala Quintana; Rick Taube; Rhonda Gilchrest; Scott Kalkwarf; Adam McGavock; Greg McFarland; Colethia Quarles
Cc: Melissa Walker
Subject: Metro Compact Amendments -- Statement of Virginia Members of the WMATA Board
Attachments: Christopher Zimmerman.vcf; 2009 01 09 WMATA Compact Amendment.doc; Compact Amdmts - Stmt of Va members of the WMATA Board of Directors (12 Jan 09).doc
Importance: High

Dear Colleagues –

Attached please find a statement from the Virginia members of the WMATA Board of Directors, supporting the proposed Amendments to the WMATA compact introduced yesterday in the District Council by Council (and Metro Board) member Jim Graham.

As you know, Congress last fall approved legislation (attached to the Amtrak bill) that authorizes a \$150 million federal contribution for Metro capital needs for 10 years. For this funding, which would be for maintenance and renewal, not system expansion, to be forthcoming, several things must first happen.

- Congress must make an appropriation;
- The signatories (Maryland, the District, and Virginia), must provide a match totaling \$150 million (over and above existing capital funding);
- The signatories must approve certain required amendments to the WMATA compact.

The these amendments, key provisions of which relate to the governing structure of WMATA, must be approved in identical form by the three legislative bodies, and then consented to by Congress. (The Board would be expanded to include new members, appointed by the General Services Administrator, in addition to some other requirements).

Yesterday, Monday January 12, the first step in the amendment process was begun with the introduction in the District Council of legislation to amend the compact submitted by Mr. Graham (who is also the incoming WMATA Board Chairman). As you will see in the attached statement the Virginia representatives to the Metro Board (Supervisor Hudgins, Supervisor McKay, Mayor Euille, and myself) support the enactment of this legislation in each of the compact jurisdictions. It is our hope that identical language will be introduced and approved by the General Assembly this session.

It should be noted that, in addition to complying with the requirements of the new federal statute, the amendment language introduced in the District Council (see attached) contains an important provision for the protection of the interests of the signatory jurisdictions. In summary, this would provide that the voting powers of the federal members would depend upon actual provision of federal funding under the terms of the bill.

While the funding potentially obtainable under the new federal law represents only a small part of what WMATA will require over the next decade (currently estimated at \$11.2 billion), and does not address

operating needs, every dollar is vital and every year lost costly. We hope you will support this effort to obtain an important component of the capital program necessary to maintain our region's transit system. Please feel free to contact me with any questions.

Christopher Zimmerman, Member
Arlington County Board
703-228-3130

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title III of the Washington Metropolitan Area Transit Regulation Compact, known as the Washington Metropolitan Area Transit Authority Compact, to clarify and amend sections of the Compact regarding Board Membership, Officers and Payments, including amendments to clarify that the Administrator of General Services appoints the federal government representatives; to create an “inspector general” as an Officer of the Authority; and to require that one of the federally-appointed directors be a regular passenger and customer.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “WMATA Compact Amendment Act of 2009”.

Sec. 2. Article III of Title III of the Washington Metropolitan Area Transit Regulation Compact is amended as follows:

(a) Subparagraph (a) of paragraph 5 (“Board Membership”) is amended as follows:

(1) Strike the phrase “of six Directors”.

(2) Strike the phrase “signatory. For Virginia,” and insert the phrase “signatory, and two for the federal government commencing upon the enactment of the first appropriation for grants to the Authority authorized by Title VI of the Passenger Rail Investment and Improvement Act of 2008, as amended, or any successor thereto, and ending upon the expiration of that authorization. For Virginia,” in its place.”

(3) Strike the phrase “and for Maryland, by the Washington Suburban Transit Commission” and insert the phrase “for Maryland, by the Washington

1 Suburban Transit Commission; and for the federal government, by the Administrator of
2 General Services” in its place.

3 (4) Strike the phrase “body. A Director” and insert the phrase
4 “body. For the federal government, one of the Directors shall be a regular passenger and
5 customer of the Authority. A Director” in its place.

6 (b) Subparagraphs (a) and (b) of paragraph 5 are amended by striking the
7 phrase “of the signatory” wherever it appears and inserting the phrase “of the
8 jurisdiction” in its place.

9 (c) Add a new subparagraph (c) to read as follows:

10 “(c) The federally-appointed Directors and alternates may participate in Board
11 deliberations and voting only during any federal fiscal year in which there is an
12 appropriation for grants to the Authority in an amount of at least one hundred fifty
13 million dollars (\$150,000,000.00) authorized by Title VI of the Passenger Rail
14 Investment and Improvement Act of 2008, as amended. There shall cease to be federally-
15 appointed Directors and alternates upon the expiration of authorization for funding by the
16 United States Congress for grants to the Authority in Title VI of the Passenger Rail
17 Investment and Improvement Act of 2008, as amended.”.

18 (d) Paragraph 9 (“Officers”) is amended as follows:

19 (1) Subparagraph (a) is amended as follows:

20 (A) Strike the phrase “comptroller and” and insert the
21 phrase “comptroller, an inspector general” in its place.

22 (B) Strike the phrase “manager and” and insert the phrase
23 “manager, inspector general” in its place.

24 (2) Add a new subparagraph (d) to read as follows, renumbering
25 subsequent paragraphs accordingly:

1 “(d) The inspector general shall report to the Board and head the Office of
2 Inspector General, an independent and objective unit of the Authority that conducts and
3 supervises audits, program evaluations and investigations relating to Authority activities;
4 promotes economy, efficiency and effectiveness in Authority activities; detects and
5 prevents fraud and abuse in Authority activities; and keeps the Board fully and currently
6 informed about deficiencies in Authority activities as well as the necessity for and
7 progress of corrective action.”.

8 (e) Paragraph 26 (“Payments”) is amended by appending the following
9 phrase to the end of the existing text:
10 “Payments upon a commitment of a signatory for the purpose of matching federal funds
11 appropriated in any given year pursuant to the authorization in Title VI of the Passenger
12 Rail Investment and Improvement Act of 2008, as amended, or any successor thereto,
13 shall be from amounts derived from sources of funding that are earmarked or required
14 under the law of the signatory to be used to match such federal appropriations.”.

15 Sec. 3. Fiscal impact statement.

16 The Council adopts the fiscal impact statement in the committee report as the
17 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
18 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
19 206.02(c)(3)).

20 Sec. 4. Effective date.

21 This act shall take effect following approval by the Mayor (or in the event of veto
22 by the Mayor, action by the Council to override the veto), a 30-day period of
23 Congressional review as provided in section 602(c)(1) of the District of Columbia Home
24 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
25 206.02(c)(1)), and publication in the District of Columbia Register.

Statement of Virginia members of the WMATA Board of Directors

In support of Amendments to the WMATA Compact
as introduced by Board Member and District Council Member Jim Graham

January 12, 2009

~ ■ ~

As members of the WMATA Board of Directors representing Virginia, we are acutely aware of the pressing need for a significant infusion of capital funding for Metro, simply to maintain the performance of the current rail, bus, and paratransit service. The combination of a now-aging system with continually growing ridership, and a host of policy imperatives -- including the problems of traffic congestion, the need to lower greenhouse gas emissions, as well as the national interest in reducing dependence on foreign oil -- all underscore the need for increased capital investment in the region's transit system.

Recognizing that the Metro system is essential to the daily functioning of the Federal Government (its workers accounting for more than 40 percent of peak ridership) we, along with other leaders throughout the National Capital Region, have worked for a new partnership among all levels of government -- local, state, and federal -- that would provide a federal contribution for a portion of the needed investment.

Legislation passed by Congress in the fall of 2008 provides for such a contribution; but, in order to secure the new federal contribution, amendments to the Metro Compact are required. These would constitute the first modification of the Authority's governance structure since the inception of WMATA in the 1960s. All three signatories -- the District of Columbia, the State of Maryland, and the Commonwealth of Virginia -- must ratify any amendment of the compact in identical form, which must then be consented to by Congress.

- Council Member Jim Graham, who represents the District of Columbia on the WMATA Board, has introduced in District Council the first legislative measure that would effect the necessary compact amendments.
- We applaud this effort by our District colleague, and we support his specific proposal, which both complies with the provisions of the federal statute and contains important protections for the signatory members. (We note that the local and state governments in Virginia, Maryland, and the District continue to bear responsibility for the annual operating subsidy that supports the system, currently costing more than half a billion dollars per year.) We hope the District Council will see fit to act quickly on his submission, and we hope that the necessary concomitant action will be taken in the state capitals in Annapolis and Richmond.

- We call upon the Virginia Senate and House of Delegates to give their approval to these amendments, so that our new federal-state-regional partnership can move forward, and WMATA can secure the additional funding our region so desperately needs. We pledge to work with our colleagues in local and state government to bring this phase of the process to successful conclusion, so that we may move swiftly to implementation.

Cathy Hudgins
Fairfax Board of Supervisors
(Hunter Mill)

Christopher Zimmerman
Arlington County Board

Jeff McKay
Fairfax Board of Supervisors
(Lee)

William Euille
Mayor, City of Alexandria

Congress of the United States
Washington, DC 20510

The Honorable Martin O'Malley
Governor
State of Maryland
State House
100 State Circle
Annapolis, MD 21401-1925

The Honorable Tim Kaine
Governor
Commonwealth of Virginia
Office of the Governor
State Capitol
Richmond, VA 23219

The Honorable Adrian M. Fenty
Mayor
District of Columbia
1350 Pennsylvania Avenue NW
Washington, DC 20004-3003

Dear Governor O'Malley, Governor Kaine and Mayor Fenty:

As members of the Washington Regional Congressional Delegation, we are writing to urge prompt enactment of Washington Metropolitan Area Transit Compact legislation in your respective jurisdictions.

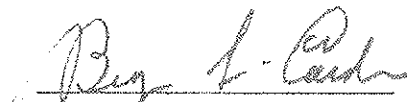
Last year, we led efforts in Congress to enact unprecedented legislation that provides \$1.5 billion in federal funding for the Metro system. Your support for local legislation that codifies the required compact amendments and triggers the availability of these federal funds is vital to our future efforts at gaining appropriations.

We hope that each jurisdiction will enact identical compact legislation by May 2009, and strongly urge you to resist amendments that may conflict with the provisions enacted by Congress. Compact amendments that deal solely with the provisions of Public Law 110-432 will expedite eligibility for federal funding.

Governor O'Malley
Governor Kaine
Mayor Fenty
January 14, 2009
Page Two

Thank you for your continued support in securing federal investment in our regional transit system. We will continue to elicit your support as we collectively move forward for the benefit of the region.

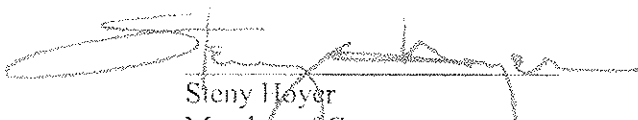
Sincerely,


Benjamin L. Cardin
United States Senator

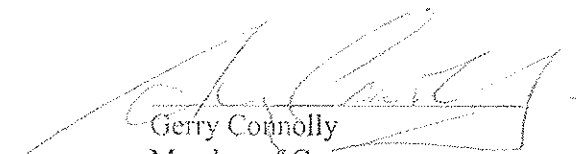

Barbara A. Mikulski
United States Senator


Jim Webb
United States Senator



Mark Warner
United States Senator



Steny Hoyer
Member of Congress


Frank Wolf
Member of Congress


Gerry Connolly
Member of Congress


Donna Edwards
Member of Congress


Jim Moran
Member of Congress


Chris Van Hollen
Member of Congress



COMMONWEALTH of VIRGINIA

Office of the

SECRETARY of TRANSPORTATION

Transportation Budget Update

Pierce R. Homer

Secretary of Transportation

January 2009



Virginia Department of Rail and Public Transportation



COMMONWEALTH OF VIRGINIA



Current Trends

- **TEUs at Port of Virginia down 5.4% in October 2008 compared to October 2007**
- **Diesel tax collections are down 14.4% in October 2008 compared to October 2007**
- **Motor vehicle sales tax collections are down 33% in October 2008 compared to October 2007**
- **Recordation tax revenue estimates for FY09 are down 22% from last June**
- **Original vehicle registrations are down 20% in October 2008 compared to October 2007**
- **Virginia's air carrier capacity is down 12%**

Major Revenue Milestones

- **August 18: Estimated six year transportation revenue reduction of \$2.2 billion**
- **September 5: Estimated Federal Highway Trust Fund \$8 billion FFY09 deficit; federal reimbursements suspended**
- **September 7: Credit restrictions imposed on housing markets**
- **December 5: Estimated six year transportation revenue reduction grows to \$2.6 billion**

Transportation Revenues – HB3202 Bonds

- \$3 billion authorization over 10 years
- The current financial model projects \$2.2 billion over the next 10 years; first sale would not be until fiscal year 2010
- Bonds may not be sufficient to fund all purposes envisioned by HB 3202; priority order in HB3202 is as follows:
 - 1) transit and rail capital
 - 2) federal match
 - 3) revenue sharing program
 - 4) priority projects
- Long term sustainability of bond program is an emerging issue

Core Priorities

- **Maintenance and operation of existing highway and transit systems**
- **Match all available federal funds and meet federal mandates**
- **Economic development**
- **Transit and rail initiatives/congestion relief**
- **Bridge replacement and repair**
- **Public private partnerships initiatives/congestion relief**
- **Multimodal improvements**
- **Coordination between transportation and land use**

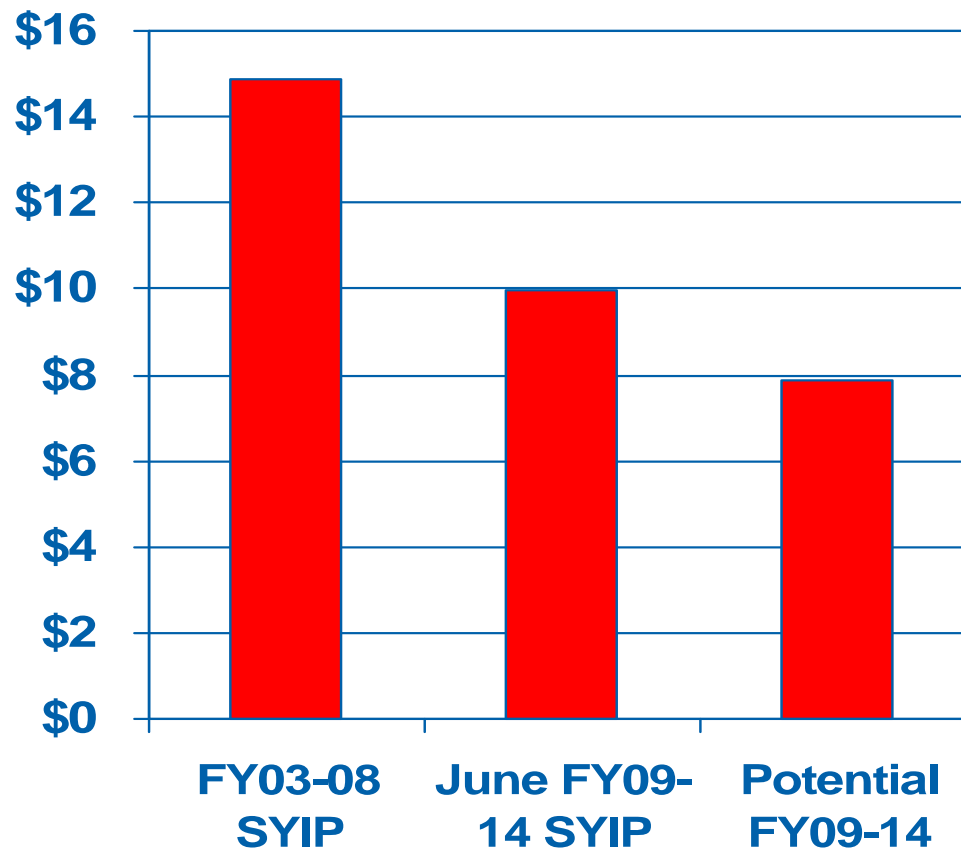
Maintenance and Operations of Existing Highways and Transit Systems

- **\$10.6 billion in highway funds over six years**
 - VDOT interstate pavement rated deficient increased from 17.1% in 2006 to 20.5% in 2008
 - Average rate of increase reduced from 4% to 3%
 - Same reductions for local maintenance payments
- **\$4.3 billion in transit funds estimated over six years**
 - Transit operations funded at FY08 levels
 - “Lifeline” reserve established
- **Transit capital replacement, pavement repair and bridge replacement high priority for stimulus funding**

Major Transit and Rail Initiatives



Six Year Improvement Program



(Figures in billions and constant dollars)

Six Year Improvement Program

- **CTB public hearing on February 5th; 6:30pm in Richmond**
- **CTB adoption on February 19th**
- **Effective elimination of primary, secondary and urban allocations**
- **Interstate and federal-aid priorities**
 - **Complete existing phases of work (PE, ROW, CN)**
 - **Public-private partnerships**
 - **Rail, transit and highways synergies**
- **Unmet maintenance needs**
 - **Bridge replacement**
 - **Pavement condition**
- **Long term financial sustainability**

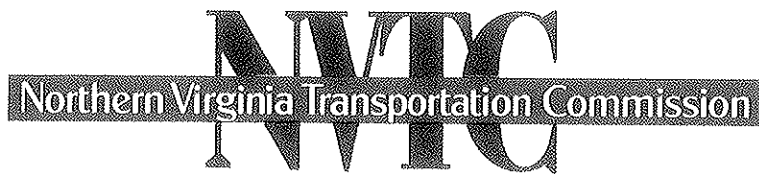
Department of Rail and Public Transportation: **(\$40.8m)**

- **15% reduction in administrative budget**
 - \$5.1m to offset impacts of revenue reductions on transit providers
 - Reduce consultant support
 - Reduce number of performance audits from 10 to 5
- **Reduce transit formula funds for capital and operating**
- **Critical hiring process**

Moving Forward

- **Uncertain and rapidly declining federal and state transportation revenue situation**
- **Federal stimulus and re-authorization**
- **Continuing to improve the link between transportation and land use**
- **Execute PPTA project agreements and rail project agreements**
- **Implement VDOT Blueprint for re-organization**
- **Development and implementation of VTrans 2035 – Virginia's long-range statewide transportation plan**

Blue



AGENDA ITEM #3

MEMORANDUM

TO: Chairman Zimmerman and NVTC Commissioners
FROM: Rick Taube and Scott Kalkwarf
DATE: January 29, 2009
SUBJECT: NVTC's Authorization to Submit FY 2010 State Grant Applications.

NVTC's applications on behalf of WMATA, VRE and the commission's local jurisdictions are due February 2, 2009. To meet this deadline, NVTC staff will submit electronically the attached materials. They have been carefully reviewed by local staff. The commission is asked to adopt Resolution #2122, which confirms the commission's support of these applications and is a requirement of the Virginia Department of Rail and Public Transportation.

An attachment compares total eligibility for WMATA and the local bus systems for FY 2010 versus 2009. As can be seen, for NVTC's jurisdictions and WMATA the FY 2010 eligibility is about \$20 million less than in FY 2009 for capital and \$240,000 less for operations. However, the Metro preliminary operating budget for FY 2010 is unavailable so the actual FY 2009 budget was used as a placeholder. The actual grant will be based on certified expenses from the previous year.

For VRE, the FY 2010 eligibility is about \$440,000 less than in FY 2009 for capital and about \$4.2 million less for operations.

The amount of assistance actually received by NVTC for FY 2010 is likely to be much less than the eligible amount of \$260.6 million unless the General Assembly acts to provide significantly greater funding.





RESOLUTION #2122

SUBJECT: Approval of FY 2010 NVTC and VRE State Administrative/FTM, Capital, and Related Grant Applications and Authority to Apply for Funds from the Commonwealth Transportation Board, Federal Transit Administration and other Grant Agencies.

WHEREAS: The Northern Virginia Transportation Commission (NVTC) wishes to obtain state and federal grants to help defray NVTC, WMATA, local bus systems and Virginia Railway Express (VRE) operating and capital costs.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission's executive director is authorized, for and on behalf of NVTC and its members, 1) to execute and file an application to the Virginia Department of Rail and Public Transportation (DRPT), for grants of public transportation assistance for the fiscal year 2010 commencing July 1, 2009 in the amount of \$160.4 million to defray the public transportation cost of NVTC and its members for administration, fuels, tires, lubricants and maintenance parts at a matching ratio of 95%; 2) to accept from DRPT grants in such amounts as may be awarded; and 3) to furnish DRPT such documents and other information as may be required for processing the grant request.

BE IT FURTHER RESOLVED that NVTC's executive director is authorized, for and on behalf of NVTC and its members, 1) to execute and file an application to DRPT, for grants of public transportation assistance for FY 2010 for capital expenses in an amount that will not exceed \$75.1 million to defray up to 95 percent of the costs borne by NVTC and its members for equipment, facilities and the associated expenses of any approved capital grant; 2) to revise the capital portion of the application to reflect refined estimates by WMATA or local governments when they become available; 3) to accept from DRPT grants in such amounts as may be awarded; and 4) to furnish to DRPT such documents and other information as may be required for processing the grant request.



RESOLUTION #2122

BE IT FURTHER RESOLVED that NVTC's executive director is authorized, for and on behalf of NVTC and PRTC and their members, 1) to execute and file FY 2010 VRE applications to DRPT and to seek up to \$13.4 million for FTM and administrative costs and up to \$11.7 million for capital; 2) to revise the application to reflect refined estimates by VRE; 3) to accept from DRPT grants in such amounts as may be awarded; and 4) to furnish to DRPT such documents and other information as may be required for processing the grant request.

BE IT FURTHER RESOLVED that NVTC's executive director is authorized, for and on behalf of NVTC and PRTC and their members, 1) to execute and file an application to DRPT for a grant of financial assistance in the amount of \$12,350 to defray 95 percent of the costs of a VRE intern; 2) to accept from DRPT grants in such amounts as may be awarded; and 3) to furnish DRPT such documents and other information as may be required for processing the grant request.

BE IT FURTHER RESOLVED that NVTC certifies that the funds for all of the above grants will be used in accordance with the requirements of Section 58.1 638.A.4 of the Code of Virginia, that NVTC will provide matching funds in the ratio required by the Act, that the records of receipts of expenditures of funds granted to NVTC may be subject to audit by DRPT and by the State Auditor of Public Accounts, and that funds granted to NVTC for defraying the public transportation expenses of NVTC shall be used only for such purposes as authorized in the Code of Virginia.

BE IT FURTHER RESOLVED that NVTC's executive director is authorized, for and on behalf of NVTC and its members, to furnish to TPB, CTB and other state and federal funding agencies such documents, information, assurances and certifications as may be required for pursuing the above grant requests and continuing previously awarded grants.

RESOLUTION #2122

Approved this 5th day of February, 2009.

Christopher Zimmerman
Chairman

William Euille
Secretary-Treasurer

**NVTC
SUMMARY OF STATE CAPITAL AND FORMULA GRANT ASSISTANCE APPLICATIONS
FOR FY 2010**

NVTC	FY 10	FY 09	Increase (Decrease)
<u>CAPITAL</u>			
Local Capital (see schedule A)			
Alexandria	-	1,233,960	(1,233,960)
City of Fairfax	-	-	-
Fairfax County	4,642,000	20,239,301	(15,597,301)
Arlington	11,770,000	21,196,828	(9,426,828)
Falls Church	-	-	-
Total	<u>16,412,000</u>	<u>42,670,089</u>	<u>(26,258,089)</u>
Eligibility amount @95%	<u>15,591,400</u>	<u>40,536,585</u>	<u>(24,945,185)</u>
WMATA Capital (see schedule B)			
Metro Matters Program	54,450,000	49,127,000	5,323,000
Beyond Metro Matters - IRP	-	-	-
BMM - Project Development	825,000	825,000	-
Debt Service	7,412,486	7,412,486	-
Total	<u>62,687,486</u>	<u>57,364,486</u>	<u>5,323,000</u>
Eligibility amount @95%	<u>59,553,112</u>	<u>54,496,262</u>	<u>5,056,850</u>
Total Capital	<u>79,099,486</u>	<u>100,034,575</u>	<u>(20,935,089)</u>
Eligibility amount @95%	<u>75,144,512</u>	<u>95,032,846</u>	<u>(19,888,335)</u>
<u>OPERATING FTM/ADMIN (see schedule C)</u>			
Eligibility amount @ 95%			
WMATA	135,142,303	136,224,369	(1,082,066)
Local	25,286,168	21,316,863	3,969,305
Total operating eligibility	<u>160,428,471</u>	<u>160,668,331</u>	<u>(239,860)</u>
<u>VRE</u>			
<u>CAPITAL (see schedule D)</u>			
Total budget (non-federal)	<u>12,265,369</u>	<u>12,733,429</u>	<u>(468,060)</u>
Eligibility amount @ 95%	<u>11,652,101</u>	<u>12,096,758</u>	<u>(444,657)</u>
<u>OPERATING FTM/ADMIN</u>			
Eligibility amount @ 95%	<u>13,380,785</u>	<u>17,619,474</u>	<u>(4,238,689)</u>

NVTC
 APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE
 LOCAL CAPITAL
 FY 2010

SCHEDULE A

	<u>TOTAL COST</u>	<u>FEDERAL</u>	<u>NON- FEDERAL</u>
CITY OF ALEXANDRIA			
Total	-	-	-
CITY OF FAIRFAX			
Total	-	-	-
FAIRFAX COUNTY			
Engine Assembly, Spare Parts, ACM	214,000	-	214,000
Other - Columbia Pike Corridor	1,000,000	-	1,000,000
Other - W. Fall Church Metro Access	100,000	-	100,000
Other - Vienna Metro Mezzanine & Staircase	1,000,000	-	1,000,000
Purchase Replacement 40-ft Buses (3)	1,245,000	-	1,245,000
Purchase Route Signage	1,015,000	-	1,015,000
Purchase Shop Equipment - Strap Hangers (68)	68,000	-	68,000
Total	<u>4,642,000</u>	-	<u>4,642,000</u>
ARLINGTON			
Bus Construction Admin/Maint Facility - Art House	500,000	-	500,000
Construction of Rail Related Facilities - Ballston-MU Metro Station Access	400,000	-	400,000
Other - Columbia Pike Street Car	1,500,000	-	1,500,000
Other - Rosslyn Station Access Improvements	5,700,000	-	5,700,000
Other - Bus Stop Shelter Improvement Program	50,000	-	50,000
Other - Transit Bus Information Technology	100,000	-	100,000
Purchase Replacement 30-ft Buses (8)	3,520,000	-	3,520,000
Total	<u>11,770,000</u>	-	<u>11,770,000</u>
CITY OF FALLS CHURCH			
Total	-	-	-
GRAND TOTAL			
	<u>16,412,000</u>	-	<u>16,412,000</u>

NVTC
 APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE
 WMATA CAPITAL SUBSIDIES
 FY 2010

SCHEDULE B

	<u>Alexandria</u>	<u>Arlington</u>	<u>Fairfax City</u>	<u>Fairfax County</u>	<u>Falls Church</u>	<u>Total</u>
Metro Matters Program (a)	8,782,000	17,210,000	383,000	27,519,000	556,000	54,450,000
BMM - Reimbursable (b)	-	-	-	-	-	-
BMM - Project Development (c)	133,000	261,000	6,000	417,000	8,000	825,000
Debt Service (d)	1,418,184	2,740,174	46,723	3,168,927	38,478	7,412,486
Total	<u>10,333,184</u>	<u>20,211,174</u>	<u>435,723</u>	<u>31,104,927</u>	<u>602,478</u>	<u>62,687,486</u>

(a) From the FY10 Metro Matters Annual Work Plan distributed on December 15, 2008, which includes a portion of identified urgent capital needs.

(b) Beyond Metro Matters Reimbursable projects - These are non-regional projects that the individual jurisdictions include on their respective state capital grant request based upon their understanding of the current year budgeted expenditures

(c) Beyond Metro Matters Project Development - Regional capital costs for project development activities not part of the Metro Matters funding agreement.

(d) Gross Revenue Transit Refunding Bonds Series 1993 and 2003 maturing FY 2011 and FY 2014 respectively.

SCHEDULE C

NVTC
APPLICATION FOR FTM/ADMIN OPERATING FORMULA ASSISTANCE
FY 2010

	LOCAL SYSTEMS						TOTAL	
	City of Fairfax		Fairfax County		Arlington County	Falls Church	LOCAL SYSTEMS	NVTC & WMATA
	Alexandria	Fairfax	Fairfax County	Fairfax County	Fairfax County	Falls Church	LOCAL SYSTEMS	NVTC
FY08 total operating expenses (certification)	12,672,447	2,787,010	46,870,401	6,753,824	472,875	69,556,557	302,917,855	372,474,412
FTM	2,485,080	547,500	7,879,821	2,236,223	117,998	13,266,622	50,888,177	64,154,799
Administrative Expenses	1,880,730	166,260	7,354,499	3,889,536	59,372	13,350,397	107,751,281	121,101,678
Other Operating Expenses	7,979,190	2,250,844	60,666,771	5,197,161	447,630	76,541,596	186,707,293	263,248,889
Total Operating Expenses	12,345,000	2,964,604	75,901,091	11,322,920	625,000	103,158,615	345,346,751	448,505,366
Total Operating Revenue	3,710,000	683,100	9,160,000	2,646,302	18,000	16,217,402	203,091,695	219,309,097
Deficit	8,635,000	2,281,504	66,741,091	8,676,618	607,000	86,941,213	142,255,056	229,196,269
Total Federal / Other State Operating Asst	-	-	6,645,000	-	-	6,645,000	-	6,645,000
Deficit before State Operating Assistance	8,635,000	2,281,504	60,096,091	8,676,618	607,000	80,296,213	142,255,056	222,551,269

Eligibility Amounts -
FTM/Admin @ 95%

4,147,520	678,072	14,472,604	5,819,471	168,502	25,286,168	135,142,303	160,428,471
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NVTC

VRE

APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE

FY 2010

SCHEDULE D

Per Application

	<u>Total Cost</u>	<u>Federal</u>	<u>Fed Source</u>	<u>Non-Federal</u>
ADP Hardware - Fare Collection Parts	\$123,000	\$98,400	FTA 5307	24,600
ADP Software - Fare Collection Upgrade	\$300,000	\$240,000	FTA 5309	60,000
Construction of Rail Related Facilities - IRP	\$550,000	\$440,000	FTA 5309	110,000
Construction of Rail Related Facilities - Broad I	\$400,000	\$320,000	FTA 5309	80,000
Construction of Rail Related Facilities - Frederi	\$705,000	\$564,000	Other	141,000
Construction of Rail Related Facilities - WUT /	\$1,000,000	\$800,000	FTA 5307	200,000
Debt Service for Rail Projects - Sumitomo Acc	\$1,932,000	\$1,545,600	FTA 5309	386,400
Debt Service for Rail Projects - Sumitomo 50 (	\$828,000	\$662,400	FTA 5309	165,600
Debt Service for Rail Projects - Sumitomo 50 (	\$1,672,000	\$1,337,600	FTA 5307	334,400
Debt Service for Rail Projects - Sumitomo 50 (	\$1,350,000	\$0		1,350,000
Debt Service for Rail Projects - Capital Fleet E	\$900,000	\$720,000	FTA 5307	180,000
Debt Service for Rail Projects - 93 & 98 Debt S	\$6,764,000	\$0	FTA 5307	6,764,000
Lease Locomotives	\$200,001	\$160,001	FTA 5307	40,000
Capital Cost of Contracting	\$2,000,000	\$1,600,000	FTA 5309	400,000
Other - Enhancement Grant / Signage	\$100,000	\$80,000	Other	20,000
Other - Grant Project Management	\$375,000	\$300,000	FTA 5307	75,000
Other - Security Enhancements	\$100,000	\$80,000	FTA 5307	20,000
Other - Capital Project Contingency	\$133,000	\$106,400	FTA 5307	26,600
Other - Construction Management	\$300,000	\$240,000	FTA 5309	60,000
Other - Parking Lot Lease - Rippon	\$140,000	\$112,000	FTA 5307	28,000
Other - Grant & Project Management	\$308,000	\$246,400	FTA 5309	61,600
Other - Fredericksburg Parking Lease	\$25,000	\$20,000	FTA 5307	5,000
Other - Capital Project Contingency	\$217,000	\$173,600	FTA 5309	43,400
Other - Rolling Stock Modifications	\$1,200,000	\$960,000	FTA 5307	240,000
Other - Add'l Federal Funds	\$1,461,170	\$1,168,936	Other	292,234
Purchase Replacement Locomotives	\$1,050,674	\$840,539	FTA 5307	210,135
Purchase Replacement Locomotives	\$1,605,000	\$1,284,000	FTA 5309	321,000
Purchase Replacement Locomotives	\$3,132,000	\$2,505,600	FTA 5307	626,400
Track Lease Payments	\$9,767,000	\$7,813,600	SSTP	1,953,400
				(1,953,400)
	38,637,845	24,419,076		12,265,369