

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION (PRTC)

OFFICIAL COMMISSION MEETING

MINUTES

DATE: April 2, 2009
TIME: 7:00 p.m.
LOCATION: PRTC Transit Center
14700 Potomac Mills Road, 2nd Floor
Woodbridge, VA 22192-6811

1. CALL TO ORDER

Chairman May called the meeting to order at 7:00p.m.

2. ROLL CALL

MEMBERS PRESENT

*Wally Covington	Prince William County (arrived at 7:15 p.m.)
*John Jenkins	Prince William County (arrived at 7:12 p.m.)
*Corey Hill	Dept. of Rail & Public Transportation
*Matthew Kelly, Secretary	City of Fredericksburg
*Michael May, Chairman	Prince William County
*Paul Milde, Treasurer	Stafford County
*Martin Nohe	Prince William County (arrived at 7:09 p.m.)
*Frank Principi	Prince William County
*George Schwartz	Stafford County
*Jonathan Way, Vice Chairman	City of Manassas

ALTERNATES PRESENT

Jean Benson	City of Fredericksburg
*Lorraine Lasch	Prince William County
*Brian Potvin	Prince William County (left the table at 7:12 p.m.)

STAFF AND GENERAL PUBLIC

Gina Altis	PRTC Executive Assistant
Angelica Betts	Assistant, Supervisor Michael May

Jeannette Bermudez	FIRST TRANSIT Bus Operator
Alyssa Brown	Assistant, Supervisor Michael May
Tom Cain	FIRST TRANSIT Region Vice President
Rick Canizales	PWC Department of Public Works
Doris Chism	PRTC Dir., Customer Service & Dispatch
Joyce Embrey	PRTC Dir., Finance & Administration
Jay Evans	Cambridge Systematics, Inc.
Sandy Ferris	Citizen
Anthony Foster	PRTC Transportation Project Manager
Holly Frisch	Citizen
Shanta Garth	FIRST TRANSIT AGM-Accounting & Admin.
Mike Harris	Department of Rail & Public Transportation
Angela Horan	PRTC Legal Counsel
Robb Howell	FIRST TRANSIT General Manager
Al Harf	PRTC Executive Director
Todd Johnson	FIRST TRANSIT Maintenance Manager
Bill Leisen	PRTC Manager of Contract Operations
Earl Marshall	FIRST TRANSIT Bus Operator
Mary Marshall	PRTC Accounting & Budget Manager
Eric Marx	PRTC Dir., Planning & Operations
Betsy Massie	PRTC Dir., Grants & Project Management
Ginger Murphy	PRTC Transit Planner
Paul Pitchke	FIRST TRANSIT AGM-Operations
Jennifer Straub	VRE Deputy Executive Officer
Courtney Tierney	PW Area Agency on Aging
Dale Zehner	VRE Chief Executive Officer

MEMBERS ABSENT

Maureen Caddigan	Prince William County
Frank Jones, Immediate Past Chmn	City of Manassas Park
Scott Lingamfelter	Virginia House of Delegates
Jackson Miller	Virginia House of Delegates
Toddy Puller	Virginia Senate

ALTERNATES ABSENT

Charles Badger	Department of Rail & Public Transportation
Harry Crisp	Stafford County
Mark Dudenhefer	Stafford County
Brad Ellis	City of Fredericksburg
Peter LaMarca	City of Fredericksburg
Suhas Naddoni	City of Manassas Park
Hal Parrish	City of Manassas
Sorine Preli	Prince William County
Phillip Rodenberg	City of Fredericksburg
Corey Stewart	Prince William County
John Stirrup	Prince William County

William Wren

City of Manassas Park

*Voting Member

3. INVOCATION Led by Commissioner Principi.
4. PLEDGE OF ALLEGIANCE Led by Vice Chairman Way.
5. CITIZENS' TIME No citizen's came forward.
6. PRESENTATIONS

[FT\Info] A. First Transit General Manager Robb Howell – Employee Recognition and Operations Report.

Mr. Howell recognized the March 2009 Operator-of-the-Month Earl Marshall. Mr. Marshall has been a bus operator since August 2008 and is a seventeen year resident of Stafford County.

Mr. Howell recognized the Operator-of-the-Year Jeannette Bermudez. Ms. Bermudez has been a bus operator since September 2006 and operates the Dale City and Montclair bus service. She resides in Woodbridge with her husband and three sons. He announced that Ms. Bermudez will be entered in the "Region Driver of the Year" competition.

Mr. Howell reported that ten commendations (directed to seven different bus operators and one directed to the "cleanliness" of the OmniRide buses) was received during the month of March. He went on to report that the accident frequency rate during the month of March was 1.42 per 100,000 miles compared to the prior month rate at 0.77.

Mr. Howell went on to report that the complaint rate on the OmniRide service is 5.92 per 10,000 passengers compared to the prior month rate of 6.28. The complaint rate on the OmniLink service is 4.78 compared to the prior month rate of 4.47.

7. APPROVAL OF MINUTES

RES 09-04-01 Minutes of March 5, 2009.
[PRTC\Minutes]

Commissioner Kelly moved, with a second by Commissioner Way, to approve the Minutes as presented. There was no discussion on the motion. (KELLY\WAY; WITH MAJORITY VOTE, PRINCIPI ABSTAINED)

8. AGENDA APPROVAL

RES 09-04-02 Agenda of April 2, 2009.
[PRTC\Agenda]

Commissioner Kelly moved, with a second by Commissioner Way, to approve the Agenda as presented. There was no discussion on the motion. (KELLY\WAY, UNANIMOUS)

9. CONSENT AGENDA APPROVAL

RES 09-04-03 Consent Agenda of April 2, 2009.
[PRTC\Consent Agenda]

Commissioner Kelly moved, with a second by Commissioner Milde, to approve the Consent Agenda, as presented. (KELLY\MILDE, UNANIMOUS)

RES 09-04-04 A. Treasurer's Report.
[PRTC\Finance]

Approved the Treasurer's Report for period ended January 31, 2009, as presented. (KELLY\MILDE, UNANIMOUS)

10. VIRGINIA RAILWAY EXPRESS (VRE)

[VRE\Info] A. Operations Board Meeting Agenda and Minutes of March 20, 2009. There were no comments.

[VRE\Info] B. Chief Executive Officer's Report (Mar 09).

Mr. Zehner reported that system wide on-time performance was 94% in February (on both the Fredericksburg and Manassas lines). The system wide on-time performance fell to 86% during the month of March (82% and 90% on the Fredericksburg and Manassas lines, respectively).

Mr. Zehner explained that trains were delayed as a result of inclement weather and locomotive failures (staff met with Amtrak regarding what can be done to mitigate any future problems).

RES 09-04-05 C. Modify the Contract for New Locomotive Purchase.
[VRE\Locomotives]

Mr. Zehner noted that as part of the federal economic stimulus package, VRE anticipates receiving \$9.8 million and proposes to use this funding to purchase locomotives. Accordingly, the Commission is being asked to authorize an increase to the base order of another three locomotives on top of the five VRE has already ordered, using a combination of the stimulus funds, federal formula funds, and a federal earmark approved in FY 2008.

Commissioner Milde moved, with a second by Commissioner Way, to amend the contract with Motive Power, Inc. for the acquisition of another three locomotives on top of the five

locomotives VRE has already ordered. There was no discussion on the motion.
(MILDE\WAY, UNANIMOUS)

11. CHAIRMAN'S TIME

[PRTC\Info] A. I-66 Transit TDM/Study Briefing.

Mr. Harf introduced Commissioner Corey Hill and Mike Harris, Department of Rail and Public Transportation (DRPT), and Jay Evans, Cambridge Systematics, Inc. Commissioner Hill provided an update briefing about the "I-66 Transit/TDM Study". A hard copy of the presentation was furnished. There were no questions at the conclusion of the briefing.

Commissioners Nohe, Jenkins, and Covington arrived at 7:09 p.m., 7:12 p.m., and 7:15 p.m., respectively, during Commissioner Hill's presentation and were absent on the vote for Items 7, 8, 9, 9A, and 10C. Commissioner Potvin left the table as a voting member at 7:12 p.m.

[PRTC\Info] B. Route One BRT Study.

Mr. Harf introduced Rick Canizales, Prince William County Department of Public Works. Mr. Canizales provided an update briefing about a prospective "BRT Study" in the Route One corridor. A hard copy of the briefing was furnished. There were no questions at the conclusion of the briefing.

Chairman May had nothing to report at this time.

12. EXECUTIVE DIRECTOR'S TIME

[PRTC\Info] A. Executive Director's Report.

Mr. Harf reported that he attended the APTA 2009 Legislative Conference which provided insight into looming congressional legislative activity. He noted that Transportation and Infrastructure (T&I) Chairman Oberstar addressed the conferees, and declared that there will be a new House transportation authorization bill passed by Memorial Day, amounting to approximately \$450-\$500 billion for the next six years for "highways" and "transit" combined.

Mr. Harf also reported that the Congress has passed a transportation appropriation for FY 2009 as part of a multi-department "omnibus" bill. The FY 2009 appropriation level is only about \$100 million less than the SAFETEA-LU level, which will result in a favorable variance in PRTC's FY 2010 budget.

With regard to the proposed elimination of the North Route One OmniRide Route, Mr. Harf noted that a public hearing was held on Wednesday, March 25, 2009, to invite public reaction (comments were also received over the course of a nearly two month review period). He went on to say that, after reviewing the public comments, management's

recommendation to the PRTC Board is the same as what was proposed at the outset of the review process. He concluded this segment of his remarks by observing that, as careful as management has been in its choice of service hours to cut, a 5% cut will not be painless though it is necessary. He noted the irony of having to cut service when ridership levels are near record highs and there is a shortage of seats on some routes.

Mr. Harf noted that management has locked in approximately 63% of its overall diesel fuel need for FY 2010 at a lock-in rate that averages about \$1.91 per gallon. The FY 2010 budget assumes a cost per gallon of \$2.30 and management is confident that a favorable variance will result in FY 2010.

Mr. Harf reported that Senate Bill 1532 prompted both PRTC and NVTC management to meet with Department of Taxation staff earlier this week. The Department of Taxation is confident that the issues and concerns PRTC (and NVTC) raised are resolvable by “administrative rulemaking”, meaning that Taxation sees no reason for recommending veto language to the Governor. The Department of Taxation also gave its assurance that PRTC and NVTC will be involved throughout the course of the administrative rulemaking process between now and January 2010. Accordingly, Mr. Harf said PRTC management does not propose to recommend veto language to the Governor based on the Department of Taxation’s representations.

Commissioner Jenkins asked when the 2.1% motor fuels tax increase will take effect. Mr. Harf answered “January 1, 2010.”

Commissioner Milde asked if the motor fuels tax collections will remain at an even level or be higher/lower. Mr. Harf explained that the Department of Taxation asserts the change will be essentially revenue neutral. However, Taxation staff acknowledges that the 4% mark up they’ve assumed in reaching this conclusion is somewhat conjectural. PRTC and NVTC sought a commitment from the Department of Taxation to collaborate on a before/after study to quantify the retailer mark-up more rigorously, so PRTC and NVTC have a stronger basis for seeking a legislative amendment in the event a study of the mark-up confirms that the 4% assumption understates the actual mark-up. Taxation staff listened politely but did not make an outright commitment.

Commissioner Milde asked if there is currently any avoidance/loss of collections. Mr. Harf explained that the Department of Taxation asserts that its audit plan is solid and evasion is small. They also expressed confidence that the audit plan for the changed method of taxation will also result in minimal evasion.

Commissioner Milde cited a previous situation in Stafford County where a business did not pay its gas tax (e.g., Service Town) and was in arrears. He asked if the new collection system will guard against this. Mr. Harf explained that taxing the distributors rather than the retailers is seen as a way of simplifying tax collections, inasmuch as there are far fewer distributors than retailers. Mr. Harf went on to observe, however, that there is some debate about how large the “distributor” population is, noting that when legislation was making its way through the General Assembly, the conventional wisdom was that there are about a

dozen distributors, which contrasts with the Department of Motor Vehicles' database showing some 200 distributors. Mr. Harf reported that Motor Vehicles has a "distributor" database because the state's motor fuels tax was changed a while ago to a tax at the "rack" rather than at the retail end – a rack tax is borne principally by distributors. Thus, Taxation recognizes that it will need to verify the "distributor" population as one of its early-on preparatory tasks.

Moving to another subject, Mr. Harf referenced ongoing discussions with the Prince William Area Office on Aging about transportation needs of seniors and people with disabilities in the area. He introduced Prince William Area Agency on Aging Director Courtney Tierney. As a result of the discussions, a *New Freedom* grant is being sought to develop a "mobility management plan" for servicing transportation needs that go beyond the realm of what public transportation can provide within the greater Prince William area. Mr. Harf went on to explain that the Prince William Agency on Aging proposes that the Agency apply for the *New Freedom* grant and PRTC partner with the Agency by accepting the grant if it is awarded, overseeing the procurement of a contractor for the preparation of a plan, and managing the planning effort thereafter. He noted that the PRTC Board is being asked this evening to authorize PRTC to assume this role.

Commissioner Way asked if a study has been conducted. Mr. Harf replied "no" and explained that the grant is to conduct a study and produce a plan. PRTC's role would be to manage the study (planning) effort. Commissioner Way questioned if the plan can be fully funded by the amount of the grant award. Mr. Harf replied "yes," explaining that an aspect of the grant application requires a discussion of the "scalability" of the application, meaning the ability to expand or shrink the scope as a function of the dollars awarded. The grant application addresses this and confirms that it is scalable.

Commissioner Way then asked if PRTC would be required to continue service if the grant is discontinued. Mr. Harf clarified that the grant is a planning grant only – it does not presuppose that services requiring additional public funds will surely result. Also, one of the expected outcomes will be better knowledge, collaboration, and coordination with volunteer transportation programs for people who require "assisted" transportation.

Commissioner Principi asked if the results of the study could be replicated region-wide or in other political jurisdictions if the grant is approved/funded. Ms. Tierney replied "yes." He further asked how much money is being taken out of the voucher program to underwrite the cost of the study. Ms. Tierney answered "\$30,000."

Commissioner Covington asked if the short-term plan (voucher program) will supplement the bus service. Ms. Tierney explained that the stakeholders questioned the advisability of proceeding with a voucher program prior to the completion of the planning efforts, though one could be started on a small scale in parallel if that were desired.

Commissioner Covington expressed the view that a voucher program for the "senior centers" is a priority, and said it would be a disappointment from his perspective if it were deferred. He inquired further about the practicality of doing the study and commencing a

pilot voucher program concurrently. Ms. Tierney explained that there are adequate resources for both if the pilot is confined, and went on to say that, as a possible alternative solution to the senior center transportation need, she has been exploring whether the “Friends of the Senior Center” groups would be interested/capable of shouldering this responsibility using Aging’s vehicles and volunteer drivers. She noted that \$52,000 is available to start a voucher program if in the end this were deemed desirable.

Mr. Harf then offered further clarification about why the stakeholders questioned the advisability of proceeding with a voucher program early-on, noting that taxicabs in the area are not wheelchair accessible and that taxicab rates are such that vouchers would have to have a high value to keep out-of-pocket costs affordable. Commissioner Covington replied that he believes lower rates could be negotiated with the taxicab companies and reiterated his strong desire to see a pilot voucher program launched.

Chairman May asked if this is “new” funding that currently doesn’t exist. Ms. Tierney explained that the match (20%) will come from the Area Agency on Aging’s budget and the remaining 80% would be federally funded.

Commissioner Hill asked if a relationship currently exists between the proposed *New Freedom*-funded plan and the “Human Services Coordination Plan” that has already been prepared for the region. Mr. Harf explained that the Human Services Coordination Plan for the region is rather generic, describing the sorts of initiatives qualifying *New Freedom*, JARC funds, etc., without geographic specificity about what initiatives should be implemented in each area.

Mr. Harf went on to explain that voucher programs are also qualifying use of *New Freedom* funds, but they are one-time funds. Sustainability is a critical issue and the mobility management plan envisioned as product of the *New Freedom* application will focus on the question of sustainability. He noted that local funds are tight and while prospects for relief are on the horizon, they are not assured. Sustainability will be a critical consideration in the preparation of the plan, so the aim is to take full advantage of the volunteer transportation programs that exist within the area.

Commissioner Hill asked if the stakeholder discussions included the feasibility of seeking funds for DRPT’s “Senior Transportation Grant Program”. Mr. Harf explained that the sentiment of the stakeholders is to first understand the problem to be solved and establish priorities about what transportation mobility problems are most important to solve. The senior transportation program is a prospective source of funding downstream for priority needs growing out of this planning effort.

Commissioner Way asked if PRTC is only committing to a study. Mr. Harf replied “yes,” and explained that the grant is for the preparation of a plan only – financial feasibility is an important facet of the planning effort. Mr. Harf went on to say that the plan will establish priorities, such that implementation can be scaled and timed to match available resources.

Chairman May asked if another jurisdiction will receive the funds if Prince William County declines to apply for the grant and who awards the grant. Ms. Tierney replied “yes” and explained that the “Metropolitan Washington Council of Governments (MWCOCG)” awards the grant.

On a different subject, Mr. Harf reported that a “purchase order” has been issued for the acquisition of buses for the state-sponsored Tyson’s Corner bus service. The new route will operate from eastern Prince William County to Tyson’s Corner and will commence in the fall of 2009. He noted that the buses will be fitted with “Wi-Fi” service. Commissioner Nohe recommended that the Commission adopt a policy about appropriate internet use on the buses, and Mr. Harf pledged to prepare a proposal for the Commission’s consideration.

Mr. Harf reported that the latest “Customer Satisfaction Survey” results are provided as an informational item. The incidence of “excellent” ratings for the bus services remains high for both OmniRide and OmniLink, though there has been some erosion for selected “measures” on the OmniLink side. The OmniLink results and more particularly those experiencing some erosion are a point of focus for both First Transit and PRTC to troubleshoot and remedy.

Mr. Harf noted that the “Fleet Maintenance Audit” will be provided as an informational item at the Commission’s May meeting.

Wrapping up the discussion, Mr. Harf reported that the Federal Transit Administration (FTA) conducted a “drug and alcohol” audit in March 2009. The final audit report has been provided as an informational item. He noted that some issues require remedial action, principally with regard to the “labs” that First Transit uses to conduct the drug and alcohol testing.

Commissioner Jenkins observed that while average daily ridership on the OmniRide bus service is relatively stable, the OmniLink ridership has decreased. Mr. Harf replied that there has been a slight tapering off of OmniRide ridership – still decidedly higher than budgeted but slightly less so – and acknowledged the significant drop-off on OmniLink ridership. Speculating as to the reasons, Mr. Harf opined that a combination of mortgage foreclosures and the recession may be responsible. Commissioner Jenkins replied that, intuitively, he would have expected these factors to have increased local bus ridership.

With regard to the elimination of the North Route One OmniRide Route, Mr. Harf described management’s recommended elimination as a necessary response to the funding scarcity, highlighting the fact that motor fuels tax revenue has declined significantly on account of the fuel price drop (motor fuels tax revenue is the source of funds that PRTC’s member jurisdictions rely on to subsidize the public transportation that is provided within the greater Prince William area). He explained that because of this revenue decline, Prince William County’s total expense for VRE and bus services it sponsors is substantially greater than the tax revenue yield. PRTC can survive for a period of time because of accumulated reserves from prior years where the expenses weren’t as high as the revenue yields, but that will

cease by the end of FY 2011. It is important that PRTC take the necessary steps now to better position itself so that bus services are not cut drastically in the future.

Commissioner Principi asked if PRTC is currently accommodating any “special need” populations on the North Route One OmniRide Route. Mr. Harf explained that the incidence of customers using a wheelchair or being otherwise disabled on OmniRide is low, and there is no evidence that there is a higher incidence on the North Route One route than elsewhere. He went on to say that elimination of the route will be a hardship for some people and explained that eight passengers per trip board south of Horner Road, who currently ride the North Route One bus. Based on survey data, PRTC believes most of the eight passengers per trip have an alternative commuting option.

[PRTC\Action] B. Action Items:
Items]

RES 09-04-06 1. Amendment to the 4/22/09 Public Hearing Scope and
[PRTC\Stimulus Approval of Planned Use of Stimulus Funds.
Fundng]

Commissioner Nohe moved, with a second by Commissioner Way, to authorize the Executive Director to seek the federal stimulus funding PRTC and VRE are slated to receive and to fulfill all the requirements associated with the receipt of the funding. There was no discussion on the motion. (NOHE\WAY, UNANIMOUS)

RES 09-04-07 2. Proposed Elimination of the North Route One
[PRTC\Route Elimination] OmniRide Route.

At this time, Chairman May reopened “Citizen’s Time” for any individuals who would like to speak about the “Proposed Elimination of the North Route One OmniRide Route”. No citizens came forward.

Commissioner Milde moved, with a second by Commissioner Covington, to authorize the cessation of the OmniRide North Route One route effective May 11, 2009. There was no discussion on the motion. (MILDE\COVINGTON; WITH MAJORITY VOTE, JENKINS NAY)

RES 09-04-08 3. Support for the Prince William Area Agency on
[PRTC\New Freedom] Aging New Freedom Grant Application.
Grant]

Commissioner Jenkins moved with a second by Commissioner Way, to endorse the Prince William Area Agency on Aging *New Freedom* grant application and affirmed PRTC’s willingness to partner with the Agency on Aging in preparation of the plan and procurement of a consultant if the grant is awarded.

Commissioner Covington voiced his opposition. He reiterated his concern about the deferral of a voucher program, noting that the cessation of Aging-sponsored transportation service without a substitute pilot voucher program will pose a hardship for seniors trying to access the senior centers. He likened the planning study to a plan to grow government-run services.

There was no further discussion on the motion. (JENKINS\WAY; WITH MAJORITY VOTE – JENKINS\HILL\LASCH\MAY\PRINCIPI\WAY AYE; COVINGTON\MILDE\NOHE\SCHWARTZ NAY; KELLY ABSTAINED]

[PRTC] C. Information Items:

1. PRTC Service Performance Reports. There were no comments.
2. PRTC Budget-to-Actual Comparison. There were no comments.
3. PRTC Bus Customer Satisfaction Survey. There no comments.
4. High Speed Passenger Rail (March 2009). There were no comments.
5. Transportation Programs – Challenges Facing the Department of Transportation and Congress. There were no comments.
6. Surface Transportation Innovations (March 2009). There were no comments.
7. Communications:
 - a. Related to Funding. There were no comments.
 - b. Related to Jurisdiction – Not applicable.
 - c. General Interest. There were no comments.

13. OTHER BUSINESS/COMMISSIONERS' TIME

There was no other business to come before the Commission.

14. ADJOURNMENT

There being no further business to come before the Commission, Chairman May adjourned the meeting at 8:10 p.m.

NEXT MEETING: Thursday, May 7, 2009, 7:00 p.m.
LOCATION: PRTC Transit Center
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