

MINUTES
NVTC COMMISSION MEETING – OCTOBER 3, 2002
NVTC CONFERENCE ROOM - ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Zimmerman at 8:40 P.M.

Members Present

William Bogard
Sharon Bulova
Gerald Connolly
Kerry J. Donley
William D. Euille
Paul Ferguson
Jay Fisette
Katherine K. Hanley
Elaine McConnell
Karen Rae (VDRPT)
Scott Silverthorne
David F. Snyder
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

James F. Almand
Dana Kauffman
Gary A. Reese
William C. Mims

Staff Present

Rhonda Gilchrest
Scott Kalkwarf
Stephen MacIsaac (VRE)
Adam McGavock
Richard K. Taube
Alfred Titus-Glover
John Touhy (VRE)

Changes to the Agenda

Mr. Taube stated that additional information items have been provided to commissioners. He also explained that although a closed session is not needed to discuss a personnel matter, one is needed for a VRE matter pertaining to an FTA order regarding the Manassas Park parking lot. There were no objections to changing the agenda.

Minutes of September 5, 2002

Mr. Connolly moved, with a second by Mrs. Whipple, to approve the minutes. The vote in favor was cast by commissioners Bulova, Connolly, Donley, Euille, Ferguson, Fisette, Hanley, Silverthorne, Whipple and Zimmerman.

Northern Virginia Referendum on a Sales Tax Increase for Transportation

Mr. Taube stated that at its September 5, 2002 meeting, the commission asked staff to prepare an agenda item that would provide the commission an opportunity to endorse the November 5th referendum. Resolution #939 would endorse the November 5th referendum and urge voters to support it, for the following three reasons: 1) All of the money raised by the transportation sales tax will be spent in Northern Virginia; 2) Over 40 percent of the project costs on the initial list are for transit; and 3) The new sales tax revenues will make a difference in the lives of Northern Virginia's citizens. Local staff has reviewed the resolution. The VRE and WMATA Boards have adopted similar resolutions.

Mr. Connolly moved, with a second by Mr. Donley, to approve the resolution. Mr. Donley asked that staff also prepare a press release.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Connolly, Donley, Euille, Ferguson, Fisette, Hanley, Whipple and Zimmerman. Mr. Silverthorne abstained because the Fairfax City Council has not yet taken a position on the referendum. (A copy of Resolution #939 is attached.)

NVTC/VRE Audit for FY 2002

Mr. Taube explained that the NVTC and VRE audits have been completed. Staff recommends that the commission accept NVTC's audit report, which includes VRE's audited financial statements, and authorize staff to distribute it to the list of jurisdictions, regulatory agencies, bondholders and other interested parties. The VRE Operations Board has reviewed this year's VRE

statements and recommends that the commission accept the report for distribution.

Mr. Euille moved, with a second by Mrs. Bulova, to accept the audit report and authorize staff to distribute it to the list of jurisdictions, regulatory agencies, bond holders and other interested parties.

Mr. Kalkwarf, NVTC's Director of Finance and Administration, stated that this year's audit was especially challenging because NVTC and VRE were required to adopt the Government Accounting Standards Board Statement #34 (GASB 34) for FY 2002, which is considered to be the most significant change in governmental reporting in over 25 years. NVTC is included in the first phase of governments required to adopt the statement. Because GASB 34 was developed primarily for state and local governments and very little guidance exists for governmental entities such as NVTC, determining how the new reporting model fit NVTC was a particular challenge.

Mr. Taube introduced Bob Dunham from Dunham & Aukamp, NVTC's current audit firm. Mr. Dunham commended staff on the outstanding job they did preparing for the audit, especially in light of the new standards. He stated that his firm has expressed an unqualified (clean) opinion on the financial statements of NVTC and VRE. There were no issues or deficiencies that required a management letter.

Mr. Euille stated that in his capacity as NVTC's secretary-treasurer, he received a detailed page-by-page briefing of the financial statements from Mr. Kalkwarf.

Mr. Connolly stated that the minutes should reflect the commission's appreciation to staff for their work regarding the audit. There were no objections.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Connolly, Donley, Euille, Ferguson, Fiset, Hanley, Silverthorne, Whipple and Zimmerman.

NVTC Projects

Public Outreach. Mr. Taube stated that a schedule and workprogram for NVTC's "Think Outside the Car" marketing campaign were prepared for and discussed with VDRPT showing how remaining state marketing grant funds will be spent by the end of FY 2003. Local staff also had a chance to review them.

SmarTrip Farebox/Clearinghouse. Mr. Taube reported that NVTC staff participated in a WMATA-led discussion of future fare collection strategies. WMATA and its partners are preparing several items for action by the end of the

year, including a clearinghouse contract, contract for additional services from Cubic, and revised fare policies with a strategic action plan for fare collection tied to WMATA's overall strategic plan.

Falls Church Bus. Mr. Taube reported that the four Thomas-Built buses are still on schedule for delivery by the end of October. Falls Church has selected a name for the new transit system so that graphics can be painted on the bus and bus stop signs erected. It is anticipated that by mid-December free-fare service will begin with an early January, 2003 start of regular revenue service.

November 7th Joint NVTC Meeting with PRTC. Mr. Taube announced that the two commissions will conduct a special meeting on November 7th at the Springfield Hilton. A transit technology exposition will kickoff the evening for commissioners and the public. Several vendors will host exhibits and provide demonstrations. Following the exposition, the commissions will meet together for a legislative discussion, focusing on the outcome of the referendum vote. The two commissions will conduct separate brief business meetings after the joint meeting.

Emergency Response. Mr. Taube reported that on September 11, 2002, the MWCOG Board officially adopted the Regional Emergency Coordination Plan, including transportation and evacuation components. Mr. Taube stated that he has been invited to speak at the Second Annual National Capital Region Incident Management Conference at the D.C. Amory on November 4-5, 2002.

Northern Virginia Transit System Vehicle Needs. Mr. Taube explained that staff is continuing to work on expanding an exhibit that lists transit vehicles operated in Northern Virginia by each transit system. It should be completed soon and presented at NVTC's November meeting.

WMATA Items

Draft Final Strategic Plan. Mrs. Hanley reported that WMATA's draft final strategic plan document, titled Routes to the Future: A Strategic Plan, was received by the Board Planning and Development Committee on September 12, 2002. It will be discussed further with jurisdiction staff before it is sent out for formal comment. She stated that it will be hard to fund many of the projects if the referendum doesn't pass.

Commissioners Bogard, Rae and Snyder arrived at 8:58 P.M.

10-Year Capital Improvement Program (FY 2004-13). Chairman Zimmerman reported that the Board Planning and Development Committee also reviewed the 10-year CIP. A slightly revised report will be sent to the jurisdictions (including NVTC) for comment. Although comments are requested by October 25th, WMATA board members emphasized that Virginia's comments will be dependent on the results of the November 5th referendum. Allocations of proposed expenditures by jurisdictions were also requested from WMATA. The WMATA Board is expected to act on the CIP at its November 21, 2002 meeting. Chairman Zimmerman stated that the program tries to rationalize the need for projects and still be realistic. He stated that although the CIP was scaled down, it would be a challenge to fund it if the referendum doesn't pass. Mr. Taube stated that NVTC's Management Advisory Committee will be briefed about the CIP on October 15th and staff will coordinate comments for NVTC's November meeting.

Additional Regional Fare Integration Funding. The WMATA Board approved an additional \$30 million from the Transit Infrastructure Investment Fund (TIIF) to be allocated to the three subregions of which Virginia will receive \$8.1 million. From the remaining \$24.4 million of unallocated new revenues, \$9.6 million will be for regional fare integration (SmarTrip). TIIF is funded with joint development revenues. The Board also amended the 2003 CIP to add \$16.4 million for SmarTrip, including the \$9.6 million from TIIF.

FY 2004 WMATA Budget Guidelines. The WMATA Board approved a set of budget guidelines for FY 2004 on September 19, 2002.

Fair Lakes League Shuttle. Mrs. Hanley reported that the WMATA Board approved a grant application, vehicle purchase and SAP amendment for \$685,242 in discretionary federal bus funds on behalf of the Fair Lakes League. The buses will be owned by WMATA and it is anticipated that WMATA would operate them beginning in approximately January, 2003. The shuttle now operates during peak periods between the Vienna Metrorail station and the Fair Lakes business and residential areas. WMATA would replace the current private operator and expand the service. NVTC has been approached in the past to help the League obtain its grant funds and staff referred them to WMATA.

Regional Items

Northern Virginia Bike Plan. Mr. Taube explained that the Northern Virginia Regional Bikeway Network Study's purpose is to develop a regional plan for a bicycle and trail network in Northern Virginia based on existing jurisdictional plans. The regional network will include both on-road bicycle facilities, such as paved shoulders and bike lanes, as well as off-road multi-use trails. In response to a question from Chairman Zimmerman, Mr. Taube explained that VDOT staff is coordinating this study, led by Heather Wallenstrom, a former NVTC staff member.

Mr. Bogard noted that Loudoun County currently does not have a bike plan, although the county is developing one. He asked NVTC staff to work with the county's citizens group in developing the county plan. Mr. Taube stated that NVTC is represented on the technical committee and will pass along Mr. Bogard's request.

Mr. Connolly observed that jurisdictional plans are presumably subject to further review and modification based on available funding. If the plan needs to be scaled back due to lack of funding, it could impact bike projects and, therefore, the plan could be misleading to the public. Mrs. Bulova stated that it is like any other plan that needs a structure to prioritize the different components, based on available funding.

Mrs. Whipple stated that it is her intent to reintroduce legislation at the next General Assembly session that would reserve 10 percent of the 10 percent of Virginia's federal transportation funds set aside for safety purposes. The new 10 percent reserve would be designated for bicycle/pedestrian purposes. This would equal one percent of the total federal funds. Last year her bill was not successful, but she will make another effort to get it passed in the upcoming General Assembly session. She encouraged commissioners to support this legislation. Chairman Zimmerman stated that NVTC's Legislative Committee should discuss this issue when determining NVTC's Legislative Agenda for 2003.

Rail Volution. Chairman Zimmerman announced that the Rail Volution conference is underway in Washington, D.C. He encouraged commissioners to participate in the sessions.

"Street Smarts" Campaign. Mrs. Hanley stated that she participated, along with commissioners Donley and Zimmerman, in the news conference announcing the "Street Smarts" program, a regionwide pedestrian safety campaign. The program includes three components: enforcement, engineering and education.

Mrs. Hanley also observed that Fairfax County has changed its Code to have stiffer fines for automobiles violating crosswalks. She stated that the state should also have a law that cars must stop for pedestrians in crosswalks. Mrs. Whipple stated that if Virginia trial lawyers could be convinced to support this change, she would introduce this legislation. Chairman Zimmerman stated that the jurisdictions need to get together for a region-wide effort to get this legislation changed. Mr. Donley suggested that NVTC include this in its Legislative Agenda.

APTA Annual Conference and Exposition. APTA held its annual conference from September 21-25, 2002. Every three years APTA hosts a major trade show and this time there were 750 vendors.

APTA Legislative Alert. Mr. Taube reported that NVTC received a APTA Legislative Alert regarding the transportation appropriations bill. The House Appropriations Committee approved the FY 2003 Department of Transportation Appropriations bill on October 1, 2002. The bill funds the federal transit program at \$7.226 billion, the guaranteed amount under the Transportation Equity Act for the 21st Century (TEA 21). The Senate version, approved by the full Senate Appropriations Committee in July, provides \$100 million more than the guaranteed funding, with that \$100 million directed to the new starts program. The House bill could go to the floor for consideration prior to adjournment, but it is unlikely that the two chambers will conclude their respective versions and complete a conference agreement before they break for the elections. Mr. Taube stated that the House version includes \$762 million for Amtrak, while the Senate version includes \$1.2 billion. \$35 million has been appropriated for the Dulles project.

Ms. Rae stated that she will be participating in several upcoming meetings with Amtrak regarding policy and financing. She offered to brief the commission about those meetings.

Assessing the Congestion Mitigation and Air Quality Improvement Program. A special report from the Transportation Research Board, The CMAQ Program—Assessing 10 Years of Experience, contains the findings of 16 experts that were appointed at the request of the U.S. Congress. Their findings were generally inconclusive about the cost effectiveness of the program, but the experts did provide several recommendations, including calling for reauthorization of the program, a greater focus on a broader range of pollutants including particulates, relaxed restrictions on using CMAQ funds for transit operating costs, more incentives for recipients to evaluate the results of their projects and more emphasis by federal agencies on sharing the results of those evaluations through best practices guidance.

Where Are We Growing? Land Use and Transportation in Virginia. The Southern Environmental Law Center in Charlottesville has published a 36-page report about the challenges of growth and the rapid transformation of Virginia. The report explores the role of transit in relieving traffic congestion and cites VRE's impressive ridership growth. It goes on to describe techniques to counter the adverse development trends through improved land use policies, including transit-oriented design and development.

In response to a question from Mr. Fisette, Mrs. Whipple stated that the Southern Environmental Law Center, headed by Kay Slater, does good work and the report will probably get distributed to state legislators.

Blueprint for Countering the Claims of Transit Critics. Mass Transit published this article by Sam Zimmerman, which includes useful information to debunk several typical transit critics' claims.

NVTC Financial Items for August, 2002

The financial report was provided to commissioners and they had no questions.

Commuter Rail Items

Report from the VRE Operations Board. Chairman Zimmerman urged commissioners to read the minutes of the September 20th VRE Operations Board meeting.

VRE's Chief Operating Officer's Report. Mr. Taube reported that although summer heat slowed train operations on CSXT tracks, it did not negatively impact ridership growth. Passenger trips eclipsed the 12,500 threshold five times during the month of August. Monthly ridership for August was 265,514 passenger trips, which was almost a 17 percent increase from August, 2001.

Closed Session. Chairman Zimmerman made, with a second by Mr. Donley, the following motion:

Pursuant to the Virginia Freedom of Information Act (Section 2.2-3711A (7) of the Code of Virginia), the Northern Virginia Transportation Commission authorizes discussion in closed session on a legal matter pertaining to a FTA order regarding VRE's Manassas Park parking lot.

The vote in favor was cast by commissioners Bogard, Bulova, Connolly, Donley, Euille, Ferguson, Fissette, Hanley, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

The commission entered into closed session at 9:07 P.M. and returned to open session at 9:36 P.M.

Chairman Zimmerman moved, with a second by Mr. Euille, to approve the following certification:

The Northern Virginia Transportation Commission certifies that, to the best of each member's knowledge and with no individual member dissenting, at the just concluded closed session:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed; and
2. Only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered.

The vote in favor was cast by commissioners Bogard, Bulova, Connolly, Donley, Euille, Ferguson, Fisetite, Hanley, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

Mrs. Bulova moved, with a second by Mr. Euille, to approve Resolution #940, as amended and adopted by PRTC at its October 3, 2002 meeting. The vote in favor was cast by commissioners Bogard, Bulova, Connolly, Donley, Euille, Ferguson, Fisetite, Hanley, Rae, Silverthorne, Snyder, Whipple and Zimmerman. (A copy of the resolution is attached.)

Adjournment

Without objection, Chairman Zimmerman adjourned the meeting at 9:37 P.M.

Approved this 7th day of November, 2002.

Christopher Zimmerman
Chairman

William Euille
Secretary-Treasurer