

MINUTES
NVTC COMMISSION MEETING – JULY 7, 2005
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Ferguson at 7:45 P.M.

Members Present

David Albo
Sharon Bulova
Gerald Connolly
Adam Ebbin
Paul Ferguson
Jay Fiset
Ludwig Gaines
Robin Gardner (Alternate, City of Falls Church)
Catherine M. Hudgins
Dana Kauffman
Elaine McConnell
Karen Rae
Scott Silverthorne
Paul C. Smedberg (Alternate, City of Alexandria)
Christopher Zimmerman

Members Absent

Eugene Delgaudio
Jeannemarie Devolites Davis
William D. Euille
Timothy Hugo
Gary A. Reese
David F. Snyder
Mary Margaret Whipple

Staff Present

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

Presentation by Richard White, WMATA's General Manager/CEO

Mr. White gave an overview of the increased security measures Metro is taking in light of the terrorist attacks on the London subway earlier in the day. He also talked about what has happened since the Washington Post articles about the Metro system have been released. The D.C. City Council conducted an oversight hearing which went well and Congressman Davis has scheduled an oversight hearing on July 27th. Mr. White gave an overview of the steps Metro has and is taking to make improvements to the system.

Mr. Kauffman announced that Metrorail ridership for the Fourth of July was 50 percent higher than last year. Overall, Metrorail ridership is up and ridership for June was the highest in Metro's history. Mr. White stated that Metrorail is averaging 730,000-740,000 passengers daily.

Ms. Bulova arrived at 7:55 P.M.

In response to a question from Mr. Connolly, Mr. White stated that the upcoming congressional hearing is expected to look at the question of the unique relationship between the federal government and Metro. Congressman Davis is trying to establish for the record that there is a strong nexus between Metro and the federal workforce.

Mr. Connolly asked how Metro's system is different than the London system. Mr. White replied that the London System has multiple rail lines with redundant service and can recover quicker than Metro, which has single failure points. Single failure points make the system vulnerable and provide greater risks of exposure. Restoration of service is a major issue.

Mr. Zimmerman observed that Metro may be less vulnerable compared to the London system in some areas. The danger from smoke inhalation is much greater for the London system. Mr. White agreed that Metro's ventilation system is considerably better. Metro has a more non-combustible system which is a definite advantage. Ms. McConnell stated that it is important to convey to the public that the Metro system has a safer kind of ventilation system than the London system. In response to a question from Mr. Gaines, Mr. White stated that passengers are being educated on what to look for and how to respond in the event of an emergency. Passengers can be the eyes and ears of the system. There is a lot of good information about emergency preparedness and safety on Metro's website. Also, WMATA has a tunnel training facility that has provided valuable emergency preparedness training for the region's police, fire and rescue personnel.

Commissioners Ebbin and Rae arrived at 8:02 P.M.

Mr. Smedberg asked about this region's communication between emergency preparedness groups and other agencies during today's heightened

alert. Mr. White gave an overview of the extensive process that began around 5:00 A.M. with many agencies.

Mr. Smedberg reported that parts of the London subway are expected to be reopened on Friday, one day after the incident. Mr. Fisette stated that the real vulnerability Metro faces is getting the system reopened after an emergency situation. Mr. White stated that connectivity is a key issue both for capacity and operational safety issues.

Mr. Zimmerman stated that any place where large numbers of people gather is vulnerable to terrorism. The reality is that we cannot make it 100 percent safe. Mr. White stated that Metro tries to make itself a less desirable target.

Mr. Connolly suggested that when Mr. White represents WMATA at the congressional hearings, he publicly bring to the committee's attention the fact that the Post derided the tunnel training facility as non-essential.

Minutes of NVTC Meeting of June 2, 2005

On a motion by Mr. Connolly and a second by Mr. Gaines, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Presentation: 511 in the Washington D.C. Metropolitan Area

Chairman Ferguson reported that the consultants were not able to attend the meeting to give the presentation. Mr. Taube stated that there are still some decisions that need to be made about this system. Virginia 511 was implemented throughout the commonwealth on February 16, 2005. However, many Northern Virginia residents don't work in Northern Virginia and head to D.C. and Maryland, where there is no 511 service available. In order to serve Virginia residents it is important that the system serve the Metropolitan D.C. area as well. PBS&J is the consulting firm, hired by VDOT, that is in charge of the 511 implementation in Virginia and is leading the team that will bring it to the D.C. metro area.

State Aid Contract for FY 2006

Mr. Taube stated that each year NVTC submits a standard contract to DRPT for state aid. A total of \$93.7 million for NVTC and VRE in combined standard capital and operating assistance for FY 2006 is expected (compared to \$81.4 million in FY 2005). The funding shortfall is expected to be smaller this year (\$75 million compared to \$100 million last year). Unfortunately, the future

looks dismal. For FY 2007, total statewide assistance from state funded programs in that year is forecast to be cut almost in half, leaving a capital matching ratio of only 25 percent (versus 63 percent in FY 2006 and a maximum statutory target of 95 percent).

Mr. Connolly moved, with a second by Mr. Gaines, to authorize the executive director to execute the contract on behalf of the commission. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Request for Proposals for Transit Automated Vehicle Locator (AVL) Cell Phone Project

Mr. Taube reported that NVTC has received \$199,500 from DRPT to develop a software program to automatically locate transit vehicles via GPS enabled cell phones mounted onboard. Customers will then access real-time bus arrival information via an interactive voice response system. Many transit systems have experimented with AVL systems with varying success, but this inexpensive and simple system has widespread potential for application, especially among smaller transit systems that might not otherwise be able to afford such a system.

Mr. Taube explained that the commission is being asked to authorize staff to issue a RFP for a consultant to help develop and test the required software. At a later NVTC meeting, an award of contract will be presented for commission action.

Mr. Connolly moved, with a second by Mr. Gaines, to authorize staff to issue the RFP. The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Telework Initiatives

Mr. Taube reminded commissioners that Secretary of Transportation Pierce Homer invited NVTC to submit ideas for statewide telework initiatives. Ms. Quintana gave an overview of the history and challenges of telework, as well as 17 recommendations for commissioners to consider. Mr. Connolly stated that it is important to include the concept of institutionalized telework, which means involving Human Resources Departments to formally include it in personnel policies. It is also important to define telework (how many days a week) and be consistent. Telework usually means at least one day a week.

Mr. Connolly reported that 5,000 of the 12,000 Fairfax County employees are eligible to telework and the county will meet its goal of 20 percent by the end of the year with 1,000 employees teleworking at least once a week.

Ms. Rae stated that one of the problems of getting accurate information on the number of people teleworking is because those teleworkers who aren't part of a formal telework program aren't tracked.

Mr. Albo joined the discussion at 8:37 P.M.

Ms. Hudgins stated that it can be difficult to telework at remote centers because of computer firewalls. Mr. Connolly also observed that many employees in this region do classified work.

Chairman Ferguson suggested that commissioners and jurisdictional staff review the recommendations and submit any comments to NVTC over the next few weeks. Mr. Connolly stated that it would be beneficial to send the final recommendations to the Virginia gubernatorial candidates.

Mr. Connolly moved, with a second by Ms. Bulova, to send the final version of the recommendations to Secretary Homer as well as the Virginia gubernatorial candidates. Ms. Rae suggested also sending the recommendations to CTB members, especially the urban members.

Ms. McConnell stated that it would be helpful to prioritize the recommendations and to encourage someone at the state level to champion the recommendations.

Mr. Smedberg requested a friendly amendment to include with recommendation #7 systematic inconsistencies with technological hurdles. Mr. Connolly agreed to include this friendly amendment in his main motion.

Mr. Zimmerman noted that the recommendations could be sent as "recommendations put together by NVTC staff." Chairman Ferguson stated that the recommendations should come from the commission. Mr. Zimmerman stated that he doesn't completely agree with recommendation #17. Mr. Connolly agreed. Mr. Fisette stated that the document is lengthy and suggested paring it down to 10-12 recommendations.

Mr. Connolly observed that currently there are 310,000 people in the Washington Metropolitan region that telework at least one day a week. There are an additional 420,000 workers that are eligible to telework but don't. If everyone who was eligible to telework (730,000) did so, there would be a noticeable difference on the roads and air quality. Telework is a serious issue for this region. Mr. Kauffman noted that it is interesting that there are approximately 730,000 daily Metrorail passengers.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fiset, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Legislative Items

Mr. Taube stated that a draft letter has been prepared to send to DRPT Director Karen Rae regarding the draft program policy goals for the new state Rail Enhancement Fund (with \$23 million of funding annually). The Rail Advisory Board will meet in July for the first time and in September, CTB will adopt the policies, goals and evaluation process for the program.

On a motion by Mr. Zimmerman and a second by Mr. Gaines, the commission unanimously authorized staff to send the letter. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fiset, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Mr. Kauffman stated that with the recent BRAC relocation recommendations, there may be some interest in more transportation studies if there are significant movements of people to new work locations. He asked if Rail Enhancement Funds could be used for this purpose. Ms. Rae replied that the Rail Enhancement Fund is directed at intercity and freight rail.

Amendment to the NVTC Employees' Pension Plan

Mr. Taube explained that NVTC's pension consultant recently notified the commission of the need to adopt an amendment to this plan effective June 30, 2005. The amendment directs the NVTC pension plan administrator to roll over into an IRA account balances exceeding \$1,000 that the NVTC pension participants, when they leave the plan, do not elect to be paid directly as a lump sum or rolled over into another eligible account. This change is made to conform to new IRS regulations. In order to meet the deadline, the NVTC pension plan trustees executed the change, contingent on ratification by the full commission.

Mr. Zimmerman moved, with a second by Ms. McConnell, to ratify this action. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fiset, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Change Order to NVTC Contract with Cubic Transportation Systems, Inc. for Additional Tasks Relating to PRTC AVL Integration

Mr. Taube stated that at the request of PRTC, staff has negotiated a change order to NVTC's contract with Cubic Transportation Systems to integrate PRTC's existing Auto Vehicle Locator (AVL) system with the SmarTrip fareboxes, scheduled for installation in the fall of 2005. The \$58,000 cost of this change order would be paid entirely by PRTC, as specified in their commitment letter of July 6, 2005. PRTC is also committed to a 10 percent contingency.

Mr. Gaines moved, with a second by Mr. Fisette, to authorize NVTC's executive director to execute the proposed change order. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

VRE Items

Report from the VRE Operations Board and VRE's CEO. Ms. Bulova commended the minutes of the June 17, 2005 VRE Operations Board meeting to commissioners.

VRE Railcar Construction Engineering/Inspection Contract Award. Ms. Bulova explained that the VRE Operations Board recommends approval of Resolution #1076, which would authorize award of a contract to STV, Inc. to provide construction engineering and inspection services through the warranty period on the 11 new Sumitomo railcars (and the 50 option cars if they are purchased). The amount of the contract would not exceed \$3,399,400, which includes a 15 percent contingency. Funds are available in VRE's approved CIP using a 2003 federal grant.

Ms. Bulova moved, with a second by Mr. Zimmerman, to approve the resolution (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Exterior Railcar/Locomotive Cleaning Contract Award. Ms. Bulova stated that the VRE Operations Board recommends approval of Resolution #1077. This resolution would award a contract to East Coast Power Washing L.L.C. for exterior cleaning of VRE's rolling stock, in an amount not to exceed \$621,770 for the three years of the contract. Funds are available in VRE's operating budget.

On a motion by Ms. Bulova and a second by Mr. Gaines, the commission unanimously approved Resolution #1077 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Interior Railcar Cleaning Contract Award. Ms. Bulova reported that the VRE Operations Board recommends approval of Resolution #1078, which would approve a contract to Service Master Preferred Services for detailed interior rail cleaning in an amount not to exceed \$1,011,606 for the three years of the contract. Funds are available in VRE's operating budget.

Ms. Bulova moved, with a second by Ms. McConnell, to approve the resolution (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Lease for Space in VRE's Quantico Station. Ms. Bulova explained that the VRE Operations Board recommends approval of Resolution #1079, which would authorize VRE's CEO to interview, select and execute a lease agreement for operation of concession and ticket sales at the Quantico VRE station, subject to review by VRE's legal counsel. Negotiations are not completed, although procurement was initiated June 3, 2005.

On a motion by Ms. Bulova and a second by Ms. McConnell, the commission unanimously approved Resolution #1079 (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Lease for Space in VRE's Woodbridge Station. Ms. Bulova reported that the VRE Operations Board recommends approval of Resolution #1080, which would authorize VRE's CEO to interview, select and enter into a lease agreement for operation of concessions in VRE's Woodbridge station, subject to review by VRE's legal counsel.

Ms. Bulova, moved, with a second by Mr. Zimmerman, to approve the resolution. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Amended Task Order to STV, Inc. for General Fleet Maintenance. Ms. Bulova stated that Resolution #1081 would authorize a task order to STV, Inc. under the mechanical engineering contract for general fleet maintenance in the amount of \$769,493 (including a five percent contingency). This is expected to cover a continuation of required work through December 31, 2005. Funding is available in VRE's operating budget.

Ms. Bulova moved, with a second by Ms. McConnell, to approve the resolution. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Contract Amendment with Mitchell Humphrey for Training. Ms. Bulova reported that the VRE Operations Board recommends approval of Resolution #1082, which would authorize a contract amendment with Mitchell Humphrey for \$20,000 to provide advanced training in the integrated financial management software system installed in May, 2005. The amendment increases the contract value to \$370,000. Funds from federal grants are available in VRE's approved CIP.

Ms. Bulova moved, with a second by Ms. McConnell, to approve the resolution (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fiset, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Extension of Operating/Access Agreement with CSXT. Ms. Bulova stated that the VRE Operations Board recommends approval of Resolution #1083, which would authorize an extension of the 1994 agreement with CSXT to a new expiration date of December 31, 2005. CSXT has not requested changes in the terms of this extension, although the negotiation of a long-term renewal is deadlocked over insurance and liability issues.

Ms. Bulova moved, with a second by Mr. Gaines, to approve the resolution (copy attached). The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fiset, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

VRE's 2004 Annual Report. Commissioners received a copy of the annual report.

Other VRE Business. Ms. Rae stated that the VRE Operations Board has in the past used a consent agenda format for standard action items. She asked if NVTC could do the same for some of the VRE action items. Mr. Taube stated that VRE adopted a policy that states exactly which items can be eligible for the consent agenda. He offered to look into this issue for NVTC.

Closed Session. Ms. Bulova moved, with a second by Chairman Ferguson, to approve the following motion:

Pursuant to the Virginia Freedom of Information Act (Section 2.2-3711A (1), (7) and (30) of the Code of Virginia), the Northern Virginia Transportation Commission authorizes discussion in closed session concerning one legal matter relating to the terms and conditions of an operating agreement with Norfolk Southern, one personnel matter concerning the VRE CEO's employment contract and one legal matter pertaining to the terms and conditions for inclusion of new participating jurisdictions in the Master Agreement for Commuter Rail.

The vote in favor was cast by commissioners Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman. (Mr. Albo was not present for the vote but did participate in the Closed Session.) The commission entered into Closed Session at 9:00 P.M. and returned to Open Session at 9:43 P.M. Ms. Bulova moved, with a second by Mr. Silverthorne, 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, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Ms. Bulova moved, with a second by Ms. McConnell, to approve Resolution #1084, which would authorize an extension to the agreement with Norfolk Southern. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Mr. Albo moved that NVTC staff should return with information and recommendations regarding new participating jurisdictions in VRE sharing in the capital costs borne by existing participating jurisdictions from the start of the VRE projects. Mr. Connolly seconded. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ebbin, Ferguson, Fisette, Gaines, Gardner, Hudgins, Kauffman, McConnell, Rae, Silverthorne, Smedberg and Zimmerman.

Chairman Ferguson reported that the commission discussed one other item during closed session regarding a personnel item but was unable to come to a consensus, so action will be deferred until the September meeting.

Chairman Ferguson suggested deferring the rest of the agenda items until the next meeting. There were no objections. He adjourned the meeting at 9:45 P.M.

Approved this 1st day of September, 2005.

Paul Ferguson
Chairman

David F. Snyder
Secretary-Treasurer