



MINUTES

BOARD OF COMMISSIONERS MEETING

December 3, 2020
Virtual ZOOM Meeting
Livestreamed at [YouTube.com/PRTCtransit](https://www.youtube.com/PRTCtransit)

Members Present

*Victor Angry
*Andrea Bailey, At-Large
*Kenny Boddye (arrived 7:10 p.m.)
*Margaret Franklin, Chair
*Jeanine Lawson
*Yesli Vega
*Tinesha Allen
*Cindy Shelton, Secretary
*Pamela Sebesky, Vice Chair
*Jeanette Rishell, At-Large
*Matthew Kelly
*Deborah Frazier, Treasurer
*Gary Skinner
*Lee Carter
*Elizabeth Guzman (arrived 7:09 p.m.; departed 9:00 p.m.)
*George Barker

Members Absent

Jennifer Mitchell

Alternates Present

*Bennie Smith
Ralph Smith (departed 9:15 p.m.)
*Todd Horsley

Alternates Absent

Ann Wheeler
Pete Candland
Maggie Hansford
Meg Bohmke
Gary Snellings
Preston Banks
Hector Cendejas
Donald Shuemaker
Jason Graham
Tim McLaughlin
David Ross
Jennifer DeBruhl
Steve Pittard

Jurisdiction

Prince William County
Prince William County
Prince William County
Prince William County
Prince William County
Prince William County
Stafford County
Stafford County
City of Manassas
City of Manassas Park
City of Fredericksburg
Spotsylvania County
Spotsylvania County
Virginia House of Delegates
Virginia House of Delegates
Virginia Senate

Department of Rail and Public Transportation

Prince William County
City of Manassas
Department of Rail and Public Transportation

Prince William County
Prince William County
Prince William County
Stafford County
Stafford County
City of Manassas Park
City of Manassas Park
City of Manassas Park
City of Fredericksburg
Spotsylvania County
Spotsylvania County
Department of Rail and Public Transportation
Department of Rail and Public Transportation

*Voting Member

Arrivals/departures following the commencement of the PRTC Commission Board Meeting are notated with the approximate arrival/departure time.

Staff and Public on ZOOM

Dr. Robert A. Schneider, PhD – PRTC
Doris Lookabill – PRTC
Carl Roeser - PRTC
Becky Merriner – PRTC
Christine Rodrigo – PRTC
Perrin Palistrant – PRTC
Joyce Embrey – PRTC
Mike Ake – Keolis

Barbara Murdock – Keolis
Rich Dalton – VRE
Joe Swartz – VRE
Mark Schofield – VRE
Steve MacIsaac - VRE
Dwight Buracker – PBMAres
Sharon Pandak – Greehan, Taves & Pandak
Paolo Belita – Prince William County

Chair Franklin called the meeting to order at 7:01 p.m. noting due to the COVID-19 pandemic and pursuant to PRTC Commission Resolution No. 20-05-01, this meeting of the PRTC Board of Commissioners is being conducted virtually via Zoom. Public access for this meeting is being provided via livestreaming on PRTC's YouTube channel. The public was given notice on PRTC's website, Facebook, at the Transit Center, and in InsideNova and the Free Lance-Star. The Chair then read an announcement detailing procedures for the electronic meeting. Invocation, Pledge of Allegiance and Roll Call followed.

Chair Franklin said she would like to have a motion to defer Item 11.1, Acceptance of the PRTC FY20 Audited Financial Statements, Required Communication to the Commissioners, and PBMAres LLP Management Letter, to the January 2021 meeting when the Board can have a presentation on the information. Commissioner Rishell moved with a second by Commissioner Vega. Chair Franklin noted that the financials will still be submitted on time to the state. On a roll call vote, the motion was unanimously approved.

Approval of Agenda – 4 [RES 20-12-01]

Commissioner Skinner moved to approve the agenda as amended with a second by Commissioner Bailey. There was no discussion on the motion. (SKINNER/BAILEY; UNANIMOUS)

Commissioner Guzman arrived at 7:09 p.m.

Approval of Minutes of November 5, 2020– 5 [RES 20-12-02]

Commissioner Skinner moved with a second by Commissioner Sebesky. There was no discussion on the motion. (SKINNER/SEBESKY; UNANIMOUS)

Commissioner Boddye arrived at 7:10 p.m.

Virginia Railway Express Acting Chief Executive Officer's Time – 6

Chair Franklin said she'd like for Mr. Dalton to give his presentation, answer any questions, then have a motion to accept Items 6.2 through 6.6.

Mr. Dalton advised:

- VRE continues to operate at a reduced level and is monitoring ridership daily so trains can be lengthened or added as needed to maintain social distancing. The public can view train capacity on VRE's Train Utilization webpage
- November average daily ridership was in the mid-1300s
- November on time performance was about 93 percent system wide
- Staff continues to work remotely, and all business functions are fully operational

Mr. Dalton then provided an overview of the five VRE Action Items on the agenda.

- Item 6.2 is acceptance and authorization to distribute the VRE FY2020 Comprehensive Annual Financial Report. The audited financial statements are complete and the auditors issued an unmodified opinion.
- Item 6.3 is authorization to execute an agreement for design, construction, operations and maintenance of a parking garage at the VRE Manassas Park Station. Partway through design of the structure, city staff asked to change the location, and this agreement covers the city's commitment to fund the necessary design work to accommodate the new site. Construction will be funded with \$23.5 million from the I-66 Outside-the-Beltway concessionaire. This agreement also spells out that

if additional construction funds are needed, VRE and the City will work together to identify additional funding sources. The garage will be designed for about 675 spaces, and 544 of those spaces will be dedicated for VRE riders; the remainder will be dedicated for city use.

- Item 6.4 authorizes the execution of a Passenger Rail Operations and Access Agreement with the Virginia Passenger Rail Authority. This will allow VRE to operate on right-of-way that soon will be owned by the Commonwealth. The objective of transforming rail in Virginia is to separate freight and passenger rail. Planned improvements and additional services are included in the agreement.
- Item 6.5 authorizes the execution of a Passenger Rail Improvements and Funding Agreement with the Virginia Passenger Rail Authority. Mr. Dalton asked Mr. Schofield to summarize the agreement. Mr. Schofield explained that the agreement will happen over 30 years, divided into chunks of 10 years and then 20 years, and provided some details about how funds will be used.
- Item 6.6 approves VRE's 2021 Legislative Agenda.

Commissioner Bailey requested that Mr. Dalton set aside time to speak with her about VRE's planned service at Potomac Shores.

Commissioner Kelly asked about a provision in the Operations and Access Agreement with the Virginia Passenger Rail Authority that would force VRE to give up slots if additional service wasn't up and running in a specific amount of time. The state is a critical partner in making sure VRE has slots and the equipment to operate in those slots, Commissioner Kelly said, questioning why the state would then want a provision to take over the slots. Mr. Dalton said the slots provision wasn't introduced by VRE and is a mechanism for the state to fill the slots for a specific timeframe if VRE can't add service within a specific amount of time. He described it as a backstop in the event VRE doesn't want to operate planned additional service.

Commissioner Kelly said he's also concerned about committing locally generated money, which was supposed to be used to help VRE expand, to this project. He asked if there's an opportunity to have further discussions during the life of the agreement with the state. Mr. Dalton said the agreement is in perpetuity until the NVTC and PRTC stop VRE service but there's an opportunity to revisit the agreement in five year increments.

Commissioner Kelly said he hopes the DRPT representative to PRTC's Board will take this discussion back to the state and send back an explanation of the state's position.

Commissioner Skinner asked if the agreement will enable bi-directional VRE service. Mr. Dalton said the true key to bi-directional service is the new Long Bridge which won't be built until near the end of the 10 year period.

Commissioner Horsley said he would relay Commissioner Kelly's concerns to DRPT's rail division.

Commissioner Barker said the state wants to maximize the utilization and benefits of the rail tracks.

Approval of VRE Action Items – [RES 20-12-03]

Commissioner Boddie moved with a second by Commissioner Bailey. There was no discussion on the motion. (BODDYE/BAILEY; UNANIMOUS)

- **Accept and Authorize Distribution of the VRE FY2020 Comprehensive Annual Financial Report – [RES 20-12-04]**
- **Authorize the VRE CEO to Execute an Agreement for Design, Construction, Operations and Maintenance of a Parking Garage at the VRE Manassas Park Station – [RES 20-12-05]**
- **Authorize the VRE CEO to Execute a Passenger Rail Operations and Access Agreement with the Virginia Passenger Rail Authority – [RES 20-12-06]**
- **Authorize the VRE CEO to Execute a Passenger Rail Improvements and Funding Agreement with the Virginia Passenger Rail Authority – [RES 20-12-07]**
- **Approve the 2021 VRE Legislative Agenda – [RES 20-12-08]**

Public Comment Time – 7

Five comments were received, read into the record, and are attached to this document.

Consent Agenda – 8 [RES 20-12-09]

Commissioner Boddye moved with a second by Commissioner Sebesky. Dr. Schneider gave a brief overview of each item. Commissioner Guzman asked how adding Juneteenth to the PRTC Leave Policy will affect bus service. Dr. Schneider said bus service will be operated but most employees will have the day off. Employees who work on that day will have a floating holiday that can be used at a later time. (BODDYE/SEBESKY, UNANIMOUS)

- Acceptance of the PRTC Monthly Jurisdictional Financial Report for the Period Ended August 31, 2020 - [RES 20-12-10]
- Adopt the Proposed PRTC 2021 Board of Commissioners Meeting Schedule - [RES 20-12-11]
- Approve the Amended PRTC Leave Policy - [RES 20-12-12]
- Approve the PRTC Telework Policy - [RES 20-12-13]
- Authorize the Executive Director to Issue a Request for Proposals for the Design and Production of Bus Schedules and Bus Stop Information Displays - [RES 20-12-14]
- Endorse the PRTC Congestion Mitigation and Air Quality Funding Request for FY2027 - [RES 20-12-15]

PRTC Executive Director's Time – 9

Dr. Schneider updated the Board on the following items:

Bus Fleet

- The purchase of six vehicles, funded through I-66 grant services, was approved in early 2020. The vehicles will be on the assembly line in late December and delivered in early spring. They will replace older vehicles that are still in service. While OmniRide is mindful that bus services have decreased due to the pandemic, there are growth opportunities in the future and hope in a COVID vaccine.
- OmniRide is identifying fleet vehicles to be relocated to the Western Facility for the start of services from there in April 2021.
- Ridership is continuing to climb. In October, ridership was about 25 percent of normal on commuter services and 65 percent on local services. Another dip in ridership may take place due to the recent increase in cases of COVID nationwide. For example, the Pentagon, which is OmniRide's top destination, had 60 percent of staff reporting in person but that's being reduced to 40 percent due to rising COVID cases.
- On November 30, OmniRide suspended several state-funded routes which had run out of funding. OmniRide had been offsetting the state funding with fares but due to a lack of fare revenues, the majority of state money was used in the first six months. A Service Change was supposed to take place in early November but because it was delayed, OmniRide had to cover the cost of running those services which amounted to an extra \$150,000. That will be reimbursed by CARES Act money, but that's an example of how OmniRide is working to contain costs so we can have more services for a longer time period.

Keolis Update

In response to concerns raised during Public Comment Time, Keolis General Manager Barbara Murdock advised:

- Safety is Keolis' first concern for employees, riders and the community. There are no DOT violations with the new schedules, and we recognize that change is hard.
- On November 30, the bid run pick started and only seven of 144 operators did not pick a run. Per the union agreement those runs were selected by their union representative. The runs do not violate state or federal regulations.
- We will educate and teach the team innovative processes for run-cutting.

- A Run Bid Committee has been created to get input prior to the runs being selected for the next Service Change in April 2021.
- The first month of service went well with on-time buses, low absenteeism, and buses are being cleaned and sanitized twice a day.

Chair Franklin asked Ms. Murdock to explain the type of outreach to employees that's taking place. Ms. Murdock said all runs were posted in the break room so each individual could review them. Some drivers expressed concerns and the team sat with each one to go over the run. Ms. Murdock said she believes this is the first time the drivers have had such involvement in the run pick. A bid committee has been established to get input for future run picks. Keolis had difficulty getting information about the past run cuts, she added.

Commissioner Boddye said many drivers raised concerns about driving different runs on different days and asked how that inconsistency is being addressed. Keolis Regional Vice President Mike Ake said run changes are always a problem because all drivers would like to work from 8 am to 5 pm Monday through Friday, but transit doesn't work that way. There were 13 renditions of this run cut with changes based on input from drivers, the local union and the international union.

Because of the service reduction, the number of runs without split shifts has gone from 45 to 39, and the number of runs with split shifts have gone from 108 to 106, Mr. Ake said. The current run cut has one run with fewer than 30 hours while the new run cut has no runs with fewer than 30 hours. The current run cut has seven runs with between 30-35 hours of work, and the new run cut has six runs with between 30-35 hours of work. The current run cut has 103 runs between 40-45 hours; the new run cut has 57 with 40-45 hours. All the statistics show a slight improvement from the current run cut to the new run cut, Mr. Ake said, but when service is reduced – even by a little bit – it has a ripple effect on everybody's runs.

Commissioner Boddye said opening the Western Facility will have an impact on the drivers' runs and he hopes these issues are resolved well before then.

Commissioner Angry said we're in a delicate situation with a new contractor and that he knows change is hard. He recommended referring to the comments read during Public Comment Time as concerns rather than complaints, and said it's going to take time to get to the point where things are running smoothly. He asked everyone to hang in there and start this transition with a clean slate. He also asked if there could be a driver shortage once things return to normal. Mr. Ake said there's no current driver shortage, but more drivers would be needed when service returns to pre-COVID levels. PRTC is very competitive in entry-level wages for drivers, he added.

Chair Franklin reiterated Commissioner Angry's comment that this is a period of transition and she wants an open and transparent working relationship with Keolis where bus operators are actively involved. Anyone with concerns can submit public comments and reach out to the Board, and members will do their best.

Legislative Update

Dr. Schneider said a potential federal government shutdown on December 11 could cause a further drop in ridership.

On December 1, a bipartisan Senate bill was introduced that would provide \$450 billion earmarked for transportation. There are many needs at large transit systems around the country, and if the bill passes that doesn't mean any money will trickle down to OmniRide, which is considered to be mid-sized. We're working with APTA and our elected officials to make our voice heard. Continuity of service and preserving employment is our focus.

Commissioner Guzman asked if OmniRide is reducing bus service hours. Dr. Schneider said 85 percent of commuter trips have been operating since late June, and on November 30 several low-ridership commuter routes were eliminated. This schedule is expected to remain in effect until April unless there are circumstances that force changes. Local bus services would remain intact, and hopefully the additional stimulus package will come through, Dr. Schneider said.

Presentations and Information Items – 10

OmniRide's HR Director, Becky Merriner, gave an update on the PRTC Classification and Compensation Study and said the final report has been delayed due to COVID-19.

Commissioner Lawson said she wants to be on record that implementing the Study results will be a high hurdle to clear unless financial circumstances change for the better.

PRTC Action Items – 11

Ratification of a Grant Application Submitted Through the Transit-Oriented Development Planning Program for Federal Funding from the Federal Transit Administration 11.2 - [RES 20-12-16]

Dr. Schneider said Transit-Oriented Development is about multi-use developments that include transit at its core. Prince William County wanted to apply, and PRTC is the grant recipient. Because of the grant deadlines, we were unable to get the Board's approval prior to submitting the application. The Board is being asked to ratify it after the fact. Dr. Schneider thanked Paolo Belita from Prince William County and Betsy Massie and Perrin Palistrant from PRTC for their work on the grant. Commissioner Angry moved with a second by Commissioner Bailey. There was no discussion on the motion. (ANGRY/BAILEY; UNANIMOUS)

Approve the 2021 Legislative Agenda – 11.3 - [RES 20-12-17]

Dr. Schneider gave a brief overview of the four items on the draft Legislative Agenda:

- Federal and state COVID-19 stimulus and economic relief
- Preserve state revenues to address the Virginia Transit Capital shortfall
- Meetings held through electronic communication means
- Support state restoration of NVTAs revenues

Dr. Schneider thanked Commissioner Rishell for her work on the Legislative Agenda.

Commissioner Lawson said the language in VRE's approved Legislative Agenda regarding electronic meetings is different than PRTC's and she asked if Commissioners want to adopt the VRE language for PRTC's Legislative Agenda.

Ms. Pandak said the state's FOIA Council has recommended language that adds more flexibility and would allow members to attend a maximum of 25 percent of meetings electronically each year instead of two meetings per year. It also would expand the reasons to attend meetings electronically to include caring for a family member. She noted that Virginia continues to be in a state of emergency due to the pandemic, and this language would apply once the state of emergency ends.

Commissioner Barker said he will abstain from the vote because the Legislative Agenda will come before his committee in the General Assembly, but he believes either option – the language from the VRE Legislative Agenda or the FOIA Council – would be acceptable.

Chair Franklin said she believes the greater the flexibility, the better and asked if the Board wanted to adopt the VRE language.

Commissioner Boddye said for consistency's sake he supports the VRE language because it was brought up at the NVRC meeting as well.

Commissioner Rishell asked if the VRE language was consistent with the FOIA Council language. Ms. Pandak said she was unsure. Commissioner Rishell said she'd prefer to be consistent with the FOIA language over the VRE language.

Commissioner Lawson said they don't match but are complementary.

Commissioner Kelly said he has an issue with deferring to other organizations and the state. Instead PRTC should decide what it believes and ask for it. The more flexibility, the better, he said.

Commissioner Skinner said he agrees with Commissioner Kelly.

Commissioner Guzman departed at approximately 9:00 p.m.

Ms. Pandak suggested that the Commissioners talk with members of the General Assembly about their experiences during the pandemic with effectiveness and public transparency because those are key factors that will weigh into any discussion of changing the exemptions to in-person meetings.

Commissioner Lawson moved with the additional language that was included in the VRE Legislative Agenda. The motion was seconded by Commissioner Kelly.

Dr. Schneider said PRTC's language was left open-ended to accommodate the multiple jurisdictions that are part of the Board.

Commissioner Lawson said she likes the FOIA Council language more than the VRE language.

Commissioner Rishell asked if the VRE language would completely eliminate the maximum number of meetings that could be attended electronically. Commissioner Lawson said it supports removing the state limit on electronic participation in meetings.

Commissioner Lawson asked if the Board would support striking her previous amendment to the Legislative Agenda in favor of adding the FOIA Council language which would enable members to participate electronically in up to 25 percent of meetings. Commissioner Rishell agreed with that amendment. Commissioner Kelly, who had seconded the initial motion, agreed.

Chair Franklin asked which language was adopted by NVTC. Dr. Schneider said he doubts they have the FOIA Council language because it was just released the previous day. He said PRTC will coordinate with NVTC. Chair Franklin asked if the FOIA language was more flexible than the VRE language because she believes PRTC should go with whichever is more flexible; therefore on principle she supports the VRE language.

(LAWSON/KELLY; FRANKLIN VOTES NAY; CARTER AND BARKER ABSTAIN)

Commissioner Ralph Smith departed at approximately 9:15 p.m.

Chair's Time - 12

Election of the Nominating Committee for 2021 PRTC Officers and VRE Operations Board Members and Alternate Members - [Res 20-12-18]

Chair Franklin said the Board must elect a Nominating Committee which will propose the 2021 slate of officers for PRTC as well as members and alternates to the VRE Operations Board. The slate of officers and appointments needs to be given to Dr. Schneider by Monday, January 4, 2021, to be included in the January meeting packets as required by Bylaws.

The following nominations have been received: Victor Angry, Prince William County; Cindy Shelton, Stafford County; Pam Sebesky, City of Manassas; Jeanette Rishell, City of Manassas Park; Matt Kelly, City of Fredericksburg; and Deborah Frazier, Spotsylvania County. Commissioner Sebesky moved with a second by Commissioner Angry. There was no discussion on the motion. (SEBESKY/ANGRY; UNANIMOUS)

Chair Franklin thanked Commissioners Lawson and Rishell for their work on PRTC's and VRE's legislative package.

Regarding the bus operators, Chair Franklin said the Board hears their concerns and is working with Keolis to resolve the issues. She also thanked Keolis for the job it's done so far and asked for everyone's patience.

Commissioners' Time - 13

Many Commissioners wished everyone happy holidays.

Adjournment – 14

There being no further business to come before the Commission, Chair Franklin entertained a motion to adjourn. Commissioner Kelly moved, with a second by Commissioner Bailey. There was no discussion. (KELLY/BAILEY, UNANIMOUS)

The meeting was adjourned at 9:19 p.m.