



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

Thursday, May 28, 2015
6:00pm
3040 Williams Drive, Suite 200
Fairfax, VA 22031

MEETING MINUTES

I. Call to Order Chairman Nohe

- Chairman Nohe called the meeting to order at 6:17pm.

II. Roll Call Ms. Speer, Clerk

- Voting Members: Chairman Nohe; Mayor Euille (departed 7:02pm); Chairman Bulova; Chair Hynes; Supervisor Letourneau; Mayor Silverthorne; Council Member Rishell; Senator Ebbin (arrived 6:36pm); Delegate Rust; Miss Bushue.
- Non-Voting Members: Mayor Fraser; Ms. Cuervo; Mr. Horsley.
- Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Peggy Teal (Assistant Finance Officer); Camela Speer (Clerk); various jurisdictional staff.

III. Minutes of the April 23, 2015 Meeting

- Mayor Euille moved approval of the April 23, 2015 minutes; seconded by Council Member Rishell. Motion carried with eight (1) yeas and one (1) abstention [with Mayor Euille abstaining as he was not at the April 23 meeting].

Presentation

IV. Briefing on the Regional Bus Staging, Layover, and Parking Location Study
Mr. Richard Roisman, Transportation Planning Board

- Mr. Roisman briefed the Authority on the Regional Bus Staging, Layover and Parking Location Study.
- Ms. Bushue asked for confirmation that one of the improvements as part of the Boundary Channel Drive interchange project (funded by the NVTA) will be for bus staging. Mr. Roisman responded that is his understanding, adding that it may be being used informally now and that he believes there are to be accommodations for bus staging as part of the intersection improvements. He noted this is as close to the bridge as you can get and getting across the river is

a big travel time issue. He added that whether this actually gets used for staging for pickups in the District of Columbia (District) remains to be seen, it will depend on how well it performs in terms of being able to reach the stops in time.

- Ms. Bushue added that she understood that this project would allow for a lot of staging capacity and that was one of the reasons for the project's funding approval by the NVTVA. Mr. Roisman differed to the Arlington staff for specifics about the project. He added that a site might provide plenty of capacity, but the buses still have to be able to reach their stops in a timely manner.
- Ms. Bushue asked for clarification that these decisions are not always based on capacity. Mr. Roisman replied that it is a combination of capacity and proximity to the bus stops, particularly for commuter buses to reach their first stop.
- Mayor Euille asked why the study was limited to the District and Arlington. Mr. Roisman responded that at the time of the study, Alexandria was deemed to be just a little bit too far away for staging locations for the District. He added that what they found from talking to commuter operators that it is too far for them to get into their locations in the District from Arlington, as well as the close-in Maryland suburbs.
- Mayor Euille clarified that Alexandria has many motorcoach and tour buses coming into the City and that staging has been a challenge for many years. He suggested that if a study was being done, it should have looked at all the jurisdictions that are impacted by motorcoaches, buses and tour buses. He further suggested that Alexandria should have been part of this study. Mr. Roisman acknowledged this is a concern going forward.
- Delegate Rust referenced the statistic in the presentation of 1,900 motorcoaches observed, with 1,100 requiring parking, and asked how many of the 1,100 can find parking now and what do the other 800 buses do for parking. Mr. Roisman responded that they can find parking, but it is not necessarily desirable parking. He added that a good percentage of the available parking for buses in the District is at the parking lots for RFK stadium, but these are far away from where the buses want to be and that there are other reasons that bus companies choose not to locate there. He stated that there is a supply issue.

(Senator Ebbin arrived.)

- Chair Hynes noted that there is a major challenge before the region as we consider adding more service along I-66. She noted that whether these are rapid or commuter, the issue of where these buses are going to be staged is a major issue. She asked if any locations in Arlington were considered and, if so, are they close to the river or a bridge. Mr. Roisman responded that there were locations in Arlington considered and that there are a number of designated locations, for example near the Pentagon City Mall. He stated that the conclusion that was reached is that Arlington is currently full. Chair Hynes

agreed. Mr. Roisman added that this is setting aside the more detailed operational issues that are present at the Ballston and Rosslyn Metrorail Stations. He pointed out that VDOT and DRPT were part of this study, so they are aware of the findings and are using these findings as they review the various options along I-66.

- Chair Hynes suggested that the Authority pay attention to this issue and suggested that there may be an issue with the District being maxed out. She suggested that as a region, perhaps we should suggest to commuter or tour buses that drop off locations should be at the edges of where they can connect into the transit system, rather than the notion that everyone can ride downtown in an individual seat, creating the bus storage challenge. She added that the locations that are less expensive to store buses are at the ends of the lines. Chair Hynes suggested that as we look at I-66 and our opportunities, there is an opportunity over I-66 at East Falls Church to think about bus storage. This would allow riders to get on the metro trains either west to Tyson's or east into the city.
- Supervisor Letourneau stated that Loudoun has a limited amount of bus capacity, there are only so many buses Loudoun could add. He recalled that the District had previously tried to tax or apply fees to commuter buses coming into the District and asked if there is a new discussion about the District doing something similar again. He suggested that the District will control what happens with this issue, as jurisdictions continue to add more bus service. Mr. Roisman stated that he has not heard about anything similar to this coming from the District Government. He added that there is a lot of room for progress forward at the staff level and with those within the decision making within DDOT to work with PRTC and Loudoun Transit to find ways to move forward.
- Mr. Roisman concluded that this study is intended as a starting point, re-raising issues that have come up previously to get these issues worked out within the agencies and that he has not heard anything from the elected body in the District about additional taxes.

Consent Agenda

- V. Project Agreement for Fairfax County–Regional Funding 059-14-031-3-01 (Innovation Metrorail Station)**
- VI. Project Agreement for WMATA–Regional Funding 996-14-034-1-09 (8-Car Traction Upgrade)**
- VII. Project Agreement for City of Fairfax–Regional Funding 600-60471 (Jermantown Road)**
- VIII. Project Agreement for City of Fairfax–Regional Funding 600-90671 (Cue Buses)**

- IX. Project Agreement for City of Fairfax–Regional Funding 600-60411 (Northfax)**
- X. Project Agreement for City of Fairfax–Regional Funding 600-60391 (Kamp Washington Intersection Improvements)**
- XI. Project Agreement for PRTC–Regional Funding 998-60591 (Western Maintenance Facility)**

- Chairman Nohe removed Item XII from the Consent Agenda.
- Chairman Nohe noted that the Consent Agenda has seven different project agreements. Ms. Backmon stated that with the approval of these agreements tonight, including the two final SPAs from the FY2014 Project List, all FY2014 projects will be advancing, with the exception of those projects that were withdrawn. She added that the remaining five SPAs are projects that were approved last month on the FY2015-16 Program.
- Mayor Silverthorne moved approval of the consent agenda to include the specific motions in items V - XI; seconded by Chairman Bulova. Motion carried unanimously.

Action

XII. Appointment of the I-66 Outside the Beltway Committee

- Chairman Nohe stated that the Secretary’s office is evaluating options for I-66 outside the beltway. He noted two facts:
 - ✓ At last week’s Commonwealth Transportation Board (CTB) meeting, the Secretary made a reference to the notion that the CTB may ask the NVTa for some funding for this project.
 - ✓ One of the options available to the CTB is a Public-Private Transportation Act (PPTA) and discussions of this would have to be kept somewhat confidential under certain circumstances because discussion in a fully public manner could endanger the ability to negotiate. He cited Virginia Code §2.2-3711.A.6 that states that there are certain things like contract negotiations that need to be discussed privately.
- Chairman Nohe noted that sometimes the PPTA conversations will be included in discussions of NVTa funding and therefore an I-66 Outside the Beltway Committee, that is akin to the NVTa Metro or VRE Committees, should be established for the purpose of allowing this Committee to discuss the I-66 options with VDOT and be able to go into closed session as necessary to discuss contracting issues. He added that if everything could be discussed openly, we would not need this Committee.
- Chairman Nohe asked for confirmation from the Council of Counsels that all of this is correct. Mr. MacIsaac responded that what was stated is correct, but that there still remains a question as to whether the subject matter of the

Committee's discussion will qualify for closed session. He added that just because the State may request NVTAs funding and utilize a PPTA, this does not automatically qualify for closed session discussions as it will depend on the structure of the conversation. He noted that there are likely a number of instances in which this might be permissible, but he clarified that this does not mean that every time this Committee meets they can go into closed session.

- Chairman Nohe stated that this will need to be evaluated on a case-by-case basis. He asked for clarification that without this Committee, when it is appropriate to go into closed session, we would not have the ability to do so. Mr. MacIsaac agreed that it is best to establish the Committee.
- Chairman Nohe expressly appointed himself, Chairman Bulova, Ms. Mitchell and Mr. Garzynski to the Committee. He stated that all Committee meetings would be open to all Authority members and invited all members to attend.
- Senator Ebbin asked for clarification that, in terms of closed session, any funding that may be appropriated by the NVTAs will be publically discussed adding that the Committee could make a recommendation to bring to the Authority, but would not have the authority to appropriate funding. Chairman Nohe responded that Virginia Code §2.2-3711 does not allow for a closed session discussion about the expenditure of funds, adding that discussions about funding could not be held in closed session. He stated that even in open session, the Committee cannot make a commitment on behalf of the Authority.
- Senator Ebbin asked for further clarification that if the Committee is in closed session, could the State even discuss a proposed bid and make a request for funds. Mr. MacIsaac responded that this is too hypothetical at this time to make a determination.
- Senator Ebbin suggested we air towards transparency as much as possible. Chairman Nohe agreed and clarified that this Committee concept came up in discussions with the Secretary's office. He added that during the discussion, the Secretary's office had indicated that they would like to begin working with the NVTAs soon, but that there must be a way to keep private what must be private, but make public everything else.
- Council Member Rishell asked if a member jurisdiction can request membership on the Committee. Chairman Nohe responded affirmatively. Council Member Rishell requested to be on the Committee. Chairman Nohe accepted her request.
- Chairman Bulova suggested that for the members of the Committee, wording be added to include "or his/her designee" to allow NVTAs alternates to attend if the member is unavailable. Chair Hynes clarified that this alternate could not be a staff person. Chairman Nohe accepted this suggestion.
- Chairman Bulova moved the establishment of an outside the beltway Committee to consist of Chairman Nohe, Chairman Bulova, Ms. Mitchell, Mr. Garzynski and Council Member Rishell, or their elected designees; seconded by Chair Hynes. Motion carried unanimously.

XIII. Approval of Kathy Ichter to the Technical Advisory Committee

Ms. Backmon, Executive Director

- Ms. Backmon briefed the Authority on the purpose of the Technical Advisory Committee (TAC) and noted that there is currently a vacancy due to the resignation of Mr. Christopher Tacinelli, who served on the Committee since 2008 and resigned in September 2014. She stated that per the discussions of the JACC, Ms. Kathy Ichter has been recommended as the appointee to the TAC in replacement of Mr. Tacinelli. Ms. Backmon noted that Ms. Ichter's biography was included in the Authority packet.
- Chairman Bulova moved approval of the appointment of Ms. Kathy Ichter as a member of the Technical Advisory Board; seconded by Senator Ebbin.
- Chairman Bulova commented on what a find Ms. Ichter is for this Committee, adding that she previously served as the Fairfax County Transportation Director.
- Motion carried unanimously.

XIV. Approval of Robert Dickerson to the Council of Counsels

Ms. Backmon, Executive Director

- Ms. Backmon briefed the Authority on the resignation of Ms. Angela Horan as County Attorney for Prince William effective June 12 due to new employment. She stated that the resolution from the Prince William County Board of Supervisors accepting her resignation also requested that Mr. Robert Dickerson be appointed to the Council of Counsels in her stead.
- Chairman Nohe moved approval of the appointment of Mr. Robert Dickerson as a member of the NVTA Council of Counsels; seconded by Council Member Rishell.
- Chairman Nohe thanked Ms. Horan for her hard work for the Authority, adding that she will always be appreciated and missed.
- Motion carried unanimously.

XV. Approval of Prince William County RSTP Reallocation Request

Ms. Dominguez, Chair, JACC

- Ms. Dominguez stated that there are a few transfer requests.
 - ✓ Fairfax County requested changes in project limits and scope for two previously approved RSTP and CMAQ projects. One to expand the Route 7 project from Reston Avenue to Reston Parkway to be from Reston Avenue to Jarrett Valley Drive. Second to change the limits the Route 1 project from Napper Road to Mount Vernon Highway to be

from the Huntington Metro Station to the Prince William County Line to allow the study to be used for the whole corridor.

- ✓ Prince William requested to transfer funding from the Route 28 Widening Phase 1 Project to the Blackburn Road/Rippon Boulevard Signal Improvement Project and to the Logmill Road Project.

- Chairman Bulova moved approval of the change in project limits for Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funded projects for Fairfax County; and the reallocation of Regional Surface Transportation Program funds for Fairfax County and Prince William County; seconded by Senator Ebbin. Motion carried unanimously.

Discussion/Information

XVI. CMAQ/RSTP Reallocation Request Ms. Dominguez, Chair, JACC

- No verbal report.

XVII. Planning Coordination Advisory Committee Report
Mayor Foreman, Chair, PCAC

- Mayor Foreman updated the Authority on the Planning Coordination Advisory Committee (PCAC), stating that the Committee is finally moving forward. He thanked Chair Hynes for attending the last meeting to discuss the role of the PCAC. He noted that since the Committee started meeting, it has been mostly focused on the Bylaws and the purpose of the Committee.
- Mayor Foreman stated that at the last meeting of the PCAC everyone was able to get on the same page. He noted that the highlight of the discussion was the suggestion that the charge of the Committee be more specific, to include the review of the Authority's Annual Legislative Program, TransAction Update and the rolling Six Year Plan. He added that this suggestion from Chair Hynes and Ms. Backmon codified the Committee and it can now meet on a regular basis and know what needs to be done to go forward. He added that the PCAC is now set up for success.
- Mayor Foreman thanked staff for all their hard work on this.
- Chair Hynes added that there are suggested Bylaw changes in the PCAC report that will come back to the Authority for approval.
- Chairman Nohe asked if the PCAC Bylaws were separate or imbedded in the Authority Bylaws. Ms. Backmon responded that they are imbedded in the Authority Bylaws.
- Mayor Foreman clarified that the PCAC initially wondered where the Committee Bylaws were and found them imbedded in the Authority Bylaws. He added that the word "broad" being included in the Committee charge made it difficult for the Committee to determine its responsibilities. The discussion and suggested changes to the charge have clarified this.

- Supervisor Letourneau, as a member of the PCAC, noted that one challenge of the PCAC that he has struggled with is understanding the role of the Counties on the Committee. He acknowledged that it is codified in legislation that the Towns represented by the NVTAs must have a representative. However, the Counties already have representatives on the Authority. He added that it seems as if one of the struggles with the quorum is that the larger jurisdictions do not understand why they are on the Committee. Mayor Foreman responded that this was part of the discussion at the last meeting. He noted that even when there has not been a quorum at meetings, there has always been active participation. Mayor Foreman added that part of the last discussion was about defining the quorum and attendee requirements. He stated that the Towns brought up this same issue about Towns and Counties. He clarified that although the NVTAs and the PCAC have the same representation of Counties and Cities, no members that serve on the Authority also serve on PCAC. Mayor Foreman stated that the PCAC is a “sanity check” once Authority actions are taken to have inclusion. He added that it is good to have the Counties on the PCAC, and that it is outstanding to have the Towns on the PCAC as they rotate a seat on the Authority and this is an education process. Mayor Foreman noted that the Counties are representing the activity centers and they need to be represented at the PCAC. He added that even if there is not a quorum, the Committee can still discuss the activity centers and the thrust of why something is before the PCAC for review. Mayor Foreman requested that when items come to the PCAC for review, members would like a clear directive as to what they are looking at it for. He noted that the PCAC does not want to review the whole process, but have a deliverable directive.

(Mayor Euille departed.)

- Chair Hynes noted that another part of the recommended Bylaw change is to change the quorum requirement, which is currently the same as the Authority requirements. She stated that the requested change is to strike the requirement of 2/3 of the population for quorum and keep the requirement of 2/3 of the members present.
- Chair Hynes stated that the PCAC will review two annual projects to include:
 - ✓ The rolling Six Year Plan and looking at the new year to provide advice.
 - ✓ Providing comment on the NVTAs legislative package.
- Chair Hynes noted that this is also about having more than just the Authority members understand what NVTAs does. She added that this means that we have a second person in each jurisdiction’s elected body who is at least occasionally reviewing Authority activities. She suggested this will provide capacity for a little bit of “bench strength” over time and understanding of the role of the NVTAs.
- Chair Hynes stated that another major task of the PCAC will be to provide comment on TransAction, which is an every five year activity. She noted that it was also discussed that if there is interest, the Committee could look, on an every three year basis, at the connecting communities goal in Region Forward

and provide advice on how all our projects come to fruition, where we are doing a good job of building new connections and where we might need to think more about this. She added that this is not a regional benefit, just one dimension of looking at how the Authority work contributes.

- Mayor Foreman concluded by noting that the members of the NVTA and the NVRC look out for each other, eliminating the politics and all caring about the projects. He added that he has watched the Counties take care of the Towns' issues and the Commissioners take care of each other's Counties. Mayor Foreman noted that the quorum discussion became about having numbers at the meeting to be sure the Committee can be effective for the NVTA.
- Chairman Bulova asked about the process to move the Bylaw changes forward. Ms. Backmon responded that according to the Bylaws, any amendments need to be provided to the Authority for review and discussion 30 days prior to any action. She noted that the June 25 meeting is the 30th day of this notice. Mayor Foreman added that the PCAC does not meet again until September.
- Ms. Backmon stated that the PCAC has also agreed to modify their work program and that based on there currently being no major activities for the Committee, the next meeting will be in September. She added that the Committee will no longer meet monthly, but on an as needed basis based on deliverables. Mayor Foreman noted that the PCAC has identified meeting dates for the purpose of a calendar, but if there is no reason to meet he will send out an email cancelling the meeting.
- Chairman Nohe asked for clarification on the 30 day notice of these Bylaw changes and if the clock on this began when the item was sent out in the meeting packet. Ms. Backmon confirmed that this was the date. Mr. MacIsaac noted that this is using the most generous reading of the Bylaws.
- Chairman Bulova suggested that NVTA staff review the language of the Bylaw changes and have jurisdictional staff review as well. Ms. Backmon recommended to the Authority that the language be fine-tuned in coordination with the Council of Counsels and then vetted through jurisdictional staff. She noted that the PCAC has fourteen members and the localities are represented at the JACC and suggested it can be reviewed there. She suggested presenting the Bylaws changes to the Authority at either the June or July meeting, adding that we don't want to push this through too fast, want it to be right and effective.
- Ms. Backmon noted that Chair Hynes is the standing member of the Bylaws Committee and we are working to update other areas of the Bylaws as well.
- Chairman Nohe clarified that all the Bylaw updates do not have to be done at once, that this update can be done in the next month or two and the rest later. There was no objection from members to putting this on the agenda in June.
- Delegate Rust asked if there was a requirement for a public advertisement of this document. Mr. MacIsaac responded that there is not.
- Delegate Rust asked if 30 days gives staff, Counsel and jurisdictional staff enough time to coordinate these changes and reviews, noting that this does not seem to be a rush as the PCAC does not meet again until September. Ms. Backmon suggested it would be best to bring this to the June JACC meeting

and then allow an opportunity for feedback. She added that this would also give Counsel some additional time.

- Chairman Nohe directed Ms. Backmon to bring the PCAC Bylaw changes back to the Authority in either June or July.

XVIII. Monthly Revenue Report Mr. Longhi, CFO

- No verbal report.

XIX. Operating Budget Report Mr. Longhi, CFO

- No verbal report.

XX. Executive Director's Report Ms. Backmon, Executive Director

- Ms. Backmon briefed the Authority on the Executive Director's Report. She highlighted:
 - ✓ TransAction Update Scope of Work was approved for release at the April Authority meeting. The Authority has received four responsive proposals.
 - ✓ She noted the souvenirs and signage from the Route 28 Groundbreaking Event.
 - ✓ Next groundbreaking is anticipated to be the PRTC Western Maintenance Facility. Save-the-date will be coming out soon.
 - ✓ Photographer that was here this evening was to get headshots and a group photo for the website update and to increase the photo library for the annual report.

XXI. Chairman's Comments

- Chairman Nohe updated the Authority on the HB 2 discussions at the CTB meeting. He stated that regions will be scored in categories and that Northern Virginia is in Category A, which was created for high congestion areas. He noted that for Northern Virginia, the law says that congestion relief must be the number one rating factor. Under the draft proposal from the Secretary's office, congestion relief constitutes 35% of the score under HB 2 for Northern Virginia and the other regions in Category A. This was based on the NVTA evaluation having 35% score under HB 599. Chairman Nohe stated that the proposal that was made at the CTB meeting was that for HB 2 purposes, the congestion relief score be changed from 35% to 50%. He noted that there was a brief, but healthy discussion about this. Some thought this was an awesome idea and others thought it was a terrible idea. He added that this is a conversation that the Authority will want to track very closely. He suggested that based on the original 35% number being based on the NVTA 35% number, there will likely be an expectation that if the HB 2 score is set at 50% the HB 599 score should be changed to 50%. Chairman Nohe noted that regardless of what happens with this, no matter how the NVTA and VDOT

rate projects, we must have processes that nest well together. We do not want a situation where one of the two funding authorities ranks a project high and the other ranks it low and then there is not enough money to get the project done.

- Delegate Rust stated that the NVTA is ranking projects by a bill (HB 599) that was passed prior to HB 2313 and now VDOT will be rating projects by a different process under HB 2. He wondered why we are going through two different ranking processes and suggested that this may be detrimental to the NVTA. He suggested that at the end of the day, the only process that matters is HB 2 and the CTB. He added that VDOT is doing a lot of work for the HB 599 ranking, that while it is helpful, useful and informative, it may be a duplication of effort that really does not contribute to the final results of the NVTA decision.
- Chairman Bulova asked what the Authority can do about this. Delegate Rust stated that it would probably require some legislation. He suggested that this is something that the Authority, in consultation with VDOT and the Secretary's office, should look at to see if it can be a unified process. He added that the end conversation may be that there does not need to be a change, but there have been informal conversations with the Secretary's office about this topic.
- Chairman Nohe expressed concern that any time there is a legislative change, the regions get the short end of the legislative stick. He stated that he does not want to suggest a legislative change that ultimately has some of the decision making capability taken from this region. He added that the HB 2313 funding needs to be controlled by the region, not at the central office. Chairman Nohe noted that this is a conversation that we are going to be engaged in either way.
- Chair Hynes added that Arlington has conducted a high level analysis of the HB 2 model changing the congestion rating from 35% to 50% to see what it might mean for some of Arlington's projects, which are much more multimodal than others in the region. She stated that it appears to be a detriment to transit and appears to down play the congestion relief that is associated with transit. She acknowledged that this was a very high level and quick assessment and noted that we do not know yet how transit is going to perform in either of the models. Chair Hynes stated that she persists in believing that the solutions, as were demonstrated on the I-66 Inside the Beltway study, are multimodal in nature. She added that between pure transit and pure road, our projects are mostly in the middle. She noted that it is not clear that any of these models adequately account for that and we have to make progress on all these fronts together. She worried that this is a concern for Northern Virginia and stated that there needs to be a way that does not disadvantage the "Falls Church's" of the world where the enhancements are relatively small road, bus stop, trail, connectivity issues. Chair Hynes suggested that we need to find a way to explain the complexity of this and show that we are actually measuring the congestion relief that comes from these other projects in a way that is fair in the whole mix.
- Mayor Silverthorne associated himself with Chair Hynes comments, noting that while the cities and towns are already having this issue, so will Arlington

and other jurisdictions over time. He stated that it is a challenge for the smaller jurisdictions to show congestion relief on smaller projects.

XXII. Adjournment

- Meeting adjourned at 7:20pm.