

**“PENDING BOARD APPROVAL”**

POTOMAC AND RAPPAHANNOCK  
TRANSPORTATION COMMISSION (PRTC)

OFFICIAL COMMISSION MEETING

MINUTES

DATE: June 4, 2009  
TIME: 7:00 p.m.  
LOCATION: PRTC Transit Center  
14700 Potomac Mills Road, 2<sup>nd</sup> Floor  
Woodbridge, VA 22192-6811

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1. CALL TO ORDER

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

At this time, Chairman May welcomed back Commissioner Bill Wren and introduced newly appointed PRTC Alternate David Awbrey representing the Department of Rail and Public Transportation (DRPT).

2. ROLL CALL

MEMBERS PRESENT

*John Jenkins	Prince William County
*Scott Lingamfelter	Virginia House of Delegates
*Michael May, Chairman	Prince William County
*Jackson Miller	Virginia House of Delegates (arrived at 7:15 p.m.)
*Martin Nohe	Prince William County (arrived at 7:05 p.m.)
*George Schwartz	Stafford County

ALTERNATES PRESENT

*David Awbrey	Department of Rail & Public Transportation
*Jean Benson	City of Fredericksburg
Suhas Naddoni	City of Manassas Park (arrived at 7:20 p.m.)
*Brian Potvin	Prince William County
*William Wren	City of Manassas Park

STAFF AND GENERAL PUBLIC

Gina Altis	PRTC Executive Assistant
Monica Backmon	PWC Department of Transportation
Angelica Betts	Assistant, Supervisor Michael May
Alyssa Brown	Assistant, Supervisor Michael May
Tom Cain	FIRST TRANSIT Region Vice President
Doris Chism	PRTC Dir., Customer Service & Dispatch
Robert Corbin	FIRST TRANSIT Bus Operator
Melvin Denton	FIRST TRANSIT Bus Operator
Aroni El	Citizen
Althea Evans	PRTC Dir., Marketing & Communications
Anthony Foster	PRTC Transportation Project Manager
Shanta Garth	FIRST TRANSIT AGM-Accounting & Admin.
Robb Howell	FIRST TRANSIT General Manager
Todd Johnson	FIRST TRANSIT Maintenance Manager
Uriah Kiser	News and Messenger
Bill Leisen	PRTC Mgr., Contract Operations
Betsy Massie	PRTC Dir., Grants & Project Management
Eric Marx	PRTC Dir., Planning & Operations
Paul Pitchke	FIRST TRANSIT AGM-Operations
Jennifer Straub	VRE Deputy Chief Executive Officer
Dale Zehner	VRE Chief Executive Officer

MEMBERS ABSENT

Maureen Caddigan	Prince William County
Wally Covington	Prince William County
Corey Hill	Department of Rail & Public Transportation
Frank Jones, Immediate Past Chmn	City of Manassas Park
Matthew Kelly, Secretary	City of Fredericksburg
Paul Milde, Treasurer	Stafford County
Frank Principi	Prince William County
Toddy Puller	Virginia Senate
Jonathan Way, Vice Chairman	City of Manassas

ALTERNATES ABSENT

Charles Badger	Department of Rail & Public Transportation
Harry Crisp	Stafford County
Brad Ellis	City of Fredericksburg
Peter LaMarca	City of Fredericksburg
Lorraine Lasch	Prince William County
Hal Parrish	City of Manassas
Sorine Preli	Prince William County
Corey Stewart	Prince William County
John Stirrup	Prince William County

\*Voting Member



Commissioner Lingamfelter moved, with a second by Commissioner Jenkins, to approve the Minutes as presented. There was no discussion on the motion. (LINGAMFELTER\JENKINS, UNANIMOUS)

8. AGENDA APPROVAL

RES 09-06-02                      Agenda of June 4, 2009.  
[PRTC\Agenda]

Commissioner Jenkins moved, with a second by Commissioner Schwartz, to approve the Agenda as amended (Item 12-B.12 added). There was no discussion on the motion. (JENKINS\SCHWARTZ, UNANIMOUS)

9. CONSENT AGENDA APPROVAL

RES 09-06-03                      Consent Agenda of June 4, 2009.  
[PRTC\Consent Agenda]

Commissioner Nohe moved, with a second by Commissioner Schwartz, to approve the Consent Agenda as presented. (NOHE\SCHWARTZ, UNANIMOUS)

RES 09-06-04              A.     Treasurer's Report.  
[PRTC\Finance]

Accepted the Treasurer's Report for period ended March 31, 2009 as presented. (NOHE\SCHWARTZ, UNANIMOUS)

RES 09-06-05              B.     Transportation Plan and Management Employer Outreach  
[PRTC\EOS]                      Services (EOS) Procurement Authorization.

Authorized to execute an agreement for PRTC's assumption of VDOT-funded transportation demand management employer outreach services in the Prince William County area and to competitively procure consultant assistance for the performance of these services. (NOHE\SCHWARTZ, UNANIMOUS)

RES 09-06-06              C.     Disadvantaged Business Enterprise (DBE) Goals for  
[PRTC\DBE]                      FY 2010.

Authorized the publication of proposed DBE overall annual goals for FY 2010. (NOHE\SCHWARTZ, UNANIMOUS)

RES 09-06-07              D.     Advertise for Procurement of Motor Coach Industries (MCI)  
[PRTC\MCI]                      Bus Overhauls and for the Procurement of Replacement  
Powertrains.

Authorized to competitively procure MCI bus overhauls and replacement powertrains. (NOHE\SCHWARTZ, UNANIMOUS)

RES 09-06-08            E.      Onboard WIFI Procurement Authorization.  
[PRTC\WIFI]

Authorized procurement of onboard WIFI capability for the state-sponsored Tyson's Corner bus route. (NOHE\SCHWARTZ, UNANIMOUS)

10.    VIRGINIA RAILWAY EXPRESS (VRE)

[VRE\Info]            A.      Chief Executive Officer's Report (5/09).

Mr. Zehner reported that ridership is 7% higher than last fiscal year through May. System wide on-time performance was 91% in June. VRE has experienced over 90% on-time performance four out of the five calendar months of the year.

Mr. Zehner went on to report VRE issued a Request for Proposals (RFP) on May 8<sup>th</sup> for a operations and maintenance contractor, timed to allow a contract award on or around January 1, 2010, with the contractor to assume these duties effective July 1, 2010 (when the existing Amtrak contract expires).

Spotsylvania Board of County Supervisor Gary Skinner extended an invitation to VRE and PRTC management to participate in a public forum on June 11<sup>th</sup> regarding Spotsylvania County joining the PRTC/VRE. Mr. Zehner, VRE Manager of Public Relations & Government Affairs Mark Roeber, VRE Legal Counsel Steve MacIsaac, and PRTC Executive Director Al Harf will be present to answer questions posed by the public. Senator Ed Houck, Representative Rob Wittman, and Spotsylvania Board of County Supervisor Jerry Logan will also be in attendance. A closed meeting discussion of the prospective membership terms will occur at the June 19, 2009 meeting of the VRE Operations Board.

Commissioner Lingamfelter asked if Spotsylvania County can join the VRE without becoming a member of the PRTC. Mr. Harf replied "yes" on a "purchase of service" basis. Mr. Harf went on to say that, to date, discussions with the County have been premised on membership in both PRTC and VRE. If the County opts to contract for service with VRE, it would not realize the 2% tax revenue.

Delegate Miller arrived at 7:15 p.m. following Item 10-A – VRE Chief Executive Officer's Report and was absent for the vote on Items 7, 8, 9, and 9A-E.

11.    CHAIRMAN'S TIME

[PRTC\Info]            A.      July Board Meeting. Chairman May reminded everyone the July 2<sup>nd</sup> meeting has been rescheduled to occur on Thursday, July 9, 2009, 7:00 p.m., at the PRTC Transit Center.

RES 09-06-09            B.     August Recess.  
[PRTC\Recess]

Commissioner Lingamfelter moved, with a second by Commissioner Nohe, to approve a recess during the month of August. There was no discussion on the motion. (LINGAMFELTER/NOHE, UNANIMOUS)

Commissioner Naddoni arrived at 7:20 p.m. following Item 11 – Chairman’s Time.

12. EXECUTIVE DIRECTOR'S TIME

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

Reporting on congressional activity, Mr. Harf summarized reauthorization efforts on the House side. He went on to report that Chairman James Oberstar, Committee on Transportation and Infrastructure, is resistant to deferral of reauthorization and so he is pressing ahead with plans to have a House bill soon after Memorial Day.

Mr. Harf went on to report that Representative Wittman has agreed to sponsor PRTC’s \$4.9 million earmark request in the FY 2010 appropriation for the westerly bus maintenance facility and \$10 million for the same project as part of the reauthorization. He also noted the “climate change” legislation is likely to occur in the current congressional session.

Mr. Harf continued, mentioning that the rulemaking for the USDOT discretionary stimulus funding has been released and the deadline for receipt of applications has been moved up to September 15<sup>th</sup>. He observed that the Transportation Planning Board (TPB) is working with its member governments to ready a submission for a “Bus Rapid Transit (BRT)” project encompassing Virginia, Maryland, and Washington, D.C.

Mr. Harf noted that state funding in FY 2010 turned out to be better than assumed in the FY 2010 proposed budget. Both PRTC and VRE will net a favorable variance amounting to \$1.46 million and about \$4 million, respectively.

Regarding bus rapid transit planning developments, Mr. Harf explained that project efforts are underway in both the I-66 and I-95 corridors and that PRTC is working closely with DRPT and jurisdictional staffs on both projects. The I-95 project time line is to complete the work by the end of the summer to be timely for the “comprehensive agreement” negotiations that are now underway between Fluor/Transurban and the state. The I-66 BRT study time line is to provide timely input to VDOT for the purpose of an I-66 “environmental analysis” that VDOT will launch later in the year.

Continuing, Mr. Harf mentioned that WMATA has commenced an exploratory effort that could lead to a successor to the SmarTrip card. He explained that the new construct is an “open” system, in contrast to the current “closed” system proprietary SmarTrip card. With an “open system”, Mastercard and VISA credit cards containing a “chip” can be used as a



- RES 09-06-13 [Prince William County] 4. FY 2010 Debt Service on Prince William County's Refunded Industrial Development Authority (IDA) Bonds.

Commissioner Jenkins moved, with a second by Commissioner Lingamfelter, to authorize expenditure of \$645,057 from Prince William County's 2% motor fuels tax account for FY 2010 debt service payments on refunded Industrial Development Authority commuter parking facilities bonds. There was no discussion on the motion. (JENKINS\LINGAMFELTER, UNANIMOUS)

- RES 09-06-14 [Manassas] 5. City of Manassas FY 2010 Parking Lot Leases.

Commissioner Jenkins moved, with a second by Commissioner Lingamfelter, to authorize expenditure of \$59,425 of the City of Manassas's 2% motor fuels tax funds for the FY 2010 lease cost of commuter parking lots. There was no discussion on the motion. (JENKINS\LINGAMFELTER, UNANIMOUS)

- RES 09-06-15 [Manassas] 6. City of Manassas FY 2010 VRE Parking Garage Debt Service.

Commissioner Lingamfelter moved, with a second by Commissioner Nohe, to authorize the expenditure of \$223,875 of the City of Manassas's 2% motor fuels tax fund for FY 2010 debt service payments on the VRE parking garage. There was no discussion on the motion. (LINGAMFELTER\NOHE, UNANIMOUS)

- RES 09-06-16 [Fredericksburg] 7. City of Fredericksburg Various Transportation Projects.

Commissioner Lingamfelter moved, with a second by Commissioner Nohe, to authorize the expenditure of \$1,982,055 of the City of Fredericksburg's 2% motor fuels tax account for various transportation projects. There was no discussion on the motion. (LINGAMFELTER\NOHE, UNANIMOUS)

- RES 09-06-17 [VRE\Subsidies] 8. FY 2010 VRE Subsidies.

Commissioner Lingamfelter moved, with a second by Commissioner Nohe, to authorize draw-downs from each of the PRTC member governments' 2% motor fuels tax accounts to subsidize the FY 2010 VRE operating and capital budget. There was no discussion on the motion. (LINGAMFELTER\NOHE, UNANIMOUS)

- RES 09-06-18 [PRTC\Land Lease] 9. Lease of Telegraph Road Properties Land for Parking.



[PRTC]

C. Information Items:

1. PRTC Service Performance Reports. There were no comments.
2. PRTC Budget-to-Actual Comparison. There were no comments.
3. Analysis of Secretary Homer's 5/7/09 Letter about I-95/I-395 HOT Lanes Project and Discussion of Next Steps.

Mr. Harf explained that repeated attempts to elicit acceptable responses from the Commonwealth's Secretary of Transportation and VDOT to questions and concerns expressed by PRTC regarding the I-95 HOT Lanes project have been unsuccessful. In a May 7<sup>th</sup> letter addressed jointly to FAMPO, NVTA, NVTC, and PRTC, Secretary Homer acknowledged that answers to certain concerns remain outstanding, defending this as a necessary byproduct of the innovative procurement methods being used. The Secretary's letter also details the reasons why proceeding with the project is in the public interest. The Commission is being asked to decide what, if anything, to do next. Commissioner Lingamfelter asked what options are available to PRTC. Mr. Harf replied by observing that another letter could be written directed to Secretary Homer, Governor Kaine, and/or the Federal Highway Administration (FHWA).

Commissioner Lingamfelter asked if the assumptions of the business model are viable, namely that dynamic tolling will generate adequate revenue to fully amortize the project, yield net revenues for transit, and be sufficiently persuasive to allow privately-issued debt. Mr. Harf explained this is central to the deliberations about converting the HOV lanes to HOT lanes. Fluor\Transurban, the state, and TPB have repeatedly stated the HOT Lanes will be a lucrative venture. The state reportedly will insist on a set of terms/conditions to indemnify the state from any exposure in the event that the project fails. Debate has occurred about whether or not the toll rates Fluor/Transurban has advertised will be sufficiently high to ensure free flow in the HOV lanes, since some toll payers will not bear the toll expense out-of-pocket (instead being reimbursed by employers who place a premium on having employees arrive to work on time.)

Commissioner Lingamfelter asked if the "asset" can be transferred and is this a question that should be posed to the state's Attorney General. Mr. Harf replied that this is a federal issue and that the transfer requires FHWA approval.

Commissioner Nohe commented that NVTA also sent Secretary Homer a letter in response to the same May 7<sup>th</sup> letter from the Secretary, urging that NVTA's questions/concerns be addressed before a decision is made. To date, the Secretary has not responded. Mr. Harf opined it is safe to assume the comprehensive agreement will be executed before these issues are resolved, citing the I-495 Beltway model as an example.

Commissioner Lingamfelter suggested the Virginia Modeling, Analysis and Simulation Center (VMASC) be contacted about conducting a model independent of the proposer. Mr. Harf explained two independent “traffic and revenue” modeling efforts are currently underway by the state and Fluor/Transurban. VDOT is conducting the state modeling effort to understand the financial ramifications of the project and Fluor/Transurban’s modeling effort is intended to set the stage for the private sector financing. Both modeling efforts are shielded from public scrutiny by virtue of the fact the project is a PPTA venture. Modeling efforts conducted by the TPB indicate higher tolls than proposed by Fluor/Transurban would need to be considered in order to maintain free flow.

Commissioner Schwartz moved with a second by Commissioner Lingamfelter, to authorize the Executive Director to send a letter to Governor Kaine expressing PRTC’s continuing concerns. There was no further discussion on the motion. (SCHWARTZ\LINGAMFELTER, UNANIMOUS)

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

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 7:50 pm.

NEXT MEETING: Thursday, July 9, 2009, 7:00 p.m.

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