

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

Thursday, November 8, 2007

Fairfax City Hall
City Council Work Session Room
10455 Armstrong Street, Room 111 A&B
Fairfax, Virginia 22030

1. **Called to Order.** The meeting was convened by Chairman Zimmerman at 6:30 p.m.

2. **Roll Call.** The Chairman directed the Clerk to call roll, at which the following members stated their presence:

The Honorable Christopher Zimmerman, NVTA Chairman; Arlington County
The Honorable Martin Nohe, NVTA Vice Chairman; Prince William County
The Honorable William Euille, City of Alexandria (arrived at 6:30 p.m.)
The Honorable Gerry Connolly, Fairfax County
The Honorable Scott York, Loudoun County
The Honorable Robert F. Lederer, City of Fairfax (Absent)
The Honorable David F. Snyder, City of Falls Church
The Honorable Harry J. Parrish, II, City of Manassas
The Honorable Jeannemarie Devolities Davis, Virginia
The Honorable Vincent Callahan, Virginia House of Delegates (Absent)
The Honorable Bryan Polk, City of Manassas Park
The Honorable Jeff Frederick, Virginia House of Delegates
Julia A. Connolly, Governor's Appointee, Commonwealth Transportation Board
Margaret E. G. Vanderhye, Governor's Appointee
Non-voting members present:
 Matthew O. Tucker, Director, DRPT
 Bob McDonald for Morteza Salehi, VDOT

By Chairman Zimmerman: I hereby move that NVTA recess and go into closed session for discussion and consideration of the matters enumerated in Virginia Code Section 2.2-3711 A.1.as follows:

- a) Discussion, consideration, or interviews or prospective candidates for employment.

Motion Seconded by Vice Chairman Nohe. Motion carried. Closed session began at 6:32 p.m.

b) Upon Exit from Closed Session and Upon Reconvening: Chairman Zimmerman: I hereby move that NVTA certify that, to the best of its knowledge, only public business matters lawfully exempted from Virginia's open meetings requirements and only public business matters that were identified in the motion by which closed session was convened were heard, discussed, or considered by NVTA during closed session.

Motion Seconded by Delegate Frederick

The meeting reconvenes at 8:40 p.m.

3. **Approval of the Minutes of the November 8, 2007, meeting.** By vote, the NVTA approved the minutes of the November 8, 2007, meeting were approved with Chairman York abstaining.

Item 4.A.

Approval of Public Outreach Materials Related to the Collection of Taxes and Fees

Tom Biesiadny (Chairman, Jurisdiction and Agency Coordinating Committee) gave an overview of the memorandum recommending approval of the informational brochures related to the taxes and fees approved by NVTA on July 12, 2007, and approval of the new NVTA letterhead and business card format.

Motion carried unanimously.

Item 4.B.

Approval of NVTA Six Year Program Process and Recommendations

Mr. Biesiadny introduced Betsy Massie, Chairman of Six Year Program Subcommittee. Ms. Massie stated that Six Year Program schedule was consistent with both the TPB and VDOT Six Year Program schedules. Project submissions for the first two and one-half years will be due on November 9, 2007. At the present time, she had received projects submittals from at least four jurisdictions. In December, the Authority will receive a list of projects to release for public comment. She also stated that in the first two and one-half years of projects, they are trying to address the backlog of projects that are in need of more funding to complete.

Ms. Massie noted that although there is a requirement that each jurisdiction generally receive the benefit of the funding raised in that jurisdiction, staff will likely look at this requirement over several years, rather than on an annual basis. Mr. Snyder expressed his concern that some of the smaller jurisdictions, like Falls Church, may not have as many projects "ready to go" as the larger jurisdictions. He wanted to make sure that funding would still be allocated to projects in the smaller jurisdictions. Chairman Connolly indicated that the jurisdictions were sensitive to the requirement that each jurisdiction receive the benefit of funding raised in the jurisdiction. He noted that this could be done directing by funding projects in that jurisdiction or through funding regional projects sure as the Washington Metropolitan Area Transit Authority or the Virginia Railway Express. He indicated that each jurisdiction would receive their share of the funding. Others agreed.

Motion carried unanimously.

Item 4.C.

Approval of Recommendations Regarding Office Space

Tamara Ashby from Arlington County gave a brief description of the office space that were evaluated a subcommittee of the Organizational Working Group. The options included: Prince William County; the Northern Virginia Regional Commission; City of Fairfax Green Acres School and City of Fairfax Innovation Center. After a brief discussion on the criteria of each site, Ms. Ashby stated that the Working Group recommended the Fairfax City Innovation Center. A request was made to enter into negotiations with the City of Fairfax on obtaining a lease for up to two years on the approved NVT A budget.

Motion carried with Chairman York and Delegate Frederick abstaining. Chairman York requesting a one-page spread sheet on all of the comparisons.

Item 4.D.

Mr. Biesiadny stated that this item was deferred from the July 12, 2007, meeting. The staff recommends the following proportional membership: One member for the Towns of Dumfries, Herndon, Leesburg, Purcellville, Vienna and any town that received specified street payment in the future; one member each from the Cities of Fairfax, Falls Church, Manassas and Manassas Park; two members each from the City of Alexandria and Arlington County; three members each from Loudoun and Prince Williams Counties, and four members from Fairfax County with a total of 23 members.

Chairman Zimmerman said that action on this item would be deferred until the December NVT A meeting.

Motion deferred to next meeting.

Item 4.E.

Approval of Membership of Technical Advisory Committee

After discussion, it was moved by Vice Chairman Nohe that this item be deferred until the Authority had more time to review the resumes and to receive more resumes. He also requested that the spreadsheet include nominees' company affiliation separately. Chairman Zimmerman encouraged members to submit any suggested candidates to staff.

Item 4.F.

Approval to Contract for Safety Inspection Fee Lockbox

Mr. Biesiadny introduced Mike Longhi from the Arlington Treasurer's Office. Mr. Longhi stated that the start-up cost for a lockbox for state inspection stations will need to submit monthly payments not expected to exceed \$15,000. Monthly cost about \$3,000, and the lockbox at the U.S. Post Office will cost about \$1,000. The safety inspection fee is estimated to generate \$16.2 million in annual revenue for NVT A.

Motion carries unanimously.

Action items

Item 5.A

FY 2009 Congestion Mitigation and Air Quality Program/Regional Surface Transportation Program Recommendations

Mr. Biesiadny noted that the Jurisdiction and Agency Coordinating Committee unanimously recommends the list of projects being submitted to NVTA.

Motion carries.

Item 5.B

Approval of Testimony for CTB Fall Transportation Meetings

Mr. Biesiadny reviewed the draft testimony. There was a brief discussion about the importance of ensuring that the CTB continues to provide Northern Virginia with its share of transportation funds, even though NVTA will be raising funds from the seven taxes and fees authorized by the General Assembly in HB 3202.

Motion carries.

Discussion items

Item 6.C.

Review of 2008 Legislative Program Suggestions

Mr. Biesiadny stated that the suggestions for the 2008 Legislative Program has not changed from the last meeting. Staff is preparing a more detailed explanation of each of the topics outlined in the memorandum. He also suggested that the Board still had opportunity to add or delete items from the agenda before the December meeting.

Chairman Zimmerman encouraged NVTA members to send any additional suggestions for the legislative program to staff.

Item 6.D.

I-95/395 HOT Lanes Project; Transit and TDM Study

Corey Hill, Department of Rail and Public Transportation, summarized work that has been done on a transit and travel demand management study related to the project. After a brief discussion, it was recommended to review this item again next month when final study results are available.

Item 6.E.

FAMPO Request for Allocation of Transit Funds

Mr. Biesiadny stated that about a year the Fredericksburg Area Metropolitan Planning Organization wrote to the Transportation Planning Board requesting that it receive an allocation of transit funds from Washington metropolitan region, based on fact that a portion of their Stafford County is contiguous to the Washington region in terms of population density. The NVTA approved a letter TPB asking not to take any formal action on that request until there had been consultation with all the designated recipients of those funds.

Over the last year, there have been a number of conversations with Metro, PRTC, VRE and NVTC and also state of Maryland and the District of Columbia. TPB staff prepared a proposed letter to FAMPO, and there is consensus at the staff level that this letter reflects tone and important features that should be communicated back to FAMPO. The two primary issues discussed appear at the bottom of page 2 and top of page 3. Mr. Biesiadny said that FAMPO is welcomed to submit request for specific projects however, that in considering those requests the Washington region will consider three factors:

- (1) that the Fredericksburg area service needs to report that service to the Federal Transit Administration along with all the other services reported to the Federal Transit Administration. To date that has not happened, but it would need to happen in order for them to get an allocation.
- (2) all the federal transit money that has been anticipated for this region has already been programmed for projects. So in order for FAMPO to receive an allocation, there would need to be some changes in program in the existing projects. Part of this money has been used by Metro to guarantee federal loans, and as long as those loans are outstanding the funds need to be allocated in order to guarantee those loans.
- (3) There are currently Metrorail riders from the Fredericksburg and Stafford areas, and right now Fredericksburg and Stafford do not pay any subsidies for those riders. The letter indicates that these facts will be taken into account in determining if any revenue should be sent to the FAMPO region.

The other point in the letter relates to the fact that FAMPO requested that the Washington region support drawing a line between the Fredericksburg and Washington area at the Prince William and Stafford County line after the next census. NVTC and PRTC have supported that notion; however, the TPB is recommending a “wait and see” approach. The letter indicates that there is a willingness to have a discussion after the census. TPB isn’t precluding doing what FAMPO asking but cannot agree at this point.

Several NVTA members including Chairman Zimmerman and Chairman Connolly indicated that they did not support the approach being recommended by staff.

Motion carried.

7. Information items

Mr. Biesiadny noted that several additional items were being submitted for the member's information.

8. Closed Session: Legal Matters Related to Implementation of HB 3202, Discussion of Existing Litigation and Personnel Matters.

Mr. Parrish made the following motion:

I hereby move that NVTA recess and go into closed session for discussion and consideration of the matters enumerated by Virginia Code Section 2.2-3711 A.1, A.3 and A.7 as follows:

- a) Legal matters related to the implementation of HB 3202;
- b) Litigation matters related to the case of the Board of Supervisors of Loudoun County, et al v. Northern Virginia Transportation Authority, et al; Virginia Supreme Court Record No. 071979
- c) Personnel matters related to the discussion, consideration, and /or interviews of prospective candidates for employment;
- d) Acquisition of and/or lease of real property by the Northern Virginia Transportation Authority.

Moved and seconded. Closed session began at 9:04 p.m.

At the conclusion of the closed session Mr. Parrish moved that:

I hereby move that NVTA certify that, to the best of its knowledge, only public business matters lawfully exempted from Virginia's open meetings requirements and only public business matters that were identified in the motion by which closed session was convened were heard, discussed, or considered by NVTA during closed session.

The meeting reconvened at 12:15 a.m.

After a brief discussion, it was recommended that staff poll the Board Members of their availability of the dates for the December meeting. Chairman Zimmerman would then direct staff to contact the potential candidates for interviews. In addition, he requested that staff investigate whether any of the jurisdictions had staff they were willing to loan to NVTA or if there are any consultants NVTA could hire to serve as Executive Director.

Motion carried unanimously.

Meeting adjourned at 12:30 a.m. on November 9, 2007.