

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION (PRTC)

OFFICIAL COMMISSION MEETING

MINUTES

DATE: February 14, 2008
TIME: 7:00 p.m.
LOCATION: PRTC Transit Center
14700 Potomac Mills Road, 2nd Floor
Woodbridge, VA 22192-6811

1. CALL TO ORDER

Chairman Jones called the meeting to order at 7:25 p.m.

2. ROLL CALL

MEMBERS PRESENT

*Frank Jones, Chairman	City of Manassas Park
*Corey Hill	DRPT
*Paul Milde, Immediate Past Chmn	Stafford County
*Martin Nohe	Prince William County
*George Schwartz	Stafford County

ALTERNATES PRESENT

*Jean Benson	City of Fredericksburg
*Sorine Preli	Prince William County

STAFF AND GENERAL PUBLIC

Gina Altis	PRTC Executive Assistant
Doris Chism	PRTC Dir., Customer Service & Dispatch
Joyce Embrey	PRTC Dir., Finance & Administration
Althea Evans	PRTC Dir., Marketing & Communications
Anthony Foster	PRTC Transportation Project Manager
Shanta Garth	FIRST TRANSIT Asst. Gen. Mgr.-Admin.
Al Harf	PRTC Executive Director
Angela Horan	PRTC Legal Counsel
Robb Howell	FIRST TRANSIT Ass. Gen. Mgr.-Ops

Todd Johnson	FIRST TRANSIT Maintenance Manager
Bill Leisen	PRTC, Mgr., Contract Operations
Eric Marx	PRTC Dir., Planning & Operations
Mary Marshall	PRTC Accounting & Budget Manager
Betsy Massie	PRTC Dir., Grant & Project Management
Carey Roessel	FIRST TRANSIT General Manager
Joe Swartz	PRTC Senior Transit Planner
Dale Zehner	VRE Chief Executive Officer

MEMBERS ABSENT

Maureen Caddigan	Prince William County
Wally Covington	Prince William County
Marvin Dixon, Secretary	City of Fredericksburg
John Jenkins	Prince William County
Scott Lingamfelter	Virginia House of Delegates
Mike May, Treasurer	Prince William County
Jackson Miller	Virginia House of Delegates
Frank Principi	Prince William County
Toddy Puller	Virginia Senate
Douglas Waldron, Vice Chairman	City of Manassas

ALTERNATES ABSENT

Charles Badger	DRPT
Mark Dudenhefer	Stafford County
Larry Hughes	City of Manassas
Matthew Kelly	City of Fredericksburg
Peter LaMarca	City of Fredericksburg
Lorraine Lasch	Prince William County
Hal Parrish	City of Manassas
Bryan Polk	City of Manassas Park
Phillip Rodenberg	City of Fredericksburg
Corey Stewart	Prince William County
John Stirrup	Prince William County
Matthew Tucker	DRPT
Bill Wren	City of Manassas Park

*Voting Member

- | | | |
|----|----------------------|----------------------------|
| 3. | INVOCATION | Led by Commissioner Milde. |
| 4. | PLEDGE OF ALLEGIANCE | Led by Commissioner Nohe. |
| 5. | CITIZENS' TIME | No citizens came forward. |

6. PRESENTATIONS

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

Mr. Roessel recognized bus operators who went above and beyond during the ice event on Tuesday, February 12th: Cesar Javier, Mehyar Majdi, James Andrews, Quintin Richter, Suyapa Solano, Kadijah Nashid, and Francisca Nolasco. He noted that without these bus operators making additional trips, passengers would have been stranded either at Metro stations or at PRTC.

Mr. Roessel recognized the January Operator-of-the-Month Ms. Deborah Lewis.

Mr. Roessel reported that 27 bus operators received commendations during the month of January.

Mr. Roessel noted that a Maintenance Audit recently occurred. The results are positive and First Transit's goal is to ensure that improvements are sustainable/continue.

Mr. Roessel reported that a bus operator training class consisting of five new operators is underway. Training classes are being held every two weeks. He also noted that the number of accidents has decreased, and praised the operators for ably handling the ice storm (during which two minor accidents occurred).

Chairman Jones noted that he was sitting in traffic during the ice storm on February 12th and observed several buses in operation. He commended the bus operators on the care/caution they exercised.

7. APPROVAL OF MINUTES

RES 08-02-01 Minutes of January 3, 2008. Commissioner Nohe
[PRTC\Minutes] moved, with a second by Commissioner Milde, to approve the Minutes as presented. There was no discussion on the motion. (NOHE\MILDE, UNANIMOUS)

8. AGENDA APPROVAL

RES 08-02-02 Agenda of February 14, 2008. Commissioner Milde
[PRTC\Agenda] moved, with a second by Commissioner Nohe, to approve the Agenda as amended (Chairman Jones moved Closed Meeting to occur prior to Item 11 – Chairman's Time. There was no discussion on the motion. (MILDE\NOHE, UNANIMOUS)

9. CONSENT AGENDA APPROVAL

- RES 08-02-03
[PRTC\Consent
Agenda] Consent of Agenda of February 14, 2008.
Commissioner Nohe moved, with a second by
Commissioner Milde, to approve the Consent Agenda
as presented. There was no discussion on the motion.
(NOHE\MILDE, UNANIMOUS)
- RES 08-02-04 A. Approved the Treasurer's Report of November 30,
[PRTC\Finance] 2007, as presented. (NOHE\MILDE,
UNANIMOUS)
- RES 08-02-05 B. Approved a Loan to the VRE in the Amount of
[Prince William
County] \$300,000 at no Interest from Prince William
County's 2% Motor Fuels Tax Funds. (NOHE\
MILDE, UNANIMOUS)
- RES 08-02-06 C. Authorized the Budget and Appropriation of
[PRTC\Fredericksburg] \$1,446,811 of the City of Fredericksburg's 2% Motor
Fuels Tax Funds for Parking Garage Debt Service,
FRED Transit Operations, and Capital Projects.
(NOHE\MILDE, UNANIMOUS)
- RES 08-02-07 D. Authorized the Budget and Appropriation of
[Stafford County] \$347,781 of Stafford County's 2% Motor Fuels Tax
Funds for Transportation Expenditures for the First
and Second Quarters of FY 2008. (NOHE\MILDE,
UNANIMOUS)
- RES 08-02-08 E. Approved to Change the January 1, 2009
[PRTC\Board Meeting] Commission Meeting to January 8, 2009.
(NOHE\MILDE, UNANIMOUS)
- RES 08-02-09 F. Authorized to Submit FY 2009 State Grant
[PRTC\FY2009 State
Grant Applications] Applications. (NOHE\MILDE, UNANIMOUS)

10. VIRGINIA RAILWAY EXPRESS (VRE)

- [VRE\Info] A. Operations Board Meeting Agenda and Minutes of
January 18, 2008. There were no comments.
- [VRE\Info] B. Chief Executive Officer's Report (Jan 08).

Mr. Zehner reported that ridership has increased 4% year-to-date from the previous year and revenue has increased 9% as a result of a hard stance taken on ticket checking and a change in the free-ride policy. He noted that the Fredericksburg line carried over 8,000 trips (the last time this occurred was in June 2005) and the growth rate is higher on the Fredericksburg line than the Manassas line. On-time performance is 86% (90% and 81% on the Manassas and Fredericksburg lines, respectively).

Mr. Zehner noted that public hearings will commence next week regarding the fare increase/indexing.

RES 08-02-10
[VRE\Gallery Cars] C. Sell Retirement-Age Gallery Cars. Commissioner Nohe moved, with a second by Commissioner Milde, to sell ten Gallery cars to Regional Transit Authority of Nashville, Tennessee and the sale is contingent upon disposition approval from the Federal Transit Administration and will not occur until such approval is received. There was no discussion on the motion. (NOHE\MILDE, UNANIMOUS)

RES 08-02-11
[VRE\New Locomotives] D. Award a Contract for the Manufacture of New Locomotives. Commissioner Nohe moved, with a second by Commissioner Milde, to award a contract to Motive Power, Inc. of Boise, Idaho for the manufacture of two new locomotives in an amount not greater than \$8,758,542, plus a contingency of \$875,854, for a total amount not to exceed \$9,634,396. There was no discussion on the motion. (NOHE\MILDE, UNANIMOUS)

RES 08-02-12
[VRE\Diesel-Electric Locomotive] E. Award Contract for Construction Engineering and Inspection Services for the Purchase and Manufacture of Diesel-Electric Locomotives. Commissioner Milde moved, with a second by Commissioner Nohe, to enter into a contract with STV Incorporated dba STV Group Incorporated of Fairfax, Virginia for construction engineering and inspection services for the purchase and manufacture of up to twenty diesel-electric locomotives in the amount of \$3,769,000, plus a contingency of \$376,920, for a total amount not to exceed \$4,145,920. There was no discussion on the motion. (MILDE\NOHE, UNANIMOUS)

RES 08-02-13
[PRTC\Convene
Closed Meeting]

Commissioner Milde moved, with a second by Commissioner Nohe, to convene into Closed Meeting at 7:33 p.m. regarding discussion of a proposed change order to the First Transit Contract, which qualifies for discussion in Closed Meeting under Section 2.2-3711(A)(6) (investment of public funds where bargaining is involved, where if the discussion was had publicly, the financial interest of the PRTC would be adversely affected), Section 2.2-3711(A)(7) consultation with legal counsel and staff pertaining to probable litigation, and Section 2.2-3711(A)(29) (award of a public contract involving the expenditure of public funds where public discussion would adversely affect the bargaining position or negotiating strategy of the PRTC). There was no discussion on the motion. (MILDE\NOHE, UNANIMOUS)

RES 08-02-14
[PRTC\Certify
Closed Meeting]

Commissioner Nohe moved, with a second by Commissioner Milde, to certify Closed Meeting at 8:25 p.m. There was no discussion on the motion. (NOHE\MILDE, UNANIMOUS)

Action Items Reported out of Closed:

RES 08-02-15
[PRTC-FT
Contract]

PRTC – First Transit Contract – Change Order Number Nine. Commissioner Nohe moved, with a second by Commissioner Preli, to approve the changes as proposed and to memorialize these changes to the contract in the form of a change order (Changed Order Number Nine). There was no discussion on the motion. (NOHE\PRELI, UNANIMOUS)

11. CHAIRMAN'S TIME

Chairman Jones had nothing to report at this time.

12. EXECUTIVE DIRECTOR'S TIME

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

On the Federal legislative side, Mr. Harf noted that the President has signed the "Economic Stimulus" package into law, which contains no infrastructure elements. Also, the President's FY 2009 proposed budget calls for transit appropriations of \$200 million less than the SAFETEA-LU authorization level and the diversion of

\$3.2 billion from the Transit Trust Fund to the Highway Trust Fund as a solution to the latter's "insolvency" problem.

Mr. Harf reported that the National Surface Transportation Policy and Revenue Study Commission issued its report on framing a federal role and funding approach for the successor to SAFETEA-LU, which expires in September 2009. He explained that the Commission was created by Congress as part of SAFETEA-LU and its target was to finish a study effort around this time frame knowing that calendar year 2009 is the year when the legislative debate about the next reauthorization will take place.

The report proposes a radical overhaul of the federal transportation programs, dispensing with formulaic programs in favor of performance-based programs, and an increase in the federal gasoline tax from the current 18.3 cents a gallon by 40 cents a gallon over five years in an incremental fashion. It also calls for the creation of a National Surface Transportation Commission consisting of a twelve member appointed body that would have authority to raise the gas tax beyond the 40 cent increase after the five years as necessary to achieve the performance outcomes. The Commission's findings about what gas tax increase needs to be would only be "nixed" if two-thirds of both Houses of Congress were to vote "no" (60 days to decide).

Mr. Harf went on to say that a dissenting report was authored by three of the twelve Commissioners (Administration appointees), who took strong exception to the proposed gas tax increase and the contention that the federal role should be sustained at the same proportionate rate as it has been historically. The dissenters argue that the nation's transportation funding problem can be solved by more aggressive pricing (i.e., more toll roads, congestion pricing zones, public-private partnerships). The likelihood is that nothing will happen between now and January 21st when the new Administration inherits the issue.

Mr. Harf noted that an "election" vote involving First Transit's maintenance work force occurred on February 1st and the vote was overwhelmingly in favor of collective bargaining by AFSCME (which also represents the operator work force).

Mr. Harf reported that PRTC locked-in fuel for February, March, and April at \$2.73 on average per gallon. An adjustment has been made in the mid-year budget revision to account for this increased expenditure beyond budget.

Mr. Harf noted that the bus yard expansion construction is underway. He explained that the finding of clay and impervious conditions required additional excavating and the installation of a grid with a 21-inch stone placed on top. As a result, the \$150,000 contingency allowance the Board previously approved will be exceeded and a recommendation to increase the contingency allowance will be presented to the Board at its April meeting.

Turning to the longstanding issue of Taxation's handling of fuel tax disputes, Mr. Harf summarized the successful resolution crediting Chairman Jones and Delegate Lingamfelter for their important contributions. The Department of Taxation has agreed to consult with PRTC on significant tax disputes. A "Memorandum of Agreement" has been negotiated that envisions the Department of Taxation informing PRTC whenever it is prepared to accept something \$25,000 or more below what its original assessment is so that PRTC can consider their rationale, etc. and be in a position to opine though the ultimate decision is Taxation's to make. As a result, Delegate Lingamfelter's office was informed that the bill he introduced could be withdrawn. Commissioner Milde passed on former Commissioner Bob Gibbon's appreciation for the hard work that was put into this effort. Commissioner Nohe recommended that a letter of appreciation be sent to Delegate Lingamfelter on behalf of the Commission. There were objections by the Board Members present.

Mr. Harf reported that the self-cleaning bathrooms have been installed, but are not operating yet because a sewer line collapsed. He noted that an emergency procurement has been arranged and the work is underway.

Regarding HOT lanes, Mr. Harf noted that the TPB did approve the project with its amended transit plan for inclusion in the CLRP, which is an important milestone (without this the project would not qualify for the remaining federal approvals). He went on to say that letters were exchanged in January between the Commission and the Secretary reinforcing the Commission's concerns about "safety and enforcement". The Secretary's response pledged that VDOT will be contracting with an independent and nationally recognized safety consultant (Halcrow) to conduct an independent study of whether or not the safety and enforcement accommodations that are now envisioned for the project are adequate. The Secretary pledged that Halcrow would be in communication with PRTC. To date, there has been no further word on the Halcrow front, Mr. Harf noted, but the meetings with Halcrow are likely to take place within the next few weeks.

Mr. Harf went on to say that Senator Barker introduced a bill that proposed a 45 mph minimum speed for the HOT Lanes. He noted that in the course of discussions during a Committee Hearing, Senator Barker discussed the possibility of raising the minimum to 55 mph, prompting VDOT staff to advise that this speed is not feasible. While the bill died in Committee, Mr. Harf observed that the choice of a speed is an important policy issue warranting public review and discussion. Commissioner Nohe recommended the Commission reach out to Senator Colgan about this issue. Chairman Jones asked Commissioner Nohe to contact Senator Colgan and to ask Commissioner Jenkins to do so as well. He directed staff to send letters under his signature to Governor Tim Kaine (with a "cc" to Secretary of Transportation Homer) and a letter to U.S. DOT Secretary Mary Peters (with a "cc" to the Northern Virginia Delegation, NVT A Chairman Zimmerman, and NVTC Chairman Euille) reiterating the Commission's concerns about "safety and enforcement" and urging that no further project approvals be sought from the FHWA before these concerns have been adequately addressed), and calling for careful public deliberation about

the speed issue. Chairman Jones noted the “consensus among all Board Members present” and directed management to proceed accordingly.

Mr. Harf noted that the latest customer satisfaction survey is underway and the results will soon be forthcoming.

With regard to the Interactive Voice Response (IVR) Phone System Enhancement, Mr. Harf noted that it went live on February 11th. Turning to the RTPi initiative, Mr. Harf noted that the Board is being asked this evening to award a contract to a new contractor (MACRO), because PRTC found it necessary to terminate the contract with on the RTPi consultant PRTC previously contracted with.

Mr. Harf noted that the Virginia Vanpool Insurance Program (*AdVANtage*) will be launched soon and the program will offer attractive insurance rates to promote vanpool operations.

[PRTC\Action] B. Action Items:

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| RES 08-02-16
[PRTC\FY2009
Federal Legislative
Agenda] | 1. | Federal Legislative Agenda. Commissioner Milde moved, with a second by Commissioner Nohe, to endorse the FY 2009 federal legislative agenda and authorized the transmittal of the agenda and associated discretionary funding request forms to the Northern Virginia Congressional Delegation and others as might be appropriate and to make use of the agenda in taking steps as may be required to promote it. There was no discussion on the motion. (MILDE\NOHE, UNANIMOUS) |
| RES 08-02-17
[PRTC\FY2008 Mid-
Year Budget Revision] | 2. | FY2008 Mid-Year Budget Revision. Commissioner Milde moved, with a second by Commissioner Nohe, to approve the revision of PRTC’s FY 2008 budget from \$28,263,389 to \$42,042,236. There was no discussion on the motion. (MILD\NOHE, UNANIMOUS) |
| RES 08-02-18
[PRTC\New Commuter
Lot] | 3. | Award a Contract for Design/Construction Management of New Commuter Lot. Commissioner Milde moved, with a second by Commissioner Nohe, to execute a contract with The Engineering Group, Inc. for design/construction management of the new commuter park-ride lot amounting to |

\$167,153 and authorizes a contingency allowance amounting to \$19,222 that the Executive Director may tap as necessary to defray unforeseen costs related to this effort if they arise. There was no discussion on the motion. (MILDE\MOHE, UNANIMOUS)

RES 08-02-19
[PRTC\RTPI]

4. Award Contract for Real-Time Passenger Information (RTPI) Planning Services to MACRO. Commissioner Nohe moved, with a second by Commissioner Milde, to award MACRO Corporation a task order contract for a period of up to five years, award the first task order under this contract in the amount of \$99,079.15, and tap a ten percent contingency allowance as necessary to cover the costs of unforeseen complications. There was no discussion on the motion. (NOHE\MILDE, UNANIMOUS)

[PRTC\Info]

C. Information Items:

1. PRTC Service Performance Reports. Mr. Harf noted that ridership trends are being affected by the sub-prime mortgage crisis. OmniLink has been hardest hit – the combined end result of that crisis and heightened apprehension about illegal immigration. The OmniLink losses are most pronounced on the routes that are serving communities with a high incidence of Hispanic population and where foreclosures are most pronounced.
2. PRTC Budget-to-Actual Comparison – Six Months Ended December 31, 2007. There were no comments.
3. General Assembly Status Report. There were no comments.
4. Communications:
 - a. Related to Funding. There were no comments.
 - b. Related to Jurisdiction. There were no comments.

c. General Interest. There were no comments.

13. OTHER BUSINESS/COMMISSIONERS' TIME

Commissioner Preli moved to appoint a Committee to review holding the PRTC Board meetings at alternate locations three to four times a year. Absent a "second" Chairman Jones noted that the motion dies. Chairman Nohe recommended that this issue be placed on the March agenda. Chairman Jones asked that this issue be placed under Commissioners' Time on the March agenda to allow sufficient time for discussion to occur among the member jurisdiction Boards and re-discuss at the March PRTC Board meeting.

14. ADJOURNMENT

There being no further business to come before the Commission, Chairman Jones adjourned the meeting at 9:15 p.m.

NEXT MEETING: Thursday, March 6, 2008, 7:00 p.m.

LOCATION: PRTC Transit Center
14700 Potomac Mills Road, 2nd Floor
Woodbridge, VA 22192-6811
Main # (703) 583-7782
Fax #: (703) 583-1377