

**MINUTES**  
**NVTC COMMISSION MEETING – JANUARY 5, 2006**  
**NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA**

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Ferguson at 8:10 P.M.

**Members Present**

Sharon Bulova  
Gerald Connolly  
William D. Euille  
Paul Ferguson  
Jay Fisette  
Ludwig Gaines  
Catherine M. Hudgins  
Dana Kauffman  
Karen Rae  
Scott Silverthorne  
Paul C. Smedberg (Alternate, City of Alexandria)  
David F. Snyder  
Mary Margaret Whipple  
Christopher Zimmerman

**Members Absent**

David Albo  
Eugene Delgaudio  
Jeannemarie Devolites Davis  
Adam Ebbin  
Elaine McConnell

**Staff Present**

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

### Minutes of NVTC Meeting of December 1, 2005

On a motion by Mr. Gaines and a second by Senator Whipple, the commission unanimously approved the minutes. Affirmative votes were cast by commissioners Connolly, Euille, Ferguson, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

### Election of 2006 Officers and Oath of Office

Mr. Ferguson moved with a second by Senator Whipple to elect the slate of officers recommended by NVTC's Executive Committee:

Gerald Connolly, Chairman  
David Snyder, Vice-Chairman  
William Euille, Secretary-Treasurer

The vote in favor was unanimous with votes in favor by commissioners Connolly, Euille, Ferguson, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

Chairman Ferguson administered the oath of office to the newly elected officers. Chairman Connolly then presented a gift to Mr. Ferguson and thanked him for his service during the past year.

### Selection of NVTC Representatives to Boards and Committees

On a motion by Senator Whipple and second by Mr. Gaines, the commission unanimously selected all incumbents to continue to serve on the WMATA Board, VRE Board, VTA Board and NVTC Legislative Committee. Affirmative votes were cast by commissioners Connolly, Euille, Ferguson, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

### Designation of NVTC Signatories and Pension Trustees

On a motion by Senator Whipple and a second by Mr. Gaines, the commission unanimously approved Resolution #2005 which authorizes the new Secretary-Treasurer, Mr. Euille, to serve as an additional signatory and as pension trustee. Affirmative votes were cast by commissioners Connolly, Euille, Ferguson, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

### Year-End Review of NVTC Accomplishments

NVTC staff members each described their most significant assignments and achievements in the last six months. Mr. Connolly asked Scott Kalkwarf to identify the amount of state transit assistance actually provided in FY 2006 compared to the \$195 million for which NVTC applied. [The figure is roughly \$110 million, but only because of a one-time allocation of \$20 million for VRE railcars. Another one-time allocation of \$40 million for WMATA has not been released by DRPT].

Chairman Connolly thanked the staff for its effective work during the past year, noting that the commission put a lot on staff's plate, including help with the NVTA survey.

### Public Hearing on, and Approval of, NVTC's 2006 Workprogram and Meeting Schedule.

Mr. Taube explained the major changes in the workprogram and schedule proposed for 2006. The commission would meet on February 9<sup>th</sup> in Richmond. Also, a grant application would be filed for a demonstration of hydrogen-assisted transit diesel engines for air quality and fuel savings. Phase 2 of the senior mobility study would proceed. Additional transit tours for General Assembly members would be organized. A new mobile phone technology for locating transit vehicles and informing customers would be developed and tested. Greater emphasis on telework would occur.

Chairman Connolly opened the public hearing. There was one speaker. Mr. Ed Tennyson provided a statement in which he noted transit ridership is growing faster than population and auto use. NVTC should use its performance data to oversee WMATA's efficiency and effectiveness, by monitoring quarterly passenger-mile data, accident rates and service failures. He also favors rail to Dulles and VRE to Haymarket. He counseled restraint in fare increases to no more than 1.6 percent annually. Finally, he agreed that more street supervision is needed for Metrobus but the Washington Post reports are too simplistic.

Chairman Connolly thanked Mr. Tennyson for his statement and for his recent letter to the editor of the Washington Post responding to criticism of Metrobus service. There being no other citizens wishing to speak, Chairman Connolly closed the public hearing but stated the record would be kept open for two weeks to allow for the submission of additional written comments.

Mr. Fisette arrived during the public hearing.

On a motion by Mr. Euille and a second by Senator Whipple, the commission unanimously approved the proposed 2006 Workprogram and meeting schedule. Affirmative votes were cast by commissioners Connolly,

Euille, Ferguson, Fisette, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

#### NVTC Audit for FY 2005

Michael Garber from PBGH, LLP presented the results of his firm's audit. He was joined by Mensel Dean and Dwight Buracker of PBGH. Mr. Garber reported a clean audit. Mr. Ferguson reminded the commission that there were no comments for management again this year and Mr. Garber responded that that was unusual for his clients and reflected well on NVTC staff.

Mr. Taube added that NVTC's Executive Committee, serving as an audit committee, met with the auditors prior to the NVTC meeting to examine the audit and also spoke with them privately with no NVTC staff present.

On a motion by Mr. Euille and a second by Mr. Snyder, the commission voted unanimously to accept the audit report and to authorize staff to post the audited financial statements on NVTC's website and distribute them to regulatory agencies, bond holders and other interested parties. Affirmative votes were cast by commissioners Connolly, Euille, Ferguson, Fisette, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

#### VRE Items

Ms. Bulova arrived.

Report from the VRE Operations Board and VRE CEO. Ms. Bulova referred to the minutes of the December 16, 2005 VRE Operations Board meeting. She also described the VRE derailment, which occurred that day at Possum's Point on the CSXT line north of Fredericksburg near Quantico.

Mr. Zehner arrived and provided more details. He praised the prompt response of Prince William County EMS as well as Amtrak and his staff for effective communication with the media. He also recognized the timely offers of busses from WMATA, PRTC and Fairfax Connector. He reported that CSX sent several officials and promised to repair the track in time for the morning commute.

Chairman Connolly praised Wendy Lemieux for her professional communication skills with the media during the event.

Ms. Bolova mentioned that CSXT officials will be present at the next VRE Operations Board meeting. Mr. Connolly requested a full report. Mr. Snyder stated three expectations:

- 1) Staff will cooperate fully with the NTSB investigation;

- 2) Staff will bring back any NTSB recommendations to the commissions for action; and
- 3) Staff will do whatever is necessary to be responsive to its customers during this crisis.

FY 2007 VRE Budget and FY 2006 Budget Revisions. Ms. Bulova moved approval of Resolution #2006 with a second by Mr. Kauffman. The resolution approves the FY 2007 budget and FY 2006 revisions and authorizes staff to forward them to the jurisdictions. The budget contains a six percent fare increase and increases local subsidies by a similar absolute amount (\$1.9 million) for FY 2007.

Mr. Connolly put Mr. Zehner on notice that the subsidy allocation formula included in the VRE Master Agreement will need to be changed because Fairfax County must currently pay a disproportionate subsidy while its riders can't get seats on crowded trains. Senator Whipple pointed out that by paying a higher subsidy, Fairfax County permits its riders to enjoy a lower fare.

The vote in favor of the motion was unanimous with Chairman Connolly abstaining. Affirmative votes were cast by commissioners Bulova, Euille, Ferguson, Fisette, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

Application to FRA for VRE Railcar Loan. Ms. Bulova moved approval of Resolution #2007. Mr. Kauffman seconded. The resolution authorizes VRE staff to submit an application for the loan to facilitate the purchase of 50 new bi-level railcars. The vote in favor of the motion was unanimous. Affirmative votes were cast by commissioners Bulova, Connolly, Euille, Ferguson, Fisette, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

Referral to Jurisdictions of Financing Plan for VRE Railcars. Ms. Bulova moved approval of Resolution #2008 with a second from Mr. Kauffman. The resolution authorizes VRE staff to submit a plan of financing for 50 new bi-level railcars to the jurisdictions for review and comment. The vote in favor was unanimous with affirmative votes from commissioners Bulova, Connolly, Euille, Ferguson, Fisette, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

Increase Authorization for Sounder Railcars. Ms. Bulova moved approval of Resolution #2009 with a second from Mr. Kauffman. The resolution authorizes staff to arrange to pay for an extended lease of Sounder equipment to help meet demand for VRE service. The vote in favor was unanimous with affirmative votes from commissioners Bulova, Connolly, Euille, Ferguson, Fisette, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

### Draft NVTC FY 2007 Budget

Mr. Taube reminded commissioners that they had reviewed this budget in September, 2005 and it was presented to them now for discussion prior to action at the February meeting. Mr. Taube confirmed, in response to a question from Mr. Euille, that there have been no changes since September.

### Legislative Items

Mr. Taube identified several attachments, including NVTC's 2006 Legislative Agenda, a paper describing the quarter-cent sales tax proposal for dedicated WMATA funding and some details about Governor Warner's budget. It was also noted that Pierce Homer has been reappointed as the Virginia Secretary of Transportation.

Ms. Rae noted that \$1 million for telework is included in Governor Warner's budget proposal.

Chairman Connolly reported that a meeting is scheduled Saturday, January 7<sup>th</sup> at the Fairfax County Government Center with the Northern Virginia General Assembly Delegation. He offered to present a three-minute statement on behalf of NVTC and Mr. Taube agreed to prepare the short statement. Chairman Connolly also suggested arranging a briefing on NVTC's legislative agenda for the delegation in Richmond.

### WMATA Items

Mr. Taube mentioned the draft WMATA budget. Mr. Kauffman reported on the positive committee vote earlier that day on the West Ox Bus Garage. Also, another favorable vote occurred on rail to Dulles. He went on to mention the intention of the new WMATA Board Chair Gladys Mack, to hold public hearings on WMATA's budget for the first time.

Chairman Connolly congratulated Mr. Kauffman for his work as Metro Board Chair during the past eventful year. The NVTC Board applauded Mr. Kauffman.

### Regional Transportation Items

Ms. Lynott described the maps showing changes in traffic congestion in major corridors resulting from investments proposed in the 2030 Transportation Plan Update. Improvements are visible and dramatic in most corridors, with the Dulles Access Road a notable exception. Mr. Smedberg asked if the plan had

considered the implications of the BRAC recommendations. Ms. Lynott responded it had not.

#### NVTC Federal SmarTrip Grant Extended

Mr. Taube announced that FTA has extended remaining federal grant funds for technical assistance through September 30, 2006.

#### NVTC Financial Reports for November, 2005.

There were no questions.

#### Closed Session on Entry of New VRE Jurisdictions (Section 2.2.-3711.A(7) of the Virginia Code)

Ms. Bulova made the following motion with Mr. Gaines seconding:

Pursuant to the Virginia Freedom of Information Act (Section 2.2-3711.A (7) of the Code of Virginia), the Northern Virginia Transportation Commission authorizes discussion in closed session concerning a legal matter relating to the entry of new VRE jurisdictions.

The vote in favor was unanimous with the following commissioners voting in favor: Bulova, Connolly, Euille, Ferguson, Fisette, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

The commission entered closed session at 9:15 p.m. and returned to open session at 9:40 p.m.

Ms. Bulova made the following motion with a second from Mr. Zimmerman:

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.

Ms. Bulova moved that NVTC directs its negotiators to proceed according to instructions provided in closed session. Mr. Zimmerman seconded.

The vote in favor was unanimous with affirmative votes from commissioners Bulova, Connolly, Euille, Ferguson, Fiset, Gaines, Hudgins, Kauffman, Rae, Silverthorne, Snyder, Whipple and Zimmerman.

Adjournment

There being no further business, Chairman Connolly adjourned the meeting without objection at 9:45 p.m.

Approved this 9<sup>th</sup> day of February, 2006.

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Gerald Connolly  
Chairman

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William Euille  
Secretary-Treasurer