

MINUTES
NVTC COMMISSION MEETING – OCTOBER 2, 2003
NVTC CONFERENCE ROOM - ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman McConnell at 8:20 P.M.

Members Present

David Albo
William Bogard
Sharon Bulova
William D. Euille
Paul Ferguson
Ludwig Gaines
Katherine K. Hanley
Dana Kauffman
Elaine McConnell
Karen Rae
Scott Silverthorne
David F. Snyder
Mary Margaret Whipple
Christopher Zimmerman

Members Absent

Gerald Connolly
Jay Fisette
William C. Mims
Gary A. Reese

Staff Present

Rhonda Gilchrest
Scott Kalkwarf
Jana Lynott
Stephen Maclsaac (VRE)
Adam McGavock
Richard K. Taube
Dale Zehner (VRE)

Minutes of NVTC's Meeting of September 4, 2003

The commission unanimously approved the minutes. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne and Zimmerman.

NVTC's Northern Virginia Transit Funding Resource Guide

Mr. Taube reported that local staff has had the opportunity to review the draft over the past two months. The guide serves two purposes:

- 1) Helps staff and citizens understand the wide array of potential funding sources available for transit projects of various types (it identifies sources for further information about 100 distinct programs).
- 2) Helps the public understand the level of effort of each of the funding partners in supporting transit services (federal, state, regional, local, transit systems, users and other beneficiaries). This provides the basis for NVTC and others to formulate policy and develop legislative positions on improvements to transit funding programs.

As he began his PowerPoint presentation, Mr. Taube stated that Northern Virginia's FY 2000 per capita transit level of effort using local funds is \$126 per person, which is four times higher than any other urban area in Virginia. Mr. Zimmerman stated that the guide should clearly state that these funds are coming from the Northern Virginia localities.

Mrs. Whipple arrived at 8:28 P.M.

Mr. Taube reported that Virginia has a pro-highway bias. The commonwealth is the fourth highest in the United States (at 81.5 percent) for state share of state and local combined highway funding. This is compared to 43 percent for transit. Virginia raises two-thirds of combined state/local funds and precludes local governments from using many sources. Virginia state highway funding of the non-federal share is 98-100 percent, compared to the transit target of 95 percent. For transit operations and capital, the state only achieves 20 percent and 40 percent, respectively for FY 2004. Virginia pays 20 percent of total transit costs but 72 percent of total highway costs.

Mrs. Hanley stated that the chart "Projected Annual Yields from Potential Northern Virginia Dedicated Transit Revenue Sources" should not include a property tax increase as a potential source of funding. Mr. Zimmerman suggested that on page 16 the sentence: "Local subsidies have grown by 41 percent to \$79 million in FY 2004 from \$56 million in FY 2001" be reworded to

provide clear emphasis on the important information. Mrs. Hanley requested that page 46, figure 8 should be changed to reflect Fairfax County's correct bond rating. Several additional changes were suggested by other commissioners.

Mr. Taube stated that commissioners and staff would still have an opportunity to make changes and comments for the next few weeks. The final report will be available on NVTC's website and a notice would be provided to a list of interested individuals.

Mr. Euille moved, with a second by Mr. Zimmerman, to accept the report with the recommended changes, for public distribution.

The commission then voted on the motion and it passed unanimously. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

NVTC's Policies on Evaluation of New Transit Technologies

Mr. Taube reminded commissioners that at their last meeting, NVTC received a report by Multisystems, Inc. on the need for a systematic process for evaluating the performance of investments in new transit technologies (known as ITS—Intelligent Transportation Systems). In consultation with local, regional, and state agency staff, NVTC staff recommends commission approval to seek the cooperation of Northern Virginia's transit systems in a limited, voluntary demonstration of the techniques recommended by the consultant.

In response to a question from Mr. Zimmerman, Mr. Taube stated that jurisdictional staff have reviewed it and they don't object to NVTC doing the work. In response to a question from Mrs. Whipple, Mr. Taube stated that one reason for the evaluation would be to see if transit ridership was impacted by ITS measures and to determine if they really make a difference, since the consultant found that project sponsors are not currently performing such before and after evaluations. In response to a question from Mr. Kauffman, Mr. Taube stated that NVTC could then create web-based analysis tools that policymakers could use to help make decisions about investing in future ITS measures.

In response to a question from Mr. Zimmerman, Mr. Taube explained that NVTC would start the process by picking one or two projects in which NVTC has invested. Mr. Taube stated that this would be a small first step to show whether the evaluation process works, how much staff time is required and whether it could be expanded to include other ITS projects at other transit agencies.

Mr. Gaines asked how onerous will be the collection of data. Mr. Taube stated that the consultant had estimated that it would require about 560 hours of

initial staff time and 370 hours to keep it going. Since staff's recommendation is to do the work on a much more limited basis, it should be much less than the consultant's estimate, and no additional funds or staffing would be added to NVTC's budget. Ms. Rae noted that if this demonstration is successful, then it would be a beneficial tool to help policymakers make investment decisions concerning ITS measures.

Mr. Euille moved to modify the policies recommended by Multisystems, Inc. and initiate a limited ITS performance evaluation demonstration including NVTC and other volunteer transit systems.

Mr. Zimmerman expressed his concern that jurisdictional staff does not seem to be enthusiastic about this and wonders whether they question the validity of such an evaluation process. Mr. Taube stated that there were no objections from jurisdictional staff to have NVTC staff proceed with the work. He stated that commissioners would benefit the most from the work, since they make policy decisions. Mr. Ferguson asked Mr. Zimmerman if it would be helpful to defer this action item for a month to allow commissioners to confer with their jurisdictional staff. Mr. Zimmerman stated that it is a very technical matter and he wondered if the work would just generate a lot of paper work. Mr. Taube stated that it would not pose a problem to defer action to seek additional jurisdictional staff input.

Mr. Euille agreed to remove his motion from consideration. Mr. Ferguson then moved, with a second by Mr. Gaines, to defer consideration of this item until NVTC's November meeting.

Mrs. Whipple stated that she would support the motion to defer, but stated that it would be beneficial for technical staff to evaluate technologies in such a way that gives policymakers the information to make reasonable choices about where an investment makes the most difference in ridership and other attributes.

The commission then voted on the motion to defer and it passed. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

NVTC Employees Pension Plan Amendments

Mr. Ferguson reported that NVTC's pension plan consultant, Tom Barrett of Barrett and Associates, has developed several technical amendments to the commission's employees pension plan in order to conform to new Internal Revenue Service regulations. He stated that he, along with the other pension trustees (Rick Taube, Scott Kalkwarf and Colethia Turner), carefully reviewed these changes. There is no discernable impact on NVTC's budget from these

changes. Resolution #984 would endorse these changes and authorize the revised plan to be submitted to the IRS. Mr. Ferguson explained that this action would make it easier for new employees to transfer any deferred compensation into NVTC's pension plan. Another significant change would be that if an employee has less than \$5,000 in his or her pension account, NVTC does not have to administer it.

Mr. Ferguson moved, with a second by Mr. Albo, to approve the resolution. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

Legislative Items

Mr. Taube reported that legislation was passed by the House on September 24th and the Senate on September 26th to extend federal transit and highway programs authorized under TEA 21 for five months, through February 29, 2004. The President signed the bill and the extension took effect on October 1, 2003.

Mr. Taube reported that NVTC's Management Advisory Committee discussed the preliminary ideas for next year's proposed legislative agenda. The preliminary ideas are to stimulate discussion on the part of commissioners and are not provided for action. NVTC's Legislative Committee, chaired by Mrs. Hanley, is expected to convene in November. Mrs. Hanley encouraged commissioners to read this document carefully.

WMATA Items

Metro Matters Communications/Advocacy Campaign. The campaign's message is: "America's transit system stands at the precipice of a fiscal and service crisis." NVTC's efforts to educate the public about the transit funding crisis have been coordinated with WMATA staff to be fully supportive of Metro's efforts.

Dulles Corridor Project Public Hearing. WMATA will hold public hearings on the Supplemental Draft Environmental Impact Statement and release a report on the hearings when they are completed. The additional environmental review contained in the Supplement reflects the analysis of phased implementation options and revised ridership forecasts performed at the recommendation of the Federal Transit Administration.

Regional Transportation Items

Update on HOV Enforcement. Mr. Taube reminded commissioners that in July, 2003 the Virginia State Police began a strict enforcement campaign after notifying the public that the rules do not permit SOV drivers to continue on the HOV lanes during the restricted periods. At the last meeting, commissioners requested that staff seek clarification from the State Police on these laws and how they are enforced. The State Police informed NVTC staff that there is no grace period but each officer is given the discretion to warn, issue a summons, or arrest (arrest only occurs in cases where the driver is wanted on other charges). Officers are instructed to use good judgment and note the license plate. Out-of-state drivers are generally only given a warning whereas residents are expected to read the signs and obey the rules. VDOT will perform traffic counts this fall to assess the impact of the media and enforcement campaigns. Chairman McConnell stated that the public needs to be educated about the HOV rules.

Mrs. Hanley stated that in the morning on the Dulles Toll Road to the Connector there is a row of cars waiting for HOV to lift. Mr. Albo stated that one of his constituents suggested photo enforcement like what is done for red light violations. Mr. Zimmerman stated that there is an issue of the government looking into cars. Photos are taken of license plates for red light violations, not people inside the vehicles .

New Bus Service in Loudoun County. Mr. Bogard announced that Loudoun County has started a new commuter bus route that should provide congestion relief. Also, the county is providing a tax incentive for constituents who purchase clean fuel vehicles.

Urban Land Institute Metrorail/VRE Land Use Panel. A panel was assembled by the Urban Land Institute's Smart Growth Alliance to examine transit-oriented development potential for Metrorail and VRE. Panel participants toured sites, including those along VRE's lines in Prince William County, and noted that "there is substantial potential for projects providing a variety of housing within easy access to VRE." Panelists asked VRE to work with the Smart Growth Alliance and the county to identify parcels appropriate for diverse residential development and to support zoning categories that would permit more clustered development around the stations, while preserving more open space.

Arlington Transit Wins APTA Award. Mr. Zimmerman announced that ART received an award from APTA for the "most outstanding small urban bus system in the U.S." The award was presented at the Annual APTA conference held September 28-October 1, 2003 in Salt Lake City, Utah.

Value Pricing Update. Mr. Taube reported that the concept of value pricing—a system of optional fees paid by drivers to gain access to alternative road facilities providing superior service—continues to capture the attention of

the region's leadership committed to reducing congestion. The Transportation Planning Board recently formed a committee to examine the potential for value pricing in this region. VDOT received a grant of more than \$500,000 from USDOT to study the feasibility of HOT lanes on Northern Virginia highways. Work on this study will begin this fall.

Mr. Kauffman stated that there were studies commissioned by Kenneth Klinge on changing HOV-3 to HOV-2 on the Shirley Highway, in which the models showed that increased congestion would occur at the Springfield Interchange and the 14th Street Bridge. He wondered whether HOT lanes would produce the same result.

Mr. Zimmerman stated he attended the APTA conference and learned about dynamic pricing being done in San Diego, California, in which the price (ranging from 50-cents to \$8.00) to use the HOT lanes is adjusted every six minutes depending on the level of congestion. He stated that he doesn't see how HOT lanes have relevance to this region's HOV lanes, because the HOV lanes are efficient, full and being used. Ms. Rae stated that there are PPTA proposals to build new HOT lanes on the Beltway. Mrs. Hanley observed that the PPTA proposal does not talk about converting the existing HOV lanes to HOT lanes.

Update on the Northern Virginia Regional Bikeway and Trail Network Study. Mr. Taube reported that VDOT is nearing completion of its Northern Virginia Regional Bikeway and Trail Network Study. A final draft report is available for public comment and public information meetings are scheduled during October. The purpose of the study is to identify facilities and outline the steps that could be taken to develop a network of bikeways in Northern Virginia linking activity clusters throughout the region.

Texas Transportation Institute 2003 Urban Mobility Report. Mr. Taube stated that this report provides an easily understood analysis of congestion and mobility issues nationwide. The report seeks to quantify congestion and mobility issues, and show the costs of congestion in terms of time and fuel. The Washington metropolitan area is ranked third worst in the nation for congestion and traffic, as well as having the second worst rush hour congestion. Los Angeles and San Francisco were the only areas more congested than the Washington area, according to the study.

Mr. McGavock reported that according to the study, public transportation in the Washington metropolitan area reduces congestion by 29.9 percent and provides an annual savings of over one billion dollars in congestion costs.

NVTC Projects

Public Information Campaign on the Transit Funding Crisis. A series of four articles along with a cover letter was sent to an extensive list of media contacts.

Air Quality Code Red Free Bus Fare Evaluation Project. The telephone survey, administered to 300 randomly selected households in Northern Virginia, is complete. Preliminary findings suggest that there is a high level of recognition by the general public of the term Code Red Ozone Action Day and its meaning. The on-board survey was pre-tested on June 26th, the second forecast Code Red day of the season. Unfortunately, a subsequent Code Red Day was not forecast again this past summer, preventing the completion of the on-board survey. The project advisory team made the decision that the consultant would pull together an interim final report on the effectiveness of the program based on the data obtained to date. The data should be sufficient to gauge the general awareness of the program and the magnitude of the ridership response. After reviewing the interim report, the advisory team will reconvene to make a recommendation on whether to conduct the on-board survey next summer.

NVTC's Air Quality Code Red CMAQ Proposal for FY 2005. Ms. Lynott reported that the proposal requesting \$290,000 for six Air Quality Code Red Ozone Days has been submitted to the NVTA Interim Technical Committee to continue funding for the free bus fares during FY 2005.

Preliminary NVTC/PRTC Meeting Agenda for November 6, 2003

Mr. Taube reminded commissioners that each November NVTC and PRTC conduct a joint meeting held at the Springfield Hilton. A preliminary agenda was prepared for commissioner comment and discussion. Mr. Taube stated that local government legislative liaisons suggested inviting Delegate Wardrup to tour this region's transit facilities to demonstrate the region's funding needs. Delegate Wardrup could also be invited to be the keynote speaker for the joint meeting to discuss the implication of the November 4, 2003 elections and his vision for his expected chairmanship of the House Transportation Committee. Mr. Albo stated that one of the people that needs to come to Northern Virginia for a tour would be the new chairman of the Appropriations Subcommittee on Transportation. He stated that he will try to find out who will be appointed to this position.

Mrs. Whipple expressed her opinion that it would be less useful to reflect on the outcome of the elections at the joint meeting, compared to looking ahead to the transportation initiatives for the next General Assembly session. Mr. Albo

suggested that a topic of discussion could be the future cooperation between Northern Virginia and the Tidewater region.

Mrs. Whipple stated that it would be better for NVTC and PRTC to provide separate statements for the Commonwealth Transportation Board public hearings. She stated that repetition from different organizations is a good thing. Other commissioners agreed. Mr. Zimmerman stated that it would be helpful to communicate with PRTC regarding NVTC's statement to provide coordination, so there could be a discussion about the NVTC and PRTC statements at the joint meeting. Mrs. Hanley stated that separate statements provide an opportunity to point out what the commissions agree on.

NVTC Financial Reports for August, 2003

The monthly financial reports were provided to commissioners. There were no questions.

VRE Items

Report from the VRE Operations Board. Mrs. Bulova reported that the Board met on September 12th and conducted a closed session on a personnel matter. The Finance Committee met on September 17th. The full board met again on September 26, 2003.

Preliminary FY 2005 VRE Operating and Capital Budget. Mrs. Bulova stated that the preliminary budget includes three alternative fare increases, varying from 1.8 percent to 6 percent. No increase in local subsidy is proposed. The VRE Operations Board recommends approval of Resolution #986, which would forward the preliminary budget to the local jurisdictions for review and comment. It is expected that the final budget will be transmitted to NVTC by the Operations Board for action at the commission's January, 2004 meeting.

On a motion by Mrs. Bulova and a second by Mr. Kauffman, the commission unanimously approved the resolution (attached). The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

Exercise Option for Additional Year of Facilities Maintenance Contract. Mrs. Bulova reported that the VRE Operations Board recommends commission approval of Resolution #987, which would renew VRE's contract with D&L Contractors, Inc for station maintenance. VRE staff is very satisfied with the quality of the work and has proposed a scope of work for FY 2004 not to exceed \$466,598 of budgeted maintenance funds, including a 3.7 percent escalation as provided in the contract.

Mrs. Bulova moved, with a second by Mr. Kauffman, to approve Resolution #987 (copy attached). The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

Revised Lease Agreement for Two Locomotives. Mrs. Bulova reported that Resolution #988 would authorize VRE's Acting Chief Operating Officer to enter into a revised lease agreement with Real World Locomotive Leasing, LLC to lease two EMD F-40-PH-2 locomotives at a price not to exceed \$76,440 per locomotive per year. The term of the revised lease would be two years with an option for two additional years with a purchase option at the end. Funds are available in VRE's FY 2004 operating budget. This revised lease would replace an agreement for two other locomotives. The VRE Operations Board recommends commission approval for this action.

On a motion by Mrs. Bulova and a second by Mr. Kauffman, the commission unanimously approved Resolution #988 (copy attached). The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

Contract for Uniformed Security Services. Mrs. Bulova explained that the VRE Operations Board recommends approval of Resolution #989, which would authorize the award of a contract to Virginia Uniformed Security Services for security primarily at VRE's two outlying yards at night and on weekends. This firm was selected following a competitive procurement. The cost would not exceed \$250,000 annually of budgeted funds, although as much as \$100,000 annually may be saved through reduced payments to Amtrak for some security services it now provides to VRE.

On a motion by Mrs. Bulova and a second by Chairman McConnell, the commission unanimously approved the resolution (copy attached). The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

Strategic Plan Consulting Contract Amendment. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #990. This would provide an additional \$83,270 for follow up work on Phase 2 of the VRE Strategic Plan by Parsons Brinckerhoff, Quade and Douglas, Inc. Funding is available from private pledges matched with state dollars, since the work includes an examination of extending VRE services to serve new markets. The additional funding would allow a more extensive review process with stakeholders. Mr. Taube stated that the resolution was changed to reflect that GEC IV Task Order 6 was being amended.

Mrs. Bulova moved, with a second by Mrs. Whipple, to approve the amended resolution (copy attached). The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

Closed Session. Mrs. Bulova made, with a second by Mrs. Hanley, the following motion to enter into closed session:

Pursuant to the Virginia Freedom of Information Act (Section 2.2-3711A(1) of the Code of Virginia), the Northern Virginia Transportation Commission authorizes discussion in closed session regarding personnel matters.

The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Silverthorne, Whipple and Zimmerman.

The commission entered into closed session at 9:33 P.M. Mr. Silverthorne left at the beginning of the closed session and did not return. Mr. Snyder arrived during the closed session. The commission returned to open session at 10:50 P.M.

Mrs. Bulova 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 Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Snyder, Whipple and Zimmerman.

On a motion by Mrs. Bulova and a second by Mr. Bogard, the commission unanimously moved to accept the resignation of Pete Sklannik as VRE's Chief Operating Officer. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Snyder, Whipple and Zimmerman.

Mr. Kauffman moved, with a second by Mr. Zimmerman, to accept the pay package for NVTC's Executive Director as recommended by the Executive Committee. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Snyder, Whipple and Zimmerman.

Adjournment

Chairman McConnell adjourned the meeting at 10:51 P.M. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Euille, Ferguson, Gaines, Hanley, Kauffman, McConnell, Rae, Snyder, Whipple and Zimmerman.

Approved this sixth day of November, 2003.

Elaine McConnell
Chairman

Paul Ferguson
Secretary-Treasurer