



AGENDA ITEM #1

MINUTES  
NVTDC COMMISSION MEETING – JANUARY 5, 2012  
NVTDC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Euille at 8:16 P.M.

**Members Present**

Sharon Bulova  
Barbara Comstock  
John Cook  
James Dyke  
Adam Ebbin  
William D. Euille  
Jay Fisette  
John Foust  
Jeffrey Greenfield  
Mark R. Herring  
Catherine Hudgins  
Mary Hynes  
Jeffrey McKay  
Ken Reid  
Thomas Rust  
Paul Smedberg  
David F. Snyder  
Mary Margaret Whipple  
Christopher Zimmerman

**Members Absent**

Joe May

**Staff Present**

Rhonda Gilchrest  
Claire Gron  
Scott Kalkwarf  
Kala Quintana  
Rick Taube  
Dale Zehner (VRE)



### Oath of Office for New NVTC Commissioner

Chairman Euille announced that Ken Reid has been appointed to serve on NVTC as a replacement for Kelly Burk from the Loudoun County Board of Supervisors. Chairman Euille administered the oath of office to Mr. Reid and the commission welcomed him to NVTC.

Mr. Dyke left the room.

### Awards to Departing Commission Members

Chairman Euille stated that three NVTC commissioners serving in 2011 will be leaving NVTC in 2012. He presented an award of appreciation to Senator Whipple in special recognition of her 25 years of service. Several commissioners expressed that they have been deeply honored to serve alongside Senator Whipple who has done so much for this region. Chairman Euille noted that these comments are reflective of the entire commission. Chairman Euille also presented an award of appreciation to Delegate Ebbin for his service on NVTC. Since Mrs. Burk was not present, NVTC staff will mail the award to her.

### Election of NVTC Officers for 2012

Chairman Euille reported that NVTC's Executive Committee served as the Nominating Committee and has recommended the following slate of officers for 2012:

Chairman: Jay Fisette  
Vice-Chairman: Jeff McKay  
Secretary-Treasurer: Paul Smedberg

There were no further nominations. Mrs. Bulova moved, with a second by Mr. Zimmerman, to approve the recommended slate of officers. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Ebbin, Euille, Fisette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

Chairman Euille administered the oath of office to the newly elected officers. He then passed the gavel to Chairman Fisette.

Chairman Fisette presented an award to Mr. Euille for his outstanding service as NVTC chairman in 2011. Mr. Euille stated that he has had the privilege to serve as a NVTC officer over the last 8-9 years. He looks forward to working with the new officers and full commission during 2012.

## Minutes of the December 1, 2011 NVTC Meeting

On a motion by Senator Whipple and a second by Mr. McKay, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Ebbin, Euille, Fissette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

### VRE Items

Report from the VRE Operations Board and Chief Executive Officer. Mr. Zehner reported that on-time performance (OTP) for the month of December was 96.5 percent on the Fredericksburg line and 96.6 percent on the Manassas line. Ridership for December was 18,095 average daily trips, with three top 10 ridership days. Since February, 2011 when VRE hit the 20,000 daily ridership mark, there have been 60 days of 20,000 or higher daily trips. Ridership has exceeded 21,000 a few times. Mr. Zehner also reported that over the last year VRE riders have lost 1,846 items on the trains, including 300 cell phones, 85 wallets, 26 lap tops, and even a set of false teeth. VRE was able to return 1,569 items to their owners, which is an 85 percent return rate. This is VRE's highest return rate to-date. Delegate Rust asked about the capacity of the current rolling stock. Mr. Zehner explained that VRE can add approximately 2,000 more daily riders if capacity is spread across all the trains.

Mr. Dyke returned to the meeting at 8:26 P.M.

VRE's FY 2013 Operating and Capital Budget and Revisions to the FY 2012 Budget. Mrs. Bulova reported that the VRE Operations Board recommends approval of Resolution #2178, which would adopt VRE's proposed FY 2013 operating and capital budget and revisions to the FY 2012 budget. It would also authorize staff to forward the budget to NVTC's participating and contributing jurisdictions for their consideration under the terms of the VRE Master Agreement. Mrs. Bulova stated that the budget assumes an average daily ridership of 19,000 and holds the number of trains constant at 32. A three percent increase in total local subsidy is included together with a three percent fare increase.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the commission approved Resolution #2178 (copy attached). The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Ebbin, Euille, Fissette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Rust, Smedberg, Snyder, Whipple and Zimmerman. Mr. Reid abstained.

Extension of the Norfolk Southern Operating Access Agreement. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #2179, which would extend the existing agreement with Norfolk Southern to July 31, 2012. The current extension expires January 31, 2012. The purpose of the extension is to allow more time to negotiate unresolved insurance issues.

Mrs. Bulova moved, with a second by Mr. Smedberg, to adopt the resolution (copy attached). The vote in favor was cast by commissioners Bulova, Comstock,

Cook, Dyke, Ebbin, Euille, Fisette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Rust, Smedberg, Snyder, Whipple and Zimmerman. Mr. Reid abstained.

### NVTC's FY 2011 Audit

Chairman Euille introduced Mike Garber and Dwight Buracker from NVTC's audit firm, PBGH LLP, who were present to review the results of NVTC's annual audit for FY 2011. Mr. Garber reported that PBGH has issued three opinions, including an unqualified (clean) opinion that NVTC's financial statements in all material respects, fairly and accurately present the financial position of the organization. A clean report was also issued on the internal control of NVTC's financial reporting, compliance and other matters. The third opinion is in regards to compliance with the federal OMB Circular A-133 and states that NVTC complied in all material respects with those requirements. However, an item was discovered that is required to be reported. NVTC staff did not properly submit the June 30, 2010 financial statements to the Federal Audit Clearinghouse (FAC) by the required due date. This occurred because NVTC staff did not receive the email notification with log-in credentials and therefore failed to electronically activate its filing. To guard against this recurring, NVTC staff has initiated a system to generate an internal reminder, whether or not the email notice is received from the FAC. Mr. Garber also stated that a portion of VRE's financial statements are now included in NVTC's and PRTC's financial statements.

Mr. Zimmerman moved, with a second by Mr. Euille, to authorize staff to provide the audited financial statements to a list of interested regulatory agencies, bond holders, jurisdictions and individuals. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

### Selection of NVTC's Representatives to the WMATA, VRE and VTA Boards of Directors and to NVTC's Executive and Legislative Committees

Chairman Fisette announced the nominations for the WMATA, VRE and VTA Boards, which would be adopted by approving Resolution #2180. The nominations are as follows:

#### WMATA Board:

Principals:	Catherine Hudgins	Alternates:	Mary Hynes
	James Dyke		Bill Euille

#### VRE Operations Board:

Principals:	Sharon Bulova	Alternates:	Jeff McKay
	John Cook		
	Chris Zimmerman		Jay Fisette
	Paul Smedberg		

VTA Board:

Principals: Chris Zimmerman  
Bill Euille

Alternates: Mary Hynes  
Jeff McKay  
Rick Taube

Chairman Fisette further explained that NVTC's By-Laws determine the membership of the Executive Committee and NVTC's chairman appoints the members of the Legislative Committee. A later agenda item will discuss potential changes to the By-Laws, which would change the membership of the Executive Committee. The membership of these committees is as follows:

NVTC Legislative Committee

Jay Fisette, Chairman  
William Euille  
Jeff Greenfield  
Mark Herring  
Catherine Hudgins  
Mary Hynes  
Ken Reid  
Tom Rust  
Dave Snyder

NVTC Executive Committee

Jay Fisette (chairman)  
Jeff McKay (vice-chairman)  
Paul Smedberg (secretary-treasurer)  
Tom Rust (General Assembly)  
James Dyke, (WMATA Board)  
Catherine Hudgins (WMATA Board)  
William Euille (immediate past chair)  
Mary Hynes (WMATA Board – pending By-Laws amendment)  
Sharon Bulova (Fairfax Co. Board Chair – pending By-Laws amendment)

Mrs. Hynes moved, with a second by Mr. Reid, to approve Resolution #2180.

Mrs. Bulova noted that the Fairfax County Board of Supervisors has not yet met, so the action should be contingent upon subsequent action taken by the Board. Senator Whipple observed that the resolution reflects this contingency. The commission then voted on Resolution #2180 (copy attached) and it passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

Delegate Comstock left the room.

### Approval of NVTC's Official Signatories and Employees' Pension Trustees

Mr. Taube stated that Resolution #2181 establishes that Mr. Smedberg, as the new secretary-treasurer, is eligible to sign NVTC documents (including financial transactions) and to serve as a trustee of NVTC's Employees' Pension Trust.

On a motion by Mr. Zimmerman and a second by Mrs. Bulova, the commission unanimously approved Resolution #2181 (copy attached). The vote in favor was cast by commissioners Bulova, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

### Disadvantaged Business Enterprise Policy , Program and Goal

Mr. Taube stated that Resolution #2182 would establish a Disadvantaged Business Enterprise (DBE) Policy and Program and a three-year goal for NVTC's federally funded projects. The goal is at least 5.6 percent by value of NVTC's federally funded projects to be performed by Certified Disadvantaged Business Enterprises. NVTC's subrecipients must also adhere to this policy and attempt to meet the goal. NVTC must report to the Federal Transit Administration regularly on progress in achieving this goal. In the past, PRTC established the goal for the three agencies (PRTC, NVTC and VRE) and processed the mandatory reports. FTA now requires NVTC to establish its own goal and report individually. The proposed goal remains the same as that of PRTC and VRE. NVTC's policy and goal must be available to the public for 45 days for comment before NVTC acts to approve them in final form. Accordingly, Resolution #2182 authorizes staff to advertise the proposed policy and goal for public comment with the expectation that final action will occur at NVTC's March 1, 2012 meeting.

Mr. Zimmerman moved to approve Resolution #2182. Mrs. Hudgins seconded.

In response to a question from Mr. Zimmerman, Mr. Taube stated that the DBE calculation was reviewed by a NVTC staff member who is also a lawyer. In response to a question from Delegate Rust, Mr. Taube stated that there are specific DBE definitions in the federal regulations that apply and he can provide that information. Mr. Dyke suggested staff provide a periodic update on how NVTC is meeting this goal. Mr. McKay observed that the calculated federal requirement for NVTC is 2.8 percent but NVTC is proposing 5.6 percent. Mr. Taube explained that 5.6 percent is the same goal as VRE and PRTC and it is a realistic goal.

The commission then voted to adopt Resolution #2182 (copy attached). The vote in favor was cast by commissioners Bulova, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

## NVTC By-Law Amendments

Chairman Fisetto stated that in defining the 2012 performance goals, NVTC commissioners expressed an interest in clarifying certain procedures set forth in NVTC's By-Laws. The proposed changes are meant to accomplish such clarification. Specifically, it is stated that open meeting requirements in the Virginia Code will apply to NVTC's Executive Committee and the committee chairman has the authority to determine who is able to participate in lawfully convened closed sessions of that committee. In order to strengthen the capability of the Executive Committee to recommend policy actions to the full board of NVTC, it is recommended that the Chairman of the Fairfax County Board be a permanent member of the Executive Committee (if that person serves on NVTC). Also, all of NVTC's WMATA Board members would become members of the Executive Committee.

Mr. Taube explained that current By-Laws require action at two successive meetings of NVTC before any changes are adopted, so the commission is asked to act to approve the proposed changes, subject to ratification at NVTC's March 1<sup>st</sup> meeting. Chairman Fisetto stated that the Executive Committee has reviewed all the changes. The committee agreed that it was beneficial to add a description of NVTC's purpose to the By-Laws.

In response to a question from Mrs. Bulova about who can attend Executive Committee meetings, Chairman Fisetto stated that the Executive Committee meetings are open to the full commission and the public. However, closed sessions are limited to the rules described in the By-Laws. Summary minutes of Executive Committee meetings are also available. In response to a question from Mr. Dyke, Mr. Taube stated that each January NVTC adopts a meeting schedule, which includes Executive Committee meetings. The Executive Committee meeting agendas are posted on NVTC's website.

Delegate Comstock returned to the meeting.

Senator Whipple moved, with a second by Mr. Snyder, to approve the By-Law changes and to authorize a final action on the proposed changes to occur at NVTC's March 1, 2012 meeting.

Mr. Snyder proposed a friendly amendment to add "safety and customer service" to the purpose statement. The sentence would read: "NVTC works to improve mobility, safety, and transit customer service; reduce traffic congestion; protect the environment; and stimulate the regional economy; all by increasing the use of transit and ridesharing." This friendly amendment was accepted by unanimous consent.

Mr. Snyder also stated that he has no objection to adding the Fairfax County Board Chair to the Executive Committee but suggested including the stipulation that it does not give any single jurisdiction a majority on the Executive Committee. Chairman Fisetto stated that this issue was discussed by the Executive Committee but it was determined that based on the make-up of the committee it was not possible for one jurisdiction to have a majority. Mr. Taube stated that all three officers would have to be from Fairfax County for this to happen. However, it has not been NVTC's practice to

have all its officers from one jurisdiction. Mr. Snyder suggested the wording “so long as it does not create a majority on the Executive Committee of any one jurisdiction.”

Mr. Reid asked for clarification that he can attend Executive Committee meetings as a representative from Loudoun County. Chairman Fisette responded that it is an open meeting and he can attend.

In response to a comment from Mrs. Hynes, Mr. Taube explained that senators and delegates do not represent specific jurisdictions on NVTC and it is assumed that this would also apply to Mr. Dyke, since he is a representative of the commonwealth. Mr. Zimmerman noted that Mr. Snyder’s proposed language might not be needed since NVTC’s practice precludes it happening. Chairman Fisette took a straw poll to determine if commissioners think it is important to include additional language. The consensus was language was not needed and can be dealt with in the future if it becomes an issue.

The commission then voted on the main motion and it passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Greenfield, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

Mr. Greenfield left the meeting and did not return.

### Review of NVTC’s 2011 Accomplishments

Mr. Kalkwarf provided an overview of NVTC’s financial accomplishments, including carefully monitoring receipt of \$43.8 million of regional gas taxes, which is up \$5.7 million from the previous fiscal year. NVTC also actively pursued proper allocation of gas taxes by jurisdictions with the result of \$1.6 million being correctly reallocated to-date.

Ms. Quintana reviewed the public outreach and legislative accomplishments, including completing a detailed state and federal legislative agenda for NVTC and a state agenda for the Virginia Transit Administration. Over four million requests for e-schedules were received (up 27 percent since 2007) and 10,848 NVTC web-site visits (up 17 percent since 2010). Mr. Smedberg asked how the e-schedules are processed. Ms. Quintana replied that there is an automated structure in place through Arlington County’s Transportation Partners.

Since Mariela Garcia-Colberg, NVTC’s new Public Transit Projects and Grants Specialist, is out of the country, Mr. Taube reviewed the project management accomplishments for 2011. NVTC continued to lead the multi-region effort to initiate a new Vanpool Incentive Program; managed the \$500,000 grant for the TransAction 2040 regional transportation plan update; took the lead role in managing the \$350,000 federally funded project to analyze high-capacity transit options in the Route 7 corridor; and managed ongoing federal grants for Alexandria, Arlington and Falls Church totaling over \$13 million, with another \$6 million pending approval.

Claire Gron introduced herself as NVTC's new Public Transit Policy Analyst. She reported that NVTC continues to compile transit performance data from each of the transit systems operating within Northern Virginia. For FY 2011, ridership rose modestly overall, despite the ongoing economic downturn and the resulting transit service cutbacks and increased fares. VRE's ridership (up 14 percent) and on-time performance were spectacular, and other local bus systems showed solid growth. Ms. Gron also presented a working draft of mapping congressional districts showing transit being provided in that district, as well as including ridership data. Mrs. Hynes suggested that bus priority corridors could be included.

Mr. Taube reported that over a period of several months, NVTC staff led negotiations among NVTC's jurisdictions to agree on a course of action for Loudoun County's participation in NVTC when the county begins to pay for service from WMATA. The proposed resolution has been shared with NVTC's Executive Committee and action by the full commission will be initiated when the Loudoun County Board so requests. NVTC also organized responses to the Pentagon's efforts to revise access to bus bays at the Pentagon Transit Center. NVTC staff also actively represents NVTC's transit operators on DRPT's SJR 297 stakeholder group. That study has very significant implications for the amount of state transit assistance this region may receive in the future. The Interim Report has now been issued. Senator Whipple noted that the fiscal stress criteria for the study tend to favor other localities. Mr. Taube stated that on the other hand, if local level of effort is applied, Northern Virginia would fare better. Senator Whipple stated that since two of the five items selected for further study are designed to reward lower costs, she would be more reassured if there were a reference to regional costs of living. Mrs. Hudgins stated that the economic development aspect is very important. Chairman Fisetete thanked staff for closely monitoring this since it could dramatically affect the region. He suggested DRPT staff be asked to give a presentation at a future NVTC meeting.

#### Public Hearing On and Adoption of NVTC's Work Program and Schedule for 2012

Mr. Taube stated that as a result of feedback from the Executive Committee, staff added an item under Goal #8 "Strengthen NVTC as an Organization" to provide for developing a communications plan, which would deal with internal and external communication. It would be a plan, with a possible budget, of how to improve communication among NVTC commissioners and staff as well as the public and General Assembly members. It is meant to be a substitute for the proposed legislative affairs scope of work presented at the last meeting. Chairman Fisetete further stated that staff would bring back a draft communications plan for discussion at the March NVTC meeting.

Chairman Fisetete opened the public hearing.

Allen Muchnick, a board member of the Virginia Bicycling Federation, urged NVTC to help improve pedestrian and bicycle access to public transportation in Northern Virginia. He stated that the only section of NVTC's work program related to promoting and improving non-auto access to transit is Action 3 under Goal 3, and the activities listed are neither current nor adequate. It fails to mention WMATA's excellent

Metrorail Bicycle and Pedestrian Access Improvements Study. He stated that VRE continues to fail at adequately promoting and accommodating bicycle parking at VRE stations. Obtaining bicycle information from the VRE website seems harder than ever. VRE should aggressively pursue alternate funding to establish a bicycle locker program before expanding free vehicle parking. NVTC and DRPT should help plan and promote the Capital Bikeshare, which has been remarkably successful over the past 15 months and is expected to double in the coming year.

Mr. Taube agreed that the Metrorail Bicycle and Pedestrian Access Improvement Study should be included in the work program. He also stated that VRE staff now provides a report each month to the Operations Board on the number of riders using bicycles to access stations. NVTC could also include the Capital Bikeshare in NVTC's communications outreach plan.

Ed Tennyson, a resident of Arlington County, stated that NVTC has helped make WMATA one of the top two or three transit systems in the United States when measured by high ridership and low cost per passenger-mile. NVTC needs to monitor cost per passenger-mile and passenger-miles per bus mile. WMATA needs to seek 28 passenger-miles per car-mile. It is important to keep cost per passenger-mile below 50-cents. He also stated that Metrobus is a growing problem with reported 2010 operating costs of \$1.39 per passenger-mile, and with fares of only 27-cents, a revenue-to-cost ratio of only 19.5 percent. The load factor must be increased to at least 12 passenger-miles per bus-mile and bus fares must be no less than rail fares for short distances. Mr. Tennyson stated that VRE needs to improve its insurance arrangement. Insurance takes seven percent of VRE's operating expenses compared to other regional commuter rail operations averaging three percent. Finally, NVTC needs to educate everyone on how much imported foreign motor fuel it has saved with its transit support for cleaner air.

Rob Whitfield, from the Dulles Corridor Users Group, thanked NVTC for the work it does. He stated that NVTC should consider changing its name to the Northern Virginia Transit Commission so the public is not confused by NVTC's real role. In reality, 90 percent of travel in Northern Virginia is done by automobile. His concern is that although NVTC has effective meetings representing the transit community, there is no counterpart representing the needs of the automobile driver. He urged members of the General Assembly to come up with proposals to address the needs of people outside of the Beltway. The biggest issue to be resolved in 2012 is funding of the Dulles Rail Phase II Project. Most of the assumptions being made for economic growth, ridership growth, revenues, costs, and operating subsidies are not understood by the public. NVTC should spearhead an effort to educate the public within the next 90 days.

David Dixon, Transportation Program Manager of the Sierra Club, stated that NVTC's work program and legislative agenda look good. He called for NVTC to take an active leadership role as a stakeholder in several initiatives, including the VTrans 2035 Update and the Northern Virginia North-South Corridor Master Plan in order to make sure that these studies and recommendations maintain strong multi-modal components.

There being no additional members of the public wishing to speak, Chairman Fiset closed the public hearing.

Mr. Snyder moved, with a second by Mr. Euille, to approve the 2012 NVTC's work program and meeting schedule as submitted.

Mr. Reid expressed his interest in the oversight of WMATA and asked if NVTC is monitoring the binding arbitration. Mrs. Hudgins replied that arbitration is required in the WMATA Compact. Mr. Zimmerman stated that the binding arbitration is there because Congress put it in as a requirement of the Compact, which makes it federal law. It specifies in the Compact that WMATA does the negotiating. He stated that NVTC can play a more active role in WMATA issues, but there is a time to let WMATA Board members do their job. In response to a question from Mr. Reid, Mr. Zimmerman stated that NVTC has the ability to offer comments and suggestions on WMATA matters. Chairman Fisette stated that Metro issues can be discussed at NVTC meetings and NVTC can give feedback to its WMATA Board members. Mr. Reid asked if NVTC can add something to its work program that directs staff to monitor the binding arbitration. Chairman Fisette stated that Mr. Reid could propose specific language but it does not need to be a specific point in the work program for NVTC to have a discussion. Mrs. Hudgins stated that if NVTC is going to have a detailed discussion, commissioners would need to have an understanding of the contract and arbitration requirements. Mr. McKay stated that getting input from commissioners is helpful but he cautioned that these are either legal or personnel issues that are usually discussed in closed session at WMATA. Mr. Zimmerman suggested that NVTC be briefed prior to WMATA entering into future contracts.

Senator Herring asked if Goal #6, Item #4 could be interpreted broadly enough for NVTC to participate in the CTB's study on Corridors of Statewide Significance between Route 7 and the Beltway. Mr. Taube responded that it could be included.

Chairman Fisette moved, with a second by Mrs. Hynes, to amend Item #3 (page 8) to add the wording: "...and assist WMATA in implementing the recommendations from their Metrorail Bicycle and Pedestrian Access Improvement Study." The commission unanimously agreed to accept this friendly amendment.

The commission then voted on the main motion and it passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, Smedberg, Snyder, Whipple and Zimmerman. Mr. Reid abstained.

Mrs. Bulova suggested it may be helpful to have an understanding of what would be required to change NVTC's name, as suggested during the public hearing. Chairman Fisette directed staff to report back to the Executive Committee on this issue.

#### Approval of NVTC's FY 2013 Administrative Budget

Mr. Taube stated that the commission is asked to approve the budget, which is the same budget reviewed in September. Local staff reviewed it again in December. For FY 2013, NVTC is proposing a reduction in overall spending, with total expenditures dropping to \$1.194 million. This reduction is possible, despite anticipated significant

increases in insurance and other costs, primarily by maintaining NVTC's staff at six full-time and two part-time positions. Total contributions from state and local governments will be reduced by 2.4 percent respectively.

Mr. Euille moved, with a second by Mr. Snyder, to approve the FY 2013 administrative budget. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

#### Virginia Vanpool Incentive Program

Mr. Taube explained that substantial seed money must be provided to cover a two to three-year period from the start of the program until federal transit formula funds are available. DRPT staff invited the project sponsors to apply for assistance for FY 2013, with the understanding that any DRPT assistance will only be temporary and will not support the program beyond the initial two to three-year period until federal funds become available. Since PRTC will be the agency managing the project on behalf of the three sponsoring commissions (PRTC, NVTC and GWRC), PRTC will submit the grant application. NVTC is being asked to endorse the PRTC request for DRPT funds. Also, NVTC currently has \$200,000 of CMAQ funding reserved for this project. Because PRTC is administering the project, PRTC should apply for NVTC's reserved CMAQ funding. Resolution #2183 would authorize PRTC to apply for the DRPT and CMAQ funding.

Mrs. Hudgins moved with a second by Mr. Zimmerman, to approve Resolution #2183 (copy attached).

Mr. Snyder stated that a speaker during the public hearing suggested highways and transit interests are separate, but in reality, they are all linked together. Various programs such as this one provide options for people, including often safer options. These types of projects make highways more useable for those who have no other options.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Reid, Rust, Smedberg, Snyder, Whipple and Zimmerman.

#### Legislative Items

Mr. Taube reported that the brochure describing NVTC's 2012 Legislative Agenda has been widely distributed to General Assembly members and other interested parties. A concise discussion paper was prepared that describes the potential adverse consequences of combining NVTC and NVTA, as Governor McDonnell proposed. There would be no monetary savings and the two organizations do very different things. Mr. Snyder stated that he would like to see some of the previous work done in response

to past consolidation proposals be merged into the shorter document to give a more detailed explanation.

Mr. Taube reported that a legislative reception is scheduled in Richmond for the Virginia Transit Association on January 30<sup>th</sup>. NVTC will meet jointly with NVTA in Richmond on Local Government Day (February 9, 2012) at 5:30 P.M.

### WMATA Items

Mrs. Hudgins explained that a proposed new Resolution #2184 serves as a way of putting a mechanism in place for NVTC to make its appointments to the WMATA Board. She reviewed the resolution. Chairman Fisette stated that it is his understanding that it has been discussed among NVTC's WMATA Board members.

Mrs. Hynes moved, with a second by Mr. Dyke, to approve Resolution #2184.

In response to a question from Mr. Reid, Mrs. Hynes explained that the intent is that the four WMATA Board members will work together in a cooperative effort. Since Mr. Reid has not been here over the last year, she gave some historical background. The resolution speaks to how the board members will commit to work together.

Mr. Taube explained that by agreement the Loudoun County representative does not vote on WMATA items. The current agreement between NVTC and Loudoun County, in which the county joined NVTC, states that while Loudoun County is not paying for Metro service, it will not vote on WMATA issues. A new agreement between NVTC and Loudoun County is in the process of being finalized. Mr. Reid observed that the resolution references the Silver Line. Chairman Fisette noted that the resolution is focused on how board members will work together.

Mr. Zimmerman called the question and the commission voted on the motion. It passed. The vote in favor was cast by commissioners Bulova, Comstock, Cook, Dyke, Ebbin, Euille, Fisette, Foust, Herring, Hudgins, Hynes, McKay, Rust, Smedberg, Snyder, Whipple and Zimmerman. As explained above, Mr. Reid was not eligible to vote.

### Regional Transportation Items

Chairman Fisette suggested deferring these information items until a future NVTC meeting. There were no objections.

### NVTC's Public Outreach

Chairman Fisette suggested deferring this item until a future NVTC meeting. There were no objections.

NVTC Financial Items for November, 2011

The financial reports were provided to commissioners and there were no questions.

Adjournment

Mr. Taube reminded commissioners that the next meeting will be held on February 9<sup>th</sup> in Richmond at 5:30 P.M.

Without objection, Chairman Fisette adjourned the meeting at 10:12 P.M.

Approved this 9<sup>th</sup> day of February, 2012.

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Jay Fisette  
Chairman

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Paul C. Smedberg  
Secretary-Treasurer

# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2178

**SUBJECT:** VRE's FY 2013 Operating and Capital Budget and Revisions to the FY 2012 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 is recommending a FY 2013 Operating and Capital Budget within the guidelines developed in concert with the jurisdictional chief administrative officers; and

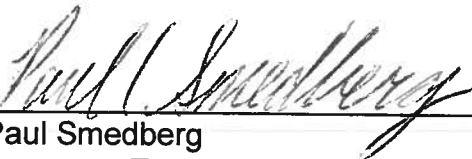
**WHEREAS:** The budget is built on an average daily ridership of 19,000 and 32 trains.


**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission adopts the revised FY 2012 and the recommended FY 2013 VRE Operating and Capital Budgets and directs its staff to forward the FY 2013 budget to the local jurisdictions for inclusion in their budgets and appropriations in accordance with the VRE Master Agreement.

**BE IT FURTHER RESOLVED** that NVTC authorizes the Executive Directors of both PRTC and NVTC to 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 and grant applications for FY 2012 and FY 2013.

**BE IT FURTHER RESOLVED** that NVTC authorizes its Executive Director to submit to the Commonwealth the approved budget as part of the FY 2013 VRE state aid grant applications.

Approved this 5<sup>th</sup> day of January, 2012.

  
Paul Smedberg  
Secretary-Treasurer

  
Jay Fisette  
Chairman



**NVTC**  
Northern Virginia Transportation Commission  
**NVTC**

**RESOLUTION #2179**

**SUBJECT:** Extension of Norfolk Southern Operating Access Agreement.

**WHEREAS:** The commissions currently have an operating/access agreement with Norfolk Southern relating to VRE operations in the Manassas to Washington corridor, with said agreement ending on January 31, 2012;

**WHEREAS:** Staff has reached an agreement in principle on many substantive items relating to a new agreement following detailed negotiation sessions with Norfolk Southern representatives;


**WHEREAS:** A proposal to extend the existing agreement to July 31, 2012, without any changes to the existing agreement is expected from Norfolk Southern;

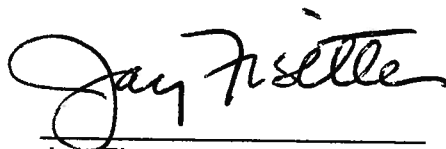
**WHEREAS:** The purpose of this extension is to allow time to negotiate and resolve the outstanding liability issues relating to a new agreement; and

**WHEREAS:** Necessary funding has been incorporated into the FY 2012 and FY 2013 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, 2012.

Approved this 5<sup>th</sup> day of January, 2012.

  
Paul Smedberg  
Secretary-Treasurer

  
Jay Fisette  
Chairman



# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2180

**SUBJECT:** Selection of NVTC Representatives to Various Boards.

**WHEREAS:** NVTC is empowered to make appointments to the Board of Directors of the Washington Metropolitan Area Transit Authority, the Virginia Railway Express and the Virginia Transit Association; and

**WHEREAS:** Some of NVTC's jurisdictions may not formally appoint their NVTC members prior to NVTC's January meeting and some may not be ready with recommendations.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Northern Virginia Transportation Commission hereby appoints the following persons to various boards, contingent upon possible subsequent action by NVTC's jurisdictions to alter their NVTC members for 2012 and their recommendations for members of the various boards.

**BE IT FURTHER RESOLVED THAT** the contingent appointments for 2012 are:

**WMATA Board:**

Principals

Hon. Cathy Hudgins  
James Dyke, Esq.

Alternates

Hon. Mary Hynes  
Hon. Bill Euille

**VRE Board:**

Principals

Hon. Sharon Bulova  
Hon. John Cook  
Hon. Chris Zimmerman  
Hon. Paul Smedberg

Alternates

Hon. Jeff McKay  
  
Hon. Jay Fisette

**VTA Board:**

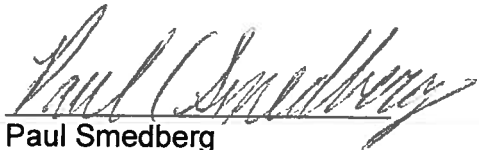
Principals

Hon. Chris Zimmerman  
Hon. Bill Euille

Alternates

Hon. Mary Hynes  
Hon. Jeff McKay  
Richard K. Taube

Approved this 5<sup>th</sup> day of January, 2012.



Paul Smedberg  
Secretary-Treasurer



Jay Fisette  
Chairman



**RESOLUTION #2181**

**SUBJECT:** Designation of NVTC Signatories and Pension Trustees.

**WHEREAS:** The Honorable Paul Smedberg has been elected Secretary-Treasurer of NVTC for 2011; 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.

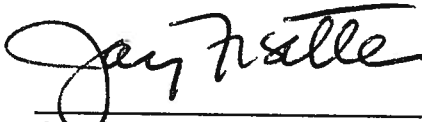
**NOW, THEREFORE BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby selects the following persons to serve as NVTC signatories (who are eligible to sign individually for any transaction of less than \$5,000 and with one other signatory for transactions of \$5,000 or greater):

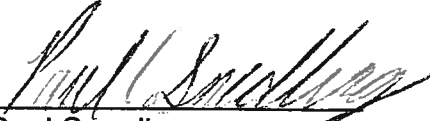
Hon. Paul Smedberg  
Richard K. Taube  
Scott C. Kalkwarf

Secretary-Treasurer  
Executive Director  
Director of Finance and Administration

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

Approved this 5<sup>th</sup> day of January, 2012.

  
\_\_\_\_\_  
Jay Fisette  
Chairman

  
\_\_\_\_\_  
Paul Smedberg  
Secretary-Treasurer



# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2182

**SUBJECT:** Disadvantaged Business Enterprise Policy and Goal.

**WHEREAS:** The Federal Transit Administration (FTA) requires grant recipients to adopt policies and goals for awarding contracts to certified Disadvantaged Business Enterprises (DBE);

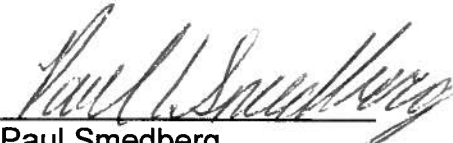
**WHEREAS:** NVTC has relied on PRTC to adopt such policies and goals and file mandatory reports on behalf of NVTC (and VRE), but now FTA is requiring NVTC to adopt its own policy and goal and file its own reports; and

**WHEREAS:** NVTC desires to maintain continuity with PRTC and VRE.

**NOW, THEREFORE BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby authorizes its staff to publish immediately the proposed policy and goal of at least 5.6 percent of its federally funded contract value to be awarded to DBE's for the three-year period of 2012-2014. Staff is also authorized to seek public comment prior to March 1, 2012 with a final proposed policy and goal, reflecting public comment, to be brought to NVTC for action on that date.

Approved this 5<sup>th</sup> day of January, 2012.

  
Jay Fiset  
Chairman

  
Paul Smedberg  
Secretary-Treasurer



# NVTC Northern Virginia Transportation Commission

## RESOLUTION #2183

**SUBJECT:** Virginia Vanpool Incentive Program.

**WHEREAS:** The Northern Virginia Transportation Commission (NVTC) has supported a study by VHB that developed a business plan for a Northern Virginia Vanpool Incentive Program, co-sponsored with the Potomac and Rappahannock Transportation Commission (PRTC) and the George Washington Regional Commission (GWRC);

**WHEREAS:** The business plan shows that the proposed program will return several million dollars annually above program costs in new federal transit formula assistance and result in reduced WMATA subsidies for NVTC's jurisdictions as well as providing congestion relief and environmental benefits;

**WHEREAS:** Because there is a two to three-year lag in receiving the new federal funds after the program begins, a source of seed money must be identified;

**WHEREAS:** PRTC will manage the new program on behalf of itself and NVTC and GWRC;

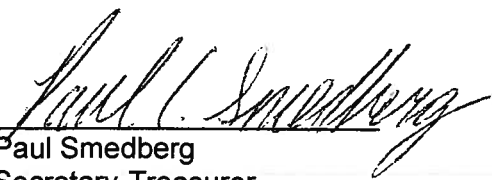
**WHEREAS:** The Virginia Department of Rail and Public Transportation (DRPT) has indicated its willingness to consider an application from PRTC for seed money for the project; and

**WHEREAS:** NVTC has received authorization for \$200,000 of federal Congestion Mitigation and Air Quality (CMAQ) funding for the project.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Northern Virginia Transportation Commission hereby authorizes PRTC to seek start-up funding for the Vanpool Incentive Program on behalf of PRTC, NVTC and GWRC from the FY 2013 DRPT grant program, with applications due by February 1, 2012.

**BE IT FURTHER RESOLVED THAT** the Northern Virginia Transportation Commission requests that the Northern Virginia Transportation Authority's (NVTA) Jurisdictional and Agency Coordinating Committee (JACC) transfer sponsorship of \$200,000 of approved CMAQ funding from NVTC to PRTC so that PRTC can obtain the grant funds for the project.

Approved this 5<sup>th</sup> day of January, 2012

  
Paul Smedberg  
Secretary-Treasurer

  
Jay Fisetle  
Chairman



# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2184

**SUBJECT:** Coordination Among NVTC's WMATA Board Members.

**WHEREAS:** The Northern Virginia Transportation Commission (NVTC) is charged in the WMATA Compact with appointing Virginia's members of the WMATA Board;

**WHEREAS:** Until January of 2012, NVTC has selected only local elected officials to represent the commission on the WMATA Board;

**WHEREAS:** NVTC's WMATA Compact member jurisdictions provide significant funding for WMATA and serve as "fundors of last resort" when WMATA has budget shortfalls; in addition the locally elected members of NVTC have direct and continuous contact with their constituents who provide the majority of WMATA's subsidies through their local taxes and fares;

**WHEREAS:** These local elected officials have always maintained a very high level of cooperation and coordination to ensure that the interests of Virginia's taxpayers and transit customers are well represented;

**WHEREAS:** In 2011 the Virginia General Assembly approved Governor McDonnell's budget amendment requiring NVTC to select the designee of the Virginia Secretary of Transportation as one of NVTC's voting members on the WMATA Board; and

**WHEREAS:** This change necessitates a reexamination of the methods used to coordinate the positions of NVTC's WMATA Board members to ensure that they maintain a unified approach that continues to maximize the best interests of Northern Virginia's taxpayers and transit customers.

**NOW, THEREFORE BE IT RESOLVED THAT NVTC** urges its local jurisdiction WMATA Compact members and the Commonwealth to work together to achieve what is best for WMATA and the taxpayers and transit customers of this region. In addition, all WMATA Board members should, prior to significant actions at the WMATA Board, provide sufficient notice to each other so that any differences can be resolved to mutual satisfaction if possible.

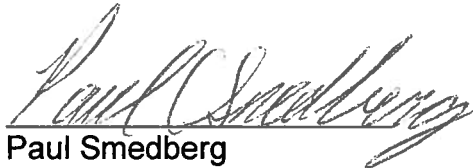


**BE IT FURTHER RESOLVED THAT** NVTC's member jurisdictions and the Commonwealth are urged to coordinate positions on all of the region's significant transit issues through NVTC, such as the Silver Line Metrorail extension, among others.

**BE IT FURTHER RESOLVED THAT** NVTC agrees to continue to monitor the performance of WMATA through its appointees to the WMATA Board, with regular reports at commission meetings; if problems of coordination among NVTC's WMATA Board appointees surface during the following year the commission will work to achieve appropriate solutions.

**BE IT FURTHER RESOLVED THAT** in light of the state's control of 50 percent of the appropriation power associated with participation in WMATA, the Northern Virginia Transportation Commission urges the Commonwealth of Virginia to provide sustainable and dedicated revenues to support WMATA, in order to ensure the safety and reliability of the Metro system and the economic sustainability of our region.

Approved this 5<sup>th</sup> day of January, 2012

  
Paul Smedberg  
Secretary-Treasurer

  
Jay Fiset  
Chairman