

**MINUTES**  
**NVTC COMMISSION MEETING – DECEMBER 1, 2005**  
**NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA**

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Ferguson at 8:05 P.M.

**Members Present**

David Albo  
Sharon Bulova  
Gerald Connolly  
Adam Ebbin  
Paul Ferguson  
Jay Fisette  
Ludwig Gaines  
Robin Gardner (Alternate, City of Falls Church)  
Catherine M. Hudgins  
Tanya Husick (DRPT)  
Dana Kauffman  
Elaine McConnell  
Gary A. Reese  
Scott Silverthorne  
Paul C. Smedberg (Alternate, City of Alexandria)  
Mary Margaret Whipple  
Christopher Zimmerman

**Members Absent**

Eugene Delgaudio  
Jeannemarie Devolites Davis  
William D. Euille  
David F. Snyder

**Staff Present**

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

## Minutes of NVTC Meeting of November 3, 2005

On a motion by Mr. Connolly and a second by Mr. Zimmerman, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ferguson, Gaines, Gardner, Hudgins, Husick, Kauffman, McConnell, Reese, Smedberg, Whipple and Zimmerman.

### VRE Items

Report from the VRE Operations Board and from VRE's CEO. Mr. Zehner reported that the CSXT tie replacement project is almost finished. As a result, on-time performance on the Fredericksburg Line is sliding upwards. Mr. Zehner stated that VRE submitted two applications to the Rail Advisory Board for consideration, including an application for the preliminary engineering of the Gainesville-Haymarket extension and the other for the third track on the Fredericksburg Line from Powell's Creek to Arkendale. Funding for these projects looks very favorable for VRE based on DRPT's ranking of 36 projects. For FY 2006, DRPT placed VRE's Gainesville-Haymarket study and engineering for the third track in Tier I. The remainder of the third track project (\$47.7 million) was spread over three years (FY2007-2009) and placed in Tier II. On November 30, 2005 the Rail Advisory Board recommended that both VRE Rail Enhancement Fund applications be forwarded to the Commonwealth Transportation Board for approval on December 15, 2005.

Mr. Zehner also announced that the annual VRE Santa Trains will run on December 10<sup>th</sup>. Ms. Bulova stated that her office sold out of Santa train tickets within the first hour. It is a very popular event. Mr. Zehner stated that there were approximately 5,000-6,000 tickets sold.

Railroad Operating Agreements. Ms. Bulova moved, with a second by Mr. Zimmerman, to approve Resolutions #2002 and #2003, which would authorize VRE's CEO to execute extensions to the existing operating agreements to July 31, 2006 with CSXT and Norfolk Southern, respectively. Other terms and conditions would remain unchanged. Both current agreements expire on December 31, 2005.

The commission then voted to approve the resolutions. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ferguson, Gaines, Gardner, Hudgins, Husick, Kauffman, McConnell, Reese, Smedberg, Whipple and Zimmerman. (Copies of Resolution #2003 and #2004 are attached.)

Changes to VRE's Delegated Authority. Ms. Bulova explained that the VRE Operations Board recommends commission approval of Resolution #2004, which would adopt a plan of action for a phased-in approach to increase the delegated authority to the VRE Operations Board from the commissions. It would require no change to the Master Agreement. Ms. Bulova gave a more detailed overview of the proposed changes. Responsibilities that would remain

at the commission level and not be delegated to the Operations Board would be the following:

- 1) Employment decisions (recruitment and termination) regarding the Chief Executive Officer.
- 2) State and federal grant applications.
- 3) Approval of legislative agendas.
- 4) Approval of strategic plan.
- 5) Other major policies, such as terms for new entrants.
- 6) Other actions reserved for the commissions by the Master Agreement, such as approving annual budgets/six-year financial plans.

Chairman Ferguson stated that this proposed action is a good balance and responsive to commissioners concerns. Mr. Zimmerman stated that this is a progressive approach where each year the commissions would approve the implementation of new phases of delegation. He expressed his opinion that this is the right direction that should be taken. Mr. Connolly stated that he is in favor of this action with the understanding that the commission will receive periodic updates on the status of VRE.

In response to a question from Mr. Smedberg, Ms. Bulova stated that the VRE Operations Board would determine the level of compensation of VRE's CEO within the confines of VRE's approved budget.

Ms. Bulova moved to approve Resolution #2004, with the understanding that the commission will receive periodic updates on VRE. Mr. Connolly seconded.

Mr. Connolly noted that this action does not preclude commissioners requesting that items come back to the commissions for discussion and/or action. Ms. Gardner observed that to her a review of level of compensation goes together with performance standards. She asked how the process would work and how the Operations Board would interact with the commissions? Ms. McConnell expressed her opinion that it is unfair to ask NVTC commissioners to evaluate VRE's CEO when they don't work closely with him. Ms. Bulova explained that this action would not delegate to the Operations Board the hiring or firing of the CEO. These issues would be brought to the commissions. Ms. Gardner asked if there are opposing opinions between the commissions and the Operations Board concerning the hiring or firing of the VRE CEO, who has the overriding authority?

Chairman Ferguson stated that NVTC will be provided with information about actions taken by the Operations Board and would have the right to override actions. Mr. Zimmerman also observed that the level of compensation of the CEO would be in the confines of VRE's approved budget, which will continue to be approved by the commissions. Ms. Bulova also stated that salary information is not hidden and is information provided to the commissions. Chairman Ferguson asked for a friendly amendment that NVTC be provided with

information agenda items concerning salary adjustments for the VRE CEO. Ms. Bulova and Mr. Zimmerman agreed to this amendment.

The commission then voted on the amended motion and it passed. The vote in favor was cast by commissioners Albo, Bulova, Connolly, Ferguson, Gaines, Gardner, Hudgins, Husick, Kauffman, McConnell, Reese, Smedberg, Whipple and Zimmerman. (A copy of Resolution #2004 is attached.)

#### NVTC's Legislative Agenda for 2006

Mr. Connolly reported that NVTC's Legislative Committee met on November 15<sup>th</sup> and put together NVTC's Legislative Agenda for 2006. He stated that it is unclear what is going to happen to transportation during the next General Assembly Session. Virginia has a new governor-elect who has made transportation a priority. The Legislative Agenda supports legislative actions for increasing and safeguarding state transportation funding. NVTC also supports the creation of a telework council. Mr. Taube explained that the commission is being asked to approve NVTC's Legislative Agenda and VRE's Legislative Agenda.

Mr. Silverthorne arrived at 8:30 P.M.

Mr. Connolly stated that NVTC needs to be vigilant and watch closely to make sure Northern Virginia transit funding is not raided.

Mr. Connolly moved, with a second by Mr. Zimmerman, to approve NVTC's and VRE's Legislative Agendas.

Chairman Ferguson noted that staff put together talking points that he used at Governor-Elect Kaine's Transportation Town Hall Meeting held in Manassas. He encouraged commissioners to use this information, which includes useful statistics.

Delegate Reese stated that he has given staff supplemental materials, including a copy of a letter he sent to the Virginia Attorney General requesting an opinion about general obligation bonds and revenue bonds and whether they could be combined for specific projects. He has also provided a copy of a letter to Governor-Elect Kaine about a transportation bonding system. He stated that it is important to put together a coalition of legislators to pass this legislation. Staff will provide copies of Delegate Reese's materials to commissioners.

Mr. Connolly requested copies of the two-page summary of NVTA's survey (included in the report on proposed dedicated funding for WMATA) to include in the materials for Fairfax County's legislative delegation breakfast on December 7<sup>th</sup>. In response to a question from Ms. Hudgins, Ms. Rodgers stated that this document is posted on NVTC's website.

The commission then voted on the motion and it passed. The vote in favor was cast by commissioners Bulova, Connolly, Ferguson, Gaines, Gardner, Hudgins, Husick, Kauffman, McConnell, Reese, Silverthorne, Smedberg, Whipple and Zimmerman. Delegate Albo abstained.

Mr. Connolly reminded commissioners that during the General Assembly Session last year, NVTC held a commission meeting in Richmond. He stated that NVTC should consider this again for this upcoming General Assembly Session, since last year was a good opportunity to mingle with General Assembly members. Delegate Albo stated that it is a good idea and useful to do. Ms. Bulova observed that VRE is not running trains to Richmond this year. Commissioners discussed it further and staff will look into it.

Chairman Ferguson noted that this is Delegate Reese's last meeting. On behalf of the commission, he thanked Delegate Reese for his contribution to NVTC. Delegate Reese stated that he is convinced that transportation needs should not be put into competition with other needs, such as Medicaid reform. He encouraged NVTC to support legislative efforts to treat transportation needs as vital capital projects.

Delegate Reese left the meeting at 8:40 P.M. and did not return.

#### NVTC's Senior Mobility Study Phase 1 Report

Ms. Lynott stated that NVTC staff has managed an ambitious year-long study of senior mobility issues with an emphasis on identifying transit service improvements that could better serve these individuals. NVTC staff focused on demographic analysis using Census data and GIS tools while consultants performed surveys, conducted focus groups and analyzed data. A large, multi-agency/jurisdiction technical committee met several times to provide guidance and expertise. Ms. Lynott introduced the consultants for this project: Steve Markenson and Kevin Pulls from WB&A Market Research and Buffy Ellis and Paul Napti from KFG Group.

Ms. Lynott gave an overview of the highlights of the study, Steve Markenson discussed the results of the telephone survey, and Buffy Ellis reviewed the study recommendations.

Mr. Fisette and Delegate Ebbin arrived at 9:03 P.M. and 9:05 P.M., respectively.

Mr. Kauffman observed that many of the problems seniors cited concerning public transportation (i.e., difficulty getting information, people not knowing they live close to fixed routes) also are problems of the general population.

Ms. Lynott concluded the presentation by stating that the study found fairly significant differences by community type and mode choice. Pedestrian friendly streets, transit oriented development and creating mixed use communities increases senior mobility. In the future, much of the growth of the senior population will occur outside the Beltway. No one solution will solve the problems seniors face. The final report is expected to be presented for commission approval in March, 2006. NVTC received another \$150,000 grant from VDOT to be applied to testing/piloting one or more of these study recommendations. A portion of the funds will be used for a public information campaign to get out the results of the study.

Mr. Connolly observed that Fairfax County was built for young couples with families and not built for seniors. There are not a lot of places for seniors to live. One of the challenges is to look at different housing types and think differently about zoning. Retirement communities and age restricted housing will need to be investigated. Loudoun and Prince William counties will also have the same issues. Ms. Bulova stated that it is important to look at what senior housing should be.

Senator Whipple stated that it may be more effective to direct the education process towards younger people to prepare them for their senior years. She questioned whether seniors 75+ who haven't taken transit would begin at that age.

Mrs. McConnell stated that the tax structure needs to be looked at to provide a way for seniors to be able to stay in their homes given large increases in property taxes. They shouldn't be forced out of their homes because of taxes.

Ms. Gardner stated that it is important to have mixed-use development where communities are near stores and transit to allow seniors to walk to their destinations.

Mr. Fisette stated that the Virginia Housing Development Authority has approved a tax credit policy, which would double the credits/points for applications for projects in Northern Virginia only which are transit oriented projects within one-fourth mile or less of a bus line or a rail station. He suggested that the concept of free access for seniors should be looked at to encourage transit usage. McDonald's has had a very successful senior campaign.

### The Case for Increased Funding of Public Transportation in Northern Virginia

Mr. Taube explained that staff has prepared materials to assist in informing the Governor-Elect Kaine and General Assembly members about why they should support more funding for transit, especially in Northern Virginia. He asked for commissioner comments. Chairman Ferguson suggested shortening it to a one or two page length.

## WMATA Items

Sale of Land at Vienna Metrorail Station. The WMATA Board decided to sell a controversial 3.75 acre parcel of land at the Vienna station to Pulte Home Corporation for \$6.5 million plus \$9 million in improvements to WMATA property and nearby land. The decision followed a recent public hearing on the sale conducted by WMATA.

Metro Parking. Mr. Kauffman stated that WMATA has decided to keep the parking gates open until 10:30 A.M. so that those drivers who can't find a space after the reserve spaces become available can get out of the parking lot without being charged a fee.

## Regional Transportation Items

NVTA 2030 Transportation Plan Update Public Hearing. Mr. Taube announced that NVTA will conduct the hearing on December 6<sup>th</sup>.

Hydrogen Fuel Injection Technology. Fuel cell technology is in its infancy and even the most optimistic fuel cell proponents do not expect to see widespread fuel cell deployment for at least another fifteen years. The Canadian Hydrogen Energy Company (CHEC) has developed an innovative new way to use hydrogen power, and you don't have to wait years to see it work. The CHEC system is known as Hydrogen Fuel Injection, which uses electricity to create hydrogen. CHEC guarantees a minimum of ten percent reduction in fuel usage with the HFI system. There are also significant environmental benefits. NVTC staff is investigating the possibility of implementing a demonstration of HFI technology on local buses.

New Study on Federal Telework. A new study by the Telework Exchange shows the average federal employee spends 245 hours each year commuting to and from work. If all federal workers teleworked two days per week, 98 hours annually of commuting time would be saved per worker or 73.7 million hours in total. Commuting costs would be reduced by \$3.3 billion. About 2.7 million tons of air pollutants would be eliminated.

## NVTC Financial Reports for October, 2005

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

Notice of Public Hearing on NVTC's 2006 Work Program and Meeting Schedule

Mr. Taube stated that NVTC will conduct a public hearing at its next meeting on January 5, 2006 on its proposed 2006 Work Program and Meeting Schedule.

Notice of Appointment of a Nominating Committee for 2006 NVTC Officers

Chairman Ferguson has appointed the NVTC Executive Committee to serve as the Nominating Committee. Commissioners wishing to provide input should contact committee members. The proposed slate of officers will be reported on NVTC's website and mailed to commissioners prior to the January 5<sup>th</sup> meeting.

Other NVTC Business

Mr. Smedberg stated that at the Governor-Elect's town hall meeting the issue of public safety was raised concerning the ability of police, fire and other emergency vehicles to get through traffic congestion.

Adjournment

Without objection, Chairman Ferguson adjourned the meeting at 9:40 P.M.

Approved this 5<sup>th</sup> day of January, 2006.

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Gerald Connolly  
Chairman

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William Euille  
Secretary-Treasurer