

**MINUTES**  
**NVTC COMMISSION MEETING – SEPTEMBER 4, 2003**  
**NVTC CONFERENCE ROOM - ARLINGTON, VIRGINIA**

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman McConnell at 8:09 P.M.

**Members Present**

David Albo  
William Bogard  
Sharon Bulova  
Gerald Connolly  
Jay Fiset  
Katherine K. Hanley  
Dana Kauffman  
Elaine McConnell  
Karen Rae  
Gary A. Reese  
Scott Silverthorne  
David F. Snyder  
Mary Margaret Whipple  
Christopher Zimmerman

**Members Absent**

William D. Euille  
Paul Ferguson  
Ludwig Gaines  
William C. Mims

**Staff Present**

Rhonda Gilchrest  
Scott Kalkwarf  
Jana Lynott  
Stephen MacIsaac (VRE)  
Adam McGavock  
Kala Quintana  
Mark Roeber (VRE)  
Jennifer Straub (VRE)  
Richard K. Taube  
Dale Zehner (VRE)

Minutes of NVTC's Meeting of July 10, 2003

On a motion by Mr. Zimmerman and a second by Mrs. Bulova, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Hanley, Kauffman, McConnell, Rae, Reese, Snyder, Whipple and Zimmerman.

Mr. Taube suggested that Agenda Item #12: Change Order to Cubic SmarTrip Farebox Contract be taken out of order and placed after Agenda Item #3. There were no objections.

NVTC's ITS Evaluation Project

Mr. Taube stated that NVTC commissioned a study by Multisystems, Inc. (now TranSystems), using funding from VDRPT, of the performance of transit-related intelligent transportation systems (ITS) investments in this region. He introduced Larry Englisher and Khaled Shammout of Multisystems, Inc./TranSystems.

Commissioners Fisette and Connolly arrived at 8:10 P.M. and 8:11 P.M., respectively.

Mr. Englisher gave an overview of the study. He stated that objectives of the study included measurement of the performance of investments in new transit technologies in this region and development of a framework to be used by NVTC and its local governments to measure the performance of such investments in the future. The approach included inventorying of transit-related ITS projects; conducting interviews of managers of selected projects; gathering and using available performance data; identifying appropriate measures by type of application; conducting a consumer survey; and recommending an ongoing monitoring process. The study focused on 21 ITS projects in the region for more in-depth study, ranging from passenger information, travel demand management, electronic fare payment, fleet management, and safety and security.

Mr. Silverthorne arrived at 8:15 P.M.

Mr. Englisher stated that a consumer survey was conducted during April, 2003 at Metro and VRE stations. 14,000 surveys were handed out and 2,300 were completed and returned (16 percent). Survey findings showed that the population is affluent and has high computer availability, with a wide range of familiarity and use of current ITS services. Current ITS services were generally viewed as useful and easy to use. There was wide support for the current and expanded use of technology on transit services in the region. Respondents want the region to focus on timesavings, overall safety and security. Some stated that ITS technology had some effects on their travel behavior.

In response to a question from Mr. Zimmerman, Mr. Englisher stated that the survey provided a list for responders to rank as to what were the most important issues. Mr. Zimmerman observed that what people say is important to them may be interesting but it doesn't necessarily bear any relationship to their actual commuting behavior.

Mr. Englisher stated that the region should continue to monitor performance of transit ITS. This is important because agencies can determine which applications merit expansion and can learn from each other's experience; funding agencies can track effectiveness of investments; and public and elected officials can understand how transit agencies are striving to improve service and efficiency. It is recommended that the region should adopt an ITS policy and that NVTC should develop standardized reports, consolidate data and disseminate results.

In conclusion, Mr. Englisher stated that the region is implementing many useful ITS systems and there is positive feedback from both consumers and operations managers. He stated that more can be learned and improved decision-making can take place if a consolidated, uniform monitoring system is developed.

Mr. Snyder stated that this is good information that should be shared with the public and once the report is finalized, it should also be sent to MWCOG. Chairman McConnell encouraged commissioners to read the report and to be ready to take action at the October meeting.

#### NVTC's Preliminary Administrative Budget for FY 2005

Mr. Taube explained that the commission is asked to authorize staff to forward the preliminary budget to its member jurisdictions for use in preparing their FY 2005 budgets. NVTC will be asked to review this proposed budget again in January, 2004 and to act to approve it in February, 2004. The proposed preliminary budget has been reviewed by state and local staff.

Mr. Taube stated that the budget holds constant local subsidies and proposes a slight increase in state aid by 1.5 percent. Total expenditures are constant compared to FY 2004. The budget would reduce authorized staff by one position. This position has not been filled, primarily due to the more advanced level of experience of those now serving as planners/project managers on NVTC's staff.

In response to a question from Mrs. Hanley, Mr. Taube stated that the budget includes step increases for merit incentive raises up to seven percent, but no cost of living adjustments are provided. In the past, two separate categories

of salary increases were included: a five percent merit pool and a cost-of-living reserve (this year it would have been two percent). He explained that NVTC has historically used an Arlington pay scale that was in place before he became executive director. Mrs. Whipple stated that the pay scale just establishes the steps. Chairman McConnell reminded commissioners that NVTC would just be forwarding the budget to the jurisdictions and approval would not be requested until next February.

Mrs. Bulova moved, with a second by Mr. Connolly, to forward the preliminary FY 2005 budget to its member jurisdictions for use in preparing their FY 2005 budgets and requesting their comments.

Mr. Fisette stated that it is his understanding that the seven percent is just a number to be considered and it shouldn't be assumed that each employee would receive seven percent. The budget states "up to seven percent."

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Connolly, Fisette, Hanley, Kauffman, McConnell, Rae, Silverthorne, Snyder, Whipple and Zimmerman. Mr. Reese voted against the motion.

Mr. Reese explained his vote by stating that it is his opinion that if a seven percent increase won't happen at the state level, NVTC shouldn't be sending such a recommendation to its jurisdictions. Mrs. Bulova stated that the budget is being sent to the jurisdictions for their comment and the commission is not approving a seven percent merit increase. Mrs. Whipple stated that NVTC's pay scale would allow up to seven percent. Mr. Zimmerman asked what the actual percentage of salary increase granted to NVTC's current employees was for last year's budget. Mr. Taube stated that he did not have this information at hand but could provide the information to commissioners.

Mr. Connolly moved, with a second by Mr. Zimmerman, to reconsider the vote. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Connolly, Fisette, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Snyder and Zimmerman. Mrs. Whipple voted nay.

Mr. Connolly moved, with a second by Mrs. Bulova, to authorize staff to forward the preliminary budget to its member jurisdictions, including merit increases not to exceed five percent. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Connolly, Fisette, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Snyder, Whipple and Zimmerman.

### Change Order to NVTC Contract with Cubic Transportation Systems, Inc. for Additional Fareboxes for Loudoun County Transit

Mr. Taube stated that Loudoun County is purchasing three new buses and intends to equip them with SmarTrip-compatible fareboxes. Cubic is willing to provide these fareboxes as a change order to its existing contract with NVTC at a price identical to that paid for the 393 fareboxes purchased previously by NVTC. This proposed action has been reviewed by DRPT and local staff and they support it. Mr. Taube explained that the Loudoun County Board of Supervisors has not yet acted on this, but NVTC action now would allow execution of the change order when the county took action.

Mrs. Hanley moved, with a second by Mr. Zimmerman, to authorize NVTC's executive director to execute the proposed change order with Cubic and to arrange with Loudoun County to pay all of the costs shown on the purchase order for \$33,049. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Connolly, Fissette, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Snyder, Whipple and Zimmerman.

### New Concepts in Urban Transit

Chairman McConnell stated that due to time limitations, Mr. Zimmerman has graciously offered to give his presentation at the October NVTC meeting.

### Community Dialogue on Transportation and Land Use

Mrs. Bulova reported that as a result of the defeat of the sales tax referendum last fall, she conducted an extensive series of seminars/discussions with a dedicated group of constituents and invited experts on transportation finance and land use. The mission statement developed by the groups was to "explore and recommend strategies for addressing the transportation and land use issues in the Northern Virginia Region."

Mr. Snyder left the meeting at 8:46 P.M. and did not return.

Mrs. Bulova stated that some of the anti-referendum feedback on why people voted against the referendum included the following reasons:

- 1) They felt that roads wouldn't make things better when the growth keeps coming;
- 2) They were unhappy and distrustful of VDOT;
- 3) They felt that the governor was taking money designated for transportation to balance the budget;
- 4) They were not sure that new money would stay in Northern Virginia;

- 5) They didn't like the projects listed in the referendum;
- 6) Some felt that gasoline taxes were a better way to fund transportation;
- 7) They were unhappy about increases in the real estate tax;
- 8) They didn't like the Northern Virginia Transportation Authority;
- 9) There needs to be more focus on Metro and other mass transit solutions;
- 10) They felt that the region doesn't receive its rightful share of state transportation funds and VDOT wastes money.

Mrs. Bulova stated that of the nine meetings, seven were informational and at the last two meetings the group voted on recommendations. Voting participants had to attend at least five out of the seven information sessions. Throughout the dialogue series 50 people participated and 30 people were qualified to vote on a final slate of recommendations. The participants were divided up into three groups to make recommendations. Mrs. Bulova reminded commissioners that the recommendations were made by Fairfax County residents. The land use and planning group made these recommendations:

- 1) Improve planning process for transportation and land use;
- 2) Place higher priority on mass transit;
- 3) Increase road capacity and build road and bridge connections; and
- 4) Utilize "Mixed Use Development" providing flexibility among zoning categories, for more walkable and transit friendly communities.

Mrs. Bulova stated that the funding group, although not unanimous, made the following recommendations in this order:

- 1) Develop an annual County Transportation Progress Report;
- 2) Maximize non tax dollar mechanisms (e.g. proffers, special tax districts, toll roads, and private road construction);
- 3) Increase the percentage of county general funds used for transportation, including new transportation bonds;
- 4) Air quality should be an explicit factor in transportation funding decisions;
- 5) Seek the same taxing authority that cities have (e.g. cigarette, hotel and restaurant taxes) to provide increased funds outside of increasing the property tax rate; and
- 6) After all of the previous recommendations have been pursued, support increasing taxes for transportation in the following order: sales tax, gas tax, trucks and truck traffic taxes.

Mrs. Bulova reported that the legislative group recommended the following:

- 1) Seek and adopt legislation to give greater taxing and spending authority and responsibility to local elected officials;

- 2) Adopt legislation to increase the gas tax and dedicate the revenue to transportation;
- 3) More control over land use; and
- 4) Enact "Zoning Ordinance Standards" that better support infrastructure and require developers to fund adequate roads, schools, libraries, public works facilities and green space.

Mrs. Bulova stated that if commissioners are interested in reading the entire report they can get a copy at [www.co.fairfax.va.us/gov/bos/bd/commdialogintro.htm](http://www.co.fairfax.va.us/gov/bos/bd/commdialogintro.htm).

### WMATA Items

Columbia Pike Metrobus Restructuring Plan. Following public hearings that attracted significant public interest, the WMATA Board acted to approve the plan.

Virginia Vanpool Initiative. Following several years of preparation, the vanpool initiative is now underway. VDOT will fund vanpool subsidies for the first two years using CMAQ/RSTP funds.

Strategic Alliance and Risk Assessment Advisor. WMATA staff has been authorized to request proposals and award a contract for help in adopting WMATA business practices to the changing funding climate and to monetize and capture the full value of WMATA's assets. Examples include capturing non-passenger revenue enhancements and non-user benefits through strategic alliances with one- and five-year funding priorities. Investment teams will be formed with multi-disciplines such as investment bankers, economists and real estate developers. Specific proposals are to be brought back to the Board in May, 2004.

Additional Funds for the Dulles Corridor Project. The WMATA Board approved amendments to its FY 2004 capital programs for additional funds for preliminary engineering and environmental studies, using either DRPT or new federal grant funds when they become available. In the meantime, DRPT released a new plan to build the project in phases. The first phase would extend Metrorail past Wiehle Avenue for about \$1.5 billion, with five stations including four in Tysons Corner.

FNMA SmartCommute Mortgage Program. WMATA will offer a 50 percent discount for six months to reward people for choosing a home location within a quarter mile of a Metrobus stop or a half mile from a Metrorail station. The Federal National Mortgage Association (Fannie Mae or FNMA) allows participants to add a portion of the commuting cost savings to their qualifying

income to allow a larger mortgage of at least \$10,000. Most local transit providers (including VRE) are also participating by offering a mix of free or discounted fares and free advertising. WMATA has estimated a cost of about \$50,000 a year for two years assuming 10 borrowers per month will take advantage of the new program.

Temporary Parking at West Falls Church. Leases have been authorized for temporary parking at the West Falls Church Metrorail station during construction of the \$13 million parking deck, which will serve almost 1,000 vehicles. The temporary lots will accommodate 235 vehicles and will be served by GEORGE bus routes.

FY 2004 Budget Letter. A letter to Chairman McConnell from WMATA CEO Richard White describes the recently adopted FY 2004 budget with a summary of jurisdictional subsidy obligations compared to the FY 2003 approved budget.

Metrorail Ridership Records. Metrorail ridership reached its highest level in 27 years of operation during FY 2003, while Metrobus recorded its second highest annual ridership total. During July and August, Metrorail continued to record many outstanding ridership days ranking among the top 10 ever.

### NVTC Projects

Northern Virginia Transit Funding Resource Guide. Mr. Taube reported that the draft report was reviewed by local staff at the August 19<sup>th</sup> Management Advisory Committee meeting. Because of the length of the report, MAC will also discuss it again on September 16<sup>th</sup> and recommend commission action on October 2<sup>nd</sup>.

Public Information Campaign on the Transit Funding Crisis. A series of four articles was completed during August and provided to the media for publication. Many commissioners authorized their names to be used with the articles. The Journal newspaper has agreed to publish the series of articles. Ms. Quintana also reported that the Washington Post will also print an amended version.

NVTC Electronic Transit Schedule Project. Earlier this year, NVTC expanded an existing Arlington County program, which allowed commuters to download transit schedules to their web enhanced cell phones, Palm pilots and hand held computers/personal digital assistants (PDA's), to the remainder of NVTC jurisdictions. Now commuters can get the latest schedules for ART, Connector, CUE, DASH, GEORGE, LC Transit, Metro and VRE right to their device. This service also promotes awareness of the air quality status by previewing the Air Quality Update when commuters view their schedules.

## Regional Transportation Items

HOV Enforcement Initiatives. Mr. Taube reported that on August 15<sup>th</sup> a task force headed by Tom Farley (VDOT–Northern Virginia District) and Captain Tom Martin (Virginia State Police) submitted a task force report to Transportation Secretary Clement and Public Safety Secretary Marshall. The report describes actions, many of them requiring legislation, that are needed to bolster enforcement on HOV restrictions and preserve the effectiveness of these facilities in Northern Virginia. NVTC staff assisted the task force in developing its recommendations.

In response to a question from Mr. Reese, Mr. Taube stated that the current HOV enforcement policy implemented last July is to enforce current laws that a low occupancy vehicle must be off the lanes when HOV goes into effect and that there won't be a grace period to keep on traveling on the HOV lanes. Mr. Reese observed that on I-66 a single driver could enter on good faith before HOV hours and get stuck in traffic and not be able to exit. It doesn't seem fair for that person to receive a ticket. Mr. Zimmerman stated that he supports enforcing HOV lanes, but to go from no enforcement to draconian enforcement probably isn't good policy. He stated that he hopes that there is some grace period. Ms. Rae stated that most enforcement is happening at entrance ramp points. Chairman McConnell requested staff seek clarification on the HOV policy from VDOT and the State Police and report back to the commission at its next meeting. Mr. Zimmerman asked also for clarification on the ambiguity in enforcement.

Ms. Rae offered to work with staff to get more information concerning HOV enforcement, but noted that the report states that the most significant number of violations on I-95 HOV lanes occurred during the first half hour. Mrs. Whipple added that it sounds like a lot of low occupancy vehicles are getting on right before it changes over to HOV restrictions. Mr. Reese observed that the no excuse enforcement campaign is targeting those low occupancy vehicles that enter HOV facilities before the HOV restrictions begin but haven't exited once the restrictions start. Mr. Albo stated that the policy is written that way because of the need for the element of proof—a policeman has no way of knowing when a vehicle entered the HOV facility. Staff will seek further clarification.

Revised Public Hearing and State Transit Grant Application Dates. The next round of public pre-allocation hearings for the six-year improvement program will be held by the Commonwealth Transportation Board in Fall 2003, starting on September 23<sup>rd</sup> in Fredericksburg. Northern Virginia's hearing is scheduled for November 13<sup>th</sup>. At NVTC's November meeting, staff will provide proposed testimony for consideration by the commission.

The due date for state transit grant applications will be a month earlier (February 1, 2004). Given the budget cycles of WMATA and NVTC's local jurisdictions, the earlier deadline will make it even more difficult to provide accurate estimates of 2005 transit costs to be used to determine grant amounts.

Loudoun County Transit Award. Loudoun County received an achievement award from the National Association of Counties for its reverse commute bus service.

### Legislative Items

Mr. Taube announced that the Virginia Transit Association (VTA) will hold a meeting of its Executive Committee on September 5<sup>th</sup> to begin the process of identifying state legislative priorities for the transit industry.

### NVTC Financial Reports for June and July 2003

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

### VRE Items

Report from the VRE Operations Board. Ms. Bulova explained that the Operations Board didn't meet in August because there wasn't a quorum but the Finance Committee met. She reported that VRE received a proposal from Amtrak to extend its operating agreement so VRE is working to finalize negotiations with Amtrak for a contract extension. In response to a question from Mrs. Hanley, Mrs. Bulova stated that there are other entities interested in providing contractor services for VRE, including Norfolk Southern, Herzog, ConEx, and CSX.

Full-Time TRIP Operator. Mrs. Bulova reported that the commission is asked to approve Resolution #979, which would authorize VRE's Acting Chief Operating Officer to change an existing part-time position to full-time, with the expectation that reduced overtime would cover the cost of the increased regular hours. The scope of this position has continued to increase and recruiting and retention have been difficult. The VRE Finance Committee recommends this action.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the commission unanimously approved Resolution #979 (copy attached). The vote in favor was cast by commissioners Albo, Bogard, Bulova, Connolly, Fisette,

Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Whipple and Zimmerman.

Increased Authorization for Sounder Railcar Lease. Mrs. Bulova reported that Resolution #980 would authorize VRE's Acting Chief Operating Officer to increase the maximum authorization for the lease agreement with Sound Transit by \$1.7 million. VRE currently leases three sets of Sounder railcars on a monthly lease. Expenditure authorization for the lease totals \$3 million and this amount will be exceeded in September, 2003. VRE staff is seeking to alter the lease terms to provide 120 days notice for termination and to offer an annual rent adjustment based on the Consumer Price Index. The CPI adjustment would cost an extra \$30,108 per year in total. Execution of the lease amendments would be subject to review and concurrence by VRE's legal counsel.

Mrs. Bulova moved, with a second by Chairman McConnell, to approve Resolution #980. The vote in favor was cast by commissioners Albo, Bogard, Bulova, Connolly, Fissette, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Whipple and Zimmerman. (A copy of the resolution is attached.)

Acquisition of 35 Gallery Railcars. Mrs. Bulova explained that Resolution #981 would allow VRE's Acting Chief Operating Officer to enter into an agreement with Chicago's Metra for VRE to purchase 35 used Gallery railcars. The resolution would also authorize VRE staff to issue a RFP to retrofit those railcars. VRE can acquire the railcars for \$1 each plus assuming the remaining federal interest. If VRE takes the railcars out of service before the end of their useful life (the longest commitment is to February, 2011), VRE could be asked to repay to FTA the remaining value, or VRE could transfer the federal interest to another operator as Metra is doing.

Mrs. Bulova stated that she and several VRE Operations Board members had an opportunity to travel to Brunswick, Maryland to look at some of the railcars. She stated that she was impressed with the condition of the gallery railcars since they were recently refurbished.

Mrs. Bulova asked Mr. Zehner, VRE's Acting Chief Operating Officer, to explain why Metra is taking these railcars out of service. Mr. Zehner explained that Metra is in the process of purchasing 800 new railcars. He reported that staff went to Chicago and picked out 35 railcars, of which 23 railcars are currently in service and operational in Chicago. VRE would put 30 railcars in service and keep five for parts. Retrofitting expenses are expected to be relatively small. Funding from VTA 2000 is available and there is no requirement for local matching funds.

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

Bogard, Bulova, Connolly, Fisette, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Whipple and Zimmerman.

Engineering Support for Gallery Railcars. Mrs. Bulova stated that Resolution #982 would authorize VRE's Acting Chief Operating Officer to award a task order for \$95,808 to RailPlan International, Inc. for engineering support for the acquisition of 35 Gallery railcars. This would include evaluation and inspection of the cars and preparation of individual specifications and engineering estimates. Full funding is available from VTA 2000 with no local matching funds required.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the commission unanimously approved Resolution #982 (copy attached). The vote in favor was cast by commissioners Albo, Bogard, Bulova, Connolly, Fisette, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Whipple and Zimmerman.

Sole Source Contract for Toilet Overhaul. Mrs. Bulova stated that Resolution #983 would authorize a sole source contract for the overhaul of 11 Microphor toilets on VRE's Mafersa cab cars. The cost would not exceed \$59,109, which includes a 10 percent contingency. Microphor requires the overhaul to be performed only by its licensed contractor.

On a motion by Mrs. Bulova and a second by Mr. Zimmerman, the commission unanimously approved Resolution #983 (copy attached). The vote in favor was cast by commissioners Albo, Bogard, Bulova, Connolly, Fisette, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Whipple and Zimmerman.

Closed Session. Mrs. Bulova made, with a second by Mr. Zimmerman, 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, Connolly, Fisette, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Whipple and Zimmerman.

The commission entered into closed session at 9:19 P.M. Mr. Albo left during the closed session and did not return. The commission returned to open session at 10:23 P.M.

Mrs. Bulova moved, with a second by Mr. Connolly, 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, Fiset, Hanley, Kauffman, McConnell, Rae, Reese, Silverthorne, Whipple and Zimmerman.

Adjournment

Without objection, Chairman McConnell adjourned the meeting at 10:24 P.M.

Approved this second day of October, 2003.

---

Elaine McConnell  
Chairman

---

Paul Ferguson  
Secretary-Treasurer