

MOTION:

SECOND:

RE: APPROVAL OF PRTC COMMISSION MEETING MINUTES FOR JUNE 4, 2020

ACTION:

WHEREAS, the Potomac and Rappahannock Transportation Commission ("PRTC" or the "Commission") has had the opportunity to review the draft meeting minutes for June 4, 2020.

NOW, THEREFORE BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby approve the minutes of June 4, 2020 as presented/amended.

Votes:

Ayes:

Nays:

Abstain:

Absent from Vote:

Alternate Present Not Voting:

Absent from Meeting:



MINUTES

BOARD OF COMMISSIONERS MEETING

June 4, 2020

ZOOM Virtual Meeting

Livestreamed at [YouTube.com/PRTCtransit](https://www.youtube.com/PRTCtransit)

Members Present

*Victor Angry
*Andrea Bailey, At-Large
*Kenny Boddye
*Margaret Franklin, Chair
*Jeanine Lawson
*Yesli Vega
*Tinesha Allen (arrived 7:10 p.m.)
*Cindy Shelton, Secretary
*Pamela Sebesky, Vice Chair
*Jeanette Rishell, At-Large
*Matthew Kelly
*Gary Skinner
*Deborah Frazier, Treasurer (arrived 7:43 p.m.)
*Todd Horsley

Members Absent

Jennifer Mitchell

Alternates Present

Bennie Smith
Ralph Smith

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
Department of Rail and Public Transportation

Department of Rail and Public Transportation

Prince William County
City of Manassas

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 arrival/departure time.

Staff and Public on ZOOM

Dr. Robert A. Schneider, PhD – PRTC
Doris Lookabill – PRTC
Joyce Embrey – PRTC
Charles Steigerwald – PRTC
Carl Roeser - PRTC
Christine Rodrigo – PRTC
Becky Merriner – PRTC

Rich Dalton – VRE
Steve MacIsaac – VRE Legal Counsel
Kristin Nutter – VRE
George Barker – Virginia Senate
Lee Carter – Virginia House
Elizabeth Guzman – Virginia House
Sharon Pandak – Greehan, Taves & Pandak

Chair Franklin called the meeting to order at 7:02 p.m. and said that due to the COVID-19 pandemic and pursuant to PRTC Commission Resolution No. 20-05-01 that was approved on May 7, 2020, this meeting of the PRTC Board of Commissioners is being conducted remotely. 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 stated that VRE staff is attending a virtual meeting with NVTC at the same time as the PRTC meeting, so VRE related items will be heard later in the agenda than usual. She also noted that Gary Snellings is now a PRTC Alternate Commissioner representing Stafford County.

Approval of Agenda – 4 [RES 20-06-01]

Commissioner Angry moved with a second by Commissioner Bailey. There was no discussion on the motion. (ANGRY/BAILEY, UNANIMOUS)

Approval of Minutes of March 5, 2020 and May 7, 2020– 5 [RES 20-06-02]

Commissioner Sebesky moved with a second by Commissioner Bailey. There was no discussion on the motion. (SEBESKY/BAILEY, APPROVED; HORSLEY ABSTAINED)

Commissioner Allen arrived at 7:10 p.m.

Public Comment Time – 6

The Chair explained that no public comments would be received during the virtual meeting; however, the public was advised to submit written comments to the Board Clerk by June 3, 2020 at 5 p.m. No comments were received.

Consent Agenda – 7 [RES 20-06-03]

Commissioner Sebesky moved with a second by Commissioner Lawson. There was no discussion on the motion. (SEBESKY/LAWSON, UNANIMOUS)

- **Acceptance of the PRTC Monthly Jurisdictional Financial Reports for the Periods Ended January 31, 2020, February 29, 2020, and March 31, 2020 [RES 20-06-04]**
- **Authorization to Draw Down from Motor Fuels Tax Funds to Subsidize the VRE Operating and Capital Budget for FY21 [RES 20-06-05]**
- **Authorization to Budget and Appropriate Stafford County's Motor Fuels Tax Funds for Various FY17 – FY20 Transportation Projects [RES 20-06-06]**
- **Authorization to Budget and Appropriate Spotsylvania County's Motor Fuels Tax Funds for Various FY20 Transportation Projects [RES 20-06-07]**

PRTC Executive Director's Time – 8

Dr. Schneider updated the Board on PRTC's COVID-19 response:

- **Employee/Passenger Safety** – OmniRide is optimistic as Northern Virginia loosens restrictions on retail and employment sites and as reported COVID-19 cases decline despite increased testing. OmniRide remains vigilant to maintain the health and safety of employees and passengers. This includes vehicle and facility cleaning, adjustments to our bus layout and boarding process, and in accord with the Governor's executive order, face coverings on board our transit vehicles. We have continued to suspend local fares to reduce interactions with our drivers, but also because of the risk of cash spreading the virus into the facility.

We have asked for support from VDOT for signage and support for park & ride lots but at this stage they have not committed to the resources. We are examining our own temporary methods to help our customers return to their offices safely. This includes increased distancing in waiting queues, blocked off seating in shelters, and blocking off seats on vehicles at different levels to match each phase of the re-opening plan. We continue to build our PPE supply and have masks, gloves & sanitizer for all employees and in partnership with the Prince William County Emergency Operations unit have been able to provide extra masks for drivers to carry and distribute to passengers who do not have coverings. This is in support of our passengers who rely on transit so we can make it easier for them to ride our services and do it more safely. Meanwhile, we are dedicating staff from our quality assurance department to support our COVID-19 mitigation efforts.

- **Status of Phased Reopening** – Our restoration of commuter service, to match the phased opening, will begin on Monday, June 22nd. At that time we will begin operating our usual Friday schedule Monday through Friday, permitting us to have an increase in riders but still allow for physical distancing. Planning staff has been comparing notes with other systems for adding buses into service. We will watch ridership and map that against our current plan to increase our services again around Labor Day. That assumes the optimistic outlook continues and we do not see another major outbreak of COVID-19.
- **Facilities/Workflow** - Meanwhile we have an employee working group to address workplace preparation for workflow at the Transit Center and Noble Pond office. With nearly 300 people coming through the facility for employment alone, we need strategies to reduce potential exposure to COVID-19. We are using CDC, FTA and local public health guidelines to continue partial telework, establish flex schedules to minimize clustered work hours and still maximize our efforts and facility cleaning. Simultaneously we have an operational sub-group that has helped identify bus layout patterns, seat spacing, and procedures for operations. This is comprised mostly of drivers and maintenance technicians and our field staff.

Dr. Schneider also briefed the Board on other items of interest:

Passenger Rail Authority – The General Assembly has created a Passenger Rail Authority, and there are three gubernatorial appointees from among non-elected citizens within the six jurisdictions of the PRTC footprint. While the governor still reserves the right to select the members, both PRTC and NVTC are invited to submit recommendations. Individual citizens may also submit interest in serving on the authority, so there is no requirement for a formal nomination and vote by the Commission. However, we still would like to use this body to identify possible candidates that can be bundled and forwarded to DRPT for consideration. This Board will receive details outlining the legislation and key points of membership with the goal of nominating members by the close of business next Wednesday so PRTC can bundle the information for DRPT. Dr. Schneider requested that nominations be submitted to him by June 10.

Federal HEROES Act – This is a second wave of legislation passed by the US House of Representatives. HEROES, an acronym for Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act, narrowly passed the US House, and the US Senate has not acted upon it, calling it dead on arrival. This is an additional proposed \$3 trillion in aid, with provisions of \$15B to further support transit systems. Transit advocates are pushing for \$32B, but that level of aid is highly unlikely—even the \$15B level is unlikely. Without customers to pay transit fares, this has potential to have devastating long-term effects on our entire industry. For now, OmniRide continues to track our revenue losses, which will be offset by CARES Act funding. As our Express customers return, it has a meaningful impact on our ability to recover.

Contracted Operations and Maintenance: Extension of Current Agreement with First Transit – On June 6, 2019, the Commission authorized Dr. Schneider to conduct a new procurement for the operations and maintenance contractor services, currently performed by First Transit. The procurement of services was not due to performance issues by the incumbent, but rather to further evolve the operations and maintenance contract due to major changes in service design, new technologies, and the forthcoming western maintenance facility. COVID-19 created significant delays in our negotiations with the highest ranked firm, which remain on-going. Dr. Schneider expects to have a formal recommendation and contract for Board approval at the July meeting; however, in order to ensure ample time for any possible transitions, Dr. Schneider will exercise the existing contract option through at least September 30, 2020. The original board resolution authorizes the executive director to extend the contract options, which has fixed rate increases, as needed.

Protests – Dr. Schneider said OmniRide has made a series of service adjustments in response to the ongoing protests to help protect employees and passengers. When Washington DC imposed its curfew, Express services began operating to the Pentagon for AM trips until 6am, and for all PM trips. Beginning today, all Express trips that normally serve DC will start and end at the Pentagon. Prince William Police have provided us advance information regarding protests, so that we may detour routes when necessary. This helps to allow for safe demonstrations, ensure the safety of passengers and staff, and keep routes on-time for our customers.

Diversity, Equity and Inclusion – Dr. Schneider said that while we have all been hurt by the unspeakable tragedy, he is extremely proud of the DEI Working Group which came together on their own to craft the following statement which was shared with employees on June 3: “In light of the recent and continuing protests sparked by a terrible act of brutality, now more than ever is the time for us all to further strengthen our commitment to diversity, equity and inclusion. And through our DEI Working Group, we are continuing to work hard to achieve a more inclusive and positive work environment for every employee of OmniRide and First Transit. We stand together as peers, professionals, colleagues, and friends. There is no room for racism, hate, or bigotry in our organization. With grace and love let us work to be an example for others to follow.”

Commissioner Bailey said she intends to contact Dr. Schneider next week to discuss issues at Quantico and thanked him for updating her via email.

Commissioner Lawson asked if there are requirements for nominations to the Passenger Rail Authority particularly regarding conflicts of interest. Dr. Schneider said he would send all requirements in an email to Commissioners the following day. He added that DRPT has indicated that the focus will be on authority building since the group will be standing up a new public agency, so experience with things like accounting and law would be advantageous. Commissioner Lawson said Prince William County’s former transportation director now works for an engineering firm, and she wondered if that would be a conflict of interest. Dr. Schneider said PRTC would provide guidance on that issue.

Chair Franklin reiterated that PRTC can suggest three appointments but the Governor will choose who is appointed to the Passenger Rail Authority. She asked that Commissioners nominate people who understand transportation as well as how to build the infrastructure around a transportation organization.

Commissioner Boddye said he also was interested in learning about any restrictions for nominees to the Passenger Rail Authority. He then asked if Dr. Schneider would include highlights of the HEROES Act in a communication with the Board. Dr. Schneider said there isn't much to add, other than it would provide \$15 billion for transit. There is controversy because part of the apportionment would go to large "legacy systems" like Chicago, New York, Philadelphia, Boston, and Washington, D.C., but smaller systems like OmniRide would receive very little. There also is discussion about distributing funds based on formula funding, which is how the CARES Act was released. Considering that it narrowly passed the House, we have no idea where it will go, Dr. Schneider said. Commissioner Boddye said it would be helpful if people on the Hill realized that we are part of the Greater D.C. Metro region.

Commissioner Boddye commended Dr. Schneider for following up on a request to work with people in the school division. Dr. Schneider thanked Supervisor Boddye for connecting PRTC with the schools and noted that key folks from the schools have joined OmniRide's Employee Working Group, which is enabling them to hear OmniRide's discussions so they won't have to "reinvent the wheel" on their own in six to eight weeks.

Commissioner Boddye said he appreciates OmniRide's methodical approach to phased reopening in keeping in line with the Governor's directives and executive orders. He noted that Prince William, Manassas and Manassas Park are in a slightly different realm than other localities on the PRTC Board and asked that everyone be mindful of that.

Commissioner Rishell asked if there had been any movement in finding additional funding for Wheels-to-Wellness. Dr. Schneider said that would be addressed during tonight's budget discussion.

VRE Chief Executive Officer's Time – 9

Mr. Rich Dalton briefed the Board of the following items of interest:

- VRE is continuing to operate on a reduced schedule.
- Ridership has been gradually increasing and is currently averaging about 600/day.
- May on-time-performance system wide was 93%.
- Throughout June, efforts will continue to place signage on trains and platforms reminding passengers about social distancing. As ridership increases, trains and cars can be added as needed to further manage social distancing.
- Hand sanitizer dispensers will soon be available on board all trains and at all stations.
- Passengers are being reminded to practice good hand hygiene through social media and soon by signage on trains and at stations.
- Face coverings are mandatory on all trains per the Governor's order.
- Since March, all trains have been cleaned and disinfected after both morning and evening services. Enhanced cleaning and disinfecting also is taking place on trains through electrostatic applications.
- Enhanced cleaning and disinfecting also is taking place at VRE facilities including the headquarters, warehouse and offices. To date, there have been no positive cases of COVID-19 at VRE.
- The workforce continues to work remotely and contracted service providers continue to provide frontline services.
- VRE is continuing to refine FY21 projections for ridership, revenue and expenses and will continue to share that information, along with strategies for recovering lost fare revenues and other information, with the VRE Operations Board and the PRTC Board.

VRE Action Items [RES 20-06-08]

Mr. Dalton gave a brief overview of the five VRE resolutions, Items 9.2 through 9.6., on the Action Item agenda. In response to a question from Chair Franklin, Board Attorney Sharon Pandak said those resolutions

could be grouped together for approval with a single vote as long as there is no objection. Commissioner Skinner moved with a second by Commissioner Kelly. (SKINNER/KELLY, UNANIMOUS)

Regarding Item 9.3, an agreement with Amtrak for storage, Commissioner Angry asked if CARES or HEROES Act funding could be used. He noted that Prince William County was able to fund a permanent structure for the homeless through CARES funding. Mr. Dalton said Item 9.3 is specifically for access and storage at the current facility, but VRE is working with Amtrak on a separate project for long-term storage. Funding for the project is well in-hand, but Mr. Dalton said he would make a note of that for the future if funding is needed. The use of CARES Act funding for this is somewhat unlikely, he added.

- Authorize the Acting VRE CEO to Extend the Amended and Restated Operating/Access Agreement with CSX Transportation [RES 20-06-09]
- Authorize the Acting VRE CEO to Execute an Agreement with Amtrak for Access and Storage at Washington Union Terminal [RES 20-06-10]
- Authorize the Acting VRE CEO to Execute an Amendment for the Second Option Period and the First Year of the Second Option Period of the Contract with Keolis Rail Services Virginia LLC for Operating Services for Commuter Rail [RES 20-06-11]
- Authorize the Acting VRE CEO to Execute an Amendment for the Fifth Year of the Contract with Keolis Rail Services Virginia LLC for Maintenance Services for Commuter Rail [RES 20-06-12]
- Authorize the Acting VRE CEO to Amend the Agreement with the City of Manassas for Operation and Maintenance of the Manassas Parking Facility [RES 20-06-13]

Action Items – 10

PRTC Bylaws Amendments – Second Reading and Adoption [RES 20-06-14]

Chair Franklin noted that the first reading occurred at PRTC's May meeting. Ms. Pandak provided the Board with a brief overview of proposed changes to the bylaws, which were last updated in 2018. The major changes regard electronic meetings, but the revision also updates code references and increases consistency of language. Commissioner Kelly moved with a second by Commissioner Boddye. There was no discussion on the motion. (KELLY/BODDYE, UNANIMOUS)

Approval and Authorization of PRTC's FY21 Budget; Authorization to Draw Down from Motor Fuels Tax Funds to Subsidize PRTC Administrative, OmniRide Express, OmniRide Local, Marketing, Vanpool, and Capital Budgets for FY21; and Authorization to Apply for Federal Grant Funding Envisioned for FY21 [RES 20-06-15]

Commissioner Bailey moved with a second by Commissioner Rishell. Commissioner Rishell asked if any additional funding has been found for Wheels-to-Wellness. Dr. Schneider said there is no outside funding for the program at this time and if the program is included in the budget, funding would come from Prince William County. Because the budget has been presented without Wheels-to-Wellness, any motion to approve the budget and include Wheels-to-Wellness would have to have an amendment to fund the program in the amount of \$150,000 for a full year's duration, Dr. Schneider said.

Chair Franklin said she would like to have a motion to reinstate Wheels-to-Wellness as well as to go forward with the I-66 slugging grant this evening, and wants to see where the rest of the Board members are on those items.

Commissioner Angry said Wheels-to-Wellness has been discussed many times and the Board needs to decide if it should be added to the budget permanently instead of discussing its funding every few months.

In response to a question from Commissioner Bailey, Dr. Schneider said Wheels-to-Wellness is ineligible to be funded through the CARES Act.

Commissioner Lawson said she agrees with Commissioner Angry. The program hasn't had a consistent funding source for the past four years, and when funding from the Potomac Health Foundation ended, Prince William County provided what it thought was interim funding.

Funding is currently coming from favorable variances in PRTC's budget but that is now maxed out. The program is operating but the decision is whether it should have its own distinct line item, Dr. Schneider said.

Commissioner Lawson asked for clarification on the jurisdictions served by the program. Chief Development Officer Chuck Steigerwald said clients can be residents of Prince William, Manassas and Manassas Park. There may be some clients who reside in Manassas or Manassas Park, but the program is almost entirely comprised of Prince William County residents.

Commissioner Lawson asked if variance funding comes from all three jurisdictions. Director of Finance and Administration Joyce Embrey said the variance comes only from Prince William County.

Commissioner Lawson said she appreciates Commissioner Rishell's support of the program, and perhaps the Prince William County Board can find a revenue stream, adding that if the program is eligible for CARES funding that would not be a permanent solution. Dr. Schneider said the program wouldn't be eligible for CARES funding on PRTC's end because PRTC can only use CARES funding for expenses directly related to COVID-19 such as fare loss and operating assistance.

Chair Franklin asked if Commissioner Lawson's position was to continue the program but find a revenue source. Commissioner Lawson said she believes this program should be discussed with Prince William County's Director of Social Services Courtney Tierney and Deputy County Executive Elijah Johnson. In response to a question from Commissioner Lawson, Dr. Schneider said transportation is provided with taxi vouchers.

Commissioner Bailey agreed with Commissioner Lawson that Wheels-to-Wellness should be discussed with Mr. Johnson and Ms. Tierney since it is being utilized primarily in the County.

Chair Franklin asked Dr. Schneider and Ms. Pandak how the procedure would work if Wheels-to-Wellness is not included in PRTC's FY21 budget but is part of the County's budget. Would PRTC still be able to handle the program administratively? Dr. Schneider said there are several options. The first option would be to keep PRTC's budget as-is and a separate line item could come from the County identifying a funding stream for the program. A second option would be to make an amendment to add the program into the budget but provide no funding knowing that at the end of the fiscal year any costs will be deducted from future fuel tax revenues. The final option is to say Wheels-to-Wellness fits into a different program in the County. PRTC does not schedule trips for Wheels-to-Wellness clients but does process vouchers, Dr. Schneider said. Ms. Pandak noted that all three options could be done at a later point in time.

Chair Franklin asked if the program will continue to run if it's not included in the budget. Dr. Schneider said the program will continue to run but if there isn't an intention by the Board to find long-term funding, the program will continue cost \$12,000 per month from somewhere.

Commissioner Angry said he cares about efficiency and wonders if running the program with taxi vouchers is efficient. He wonders if the Board needs to do a "deep dive" into the program itself noting that even after tonight there will need to be another discussion. He doesn't want to pour money into the program without looking at

whether or not it's efficient. Chair Franklin said she thinks the Board has done a "deep dive" in the past and is now at the point of deciding how it's going to be funded.

Commissioner Boddye asked why Wheels-to-Wellness was brought under PRTC rather than Prince William County if the primary users were in the County. Commissioner Kelly replied that he was on the Board when the program started, and PRTC was asked to administer a program funded by outside organizations. Initially the idea was that when funding went away, the program would stop. This should be a Prince William County discussion, and shouldn't be in the budget for jurisdictions that are only part of PRTC because of gas tax revenues and don't receive any benefit from the program, Commissioner Kelly said.

Commissioner Boddye agreed that this should be a Prince William County conversation. Since the two cities are encapsulated by the County and may have people who use the program, maybe they should be included, but the PRTC Board shouldn't continue having this conversation with people who don't have a financial interest in the program, he said.

Commissioner Bailey suggested the Board vote on the existing budget and also entertain a motion to take Wheels-to-Wellness back to Prince William County and have a conversation with the program's former manager before bringing it back to the Commissioners with a decision. Ms. Pandak said it would be appropriate to do that after the Commission votes on the budget.

Chair Franklin said she agreed with having a discussion with the County but she also wants to give Wheels-to-Wellness users some confidence that the program won't be disrupted.

Dr. Schneider confirmed with Ms. Pandak that the Board could pass the budget as presented and make a separate directive to continue the program in pursuit of funding from Prince William County. In other words, not adding Wheels-to-Wellness funding to the budget now won't prevent PRTC from continuing the program.

Chair Franklin asked, if the Wheels-to-Wellness discussion is moved to Prince William County and the County decides to fund the program, would the discussion need to come back before the Commission?

Commissioner Bailey said she has discussed Wheels-to-Wellness with the County Executive and there is potential support there. She added that she is willing to make a motion that the discussion move to Prince William County and not have to come back before the Commission.

Ms. Pandak suggested that the Board vote on the current motion to approve the budget as submitted, and then it can consider the Wheels-to-Wellness motion that Commissioner Bailey referenced.

Commissioner Kelly said that passing the budget means status quo, and Wheels-to-Wellness will continue to be funded as it has been. If that's the case, he doesn't see the need for the Commission to vote on a separate motion to send Wheels-to-Wellness to Prince William County for discussion. Ms. Pandak said the Commission can decide after voting on the current motion whether or not a separate motion is necessary for Wheels-to-Wellness, but that it may have merit.

Chair Franklin mentioned the I-66 slugging grant application and the liability questions the Commissioners had. Ms. Pandak said that topic is scheduled for discussion later in the agenda.

Commissioner Skinner supported Commissioner Kelly's comments that moving the Wheels-to-Wellness discussion to Prince William County shouldn't require a vote of the Commission.

Ms. Pandak said she's trying to separate the issues of the budget and Wheels-to-Wellness. If Commissioner Bailey makes a subsequent motion about Wheels-to-Wellness, discussions about the merit of that motion can be discussed at that time.

Chair Franklin noted that the Wheels-to-Wellness discussion needed to happen because the Board needed to determine if there was an appetite to reinstate Wheels-to-Wellness to the PRTC budget and if the Commissioners from Prince William County were interested in taking the program into the County. By tying the loop on the discussion, the Commission won't have to talk about this issue again, she added.

Regarding the budget, Commissioner Lawson asked when PRTC will know the amount of federal grants that are in addition to the COVID-19 relief and when that funding will be received. Dr. Schneider said PRTC will receive \$9.3 million through the CARES Act. Ms. Embrey added that the grant application process has just started and once the grant is submitted it will take about two months before funding is received.

Commissioner Lawson asked about new positions that were originally proposed in the budget and wanted confirmation that they've been removed from the revised budget. Dr. Schneider said that was correct.

(BAILEY/RISHELL, UNANIMOUS)

Authorization to Renew Medical, Dental, and Vision Insurance Plans for PRTC and VRE employees [RES 20-06-16]

Ms. Embrey gave a brief overview of the insurance plans. Commissioner Angry moved with a second by Commissioner Sebesky. There was no discussion on the motion. (ANGRY/SEBESKY, UNANIMOUS)

Authorization to Commence the Procurement Process for Consultant Assistance in Support of the I-66 Slug Line Promotion Project [RES 20-06-17]

Chair Franklin noted that Ms. Pandak had sent a memo to the Commissioners answering questions about liability concerns with this project. Dr. Schneider gave an overview of the project, which is grant funded through toll revenues from I-66 Inside the Beltway. Unlike the I-95 area, there is no defined slugging culture in the I-66 corridor. This project would not mean that PRTC is taking on a slugging program but would be developing stakeholders and putting together the key ideas necessary to promote slugging, Dr. Schneider said.

Mr. Steigerwald said a project of this type has been discussed since the beginning of the planning for the services that would operate along the Express Lanes. That planning began in 2014-2015 and at that point there was an acknowledgement that it would be important to build the commuter culture on I-66. The slugging community carries 10,000 trips per day in the I-95 corridor and the question is how to begin to replicate that in the I-66 corridor. The idea is to encourage the activity without becoming too involved, and PRTC has a program it can look to for lessons: Vanpool Alliance. Vanpoolers have always been very independent, and PRTC has operated that program successfully without stepping on toes and while ensuring the diversity of entrepreneurial activity has continued, Mr. Steigerwald said.

Commissioner Angry moved with a second by Commissioner Bailey. Supervisor Vega noted that at a previous meeting Commissioners had liability concerns and asked for an update. Ms. Pandak replied that this program would be simply to procure an entity to promote slugging, and there is no proximate cause between promotion and whatever might happen between individual vehicles. There could be other aspects of liability that occur with respect to those who slug and those who ride, but that is not an issue before the Commission. The Commission's choice to do such a promotion program would be protected under sovereign immunity even though operation of the program, which will not be done by PRTC/OmniRide, might be a propriety function that would not have the same immunity, Ms. Pandak said.

Commissioner Lawson thanked Ms. Pandak and said she plans to vote against the proposal because Prince William County staff has advised that it has liability concerns.

Commissioner Angry said that while this program would be grant-funded, he doesn't want it to turn into something that requires PRTC funding in the future. Dr. Schneider replied that this is a one-time project to develop a slugging strategy and culture and will not be on-going.

Commissioner Sebesky said there are concerns at the regional level about slugging and VDOT is not endorsing it. While it's a great way to help alleviate traffic, the I-95 sluggers have made it known that they don't want government involvement. The concerns of Prince William County's transportation officials should be taken into consideration. Any grant authorized under PRTC puts our reputation on the line. Commissioner Sebesky said she will yield to Prince William County because I-66 is in that jurisdiction.

In response to Commissioner Sebesky's comment about VDOT, Ms. Pandak said she, in a different capacity for the Council of Governments, rendered a different opinion based on a different question regarding slugging. VDOT, MDOT and DDOT have taken a separate position with respect to slugging that prevents COG's Commuter Connections from being involved in a slugging project. That is a different issue than what's before the Commission with respect to promoting slugging, Ms. Pandak said.

Commissioner Rishell asked if the grant only involves slugging, or if a portion of the grant has to do with something other than slugging. Mr. Steigerwald replied the grant is for this project alone. Commissioner Rishell said when she read the scope of work, it seemed like this project is an effort to organize something that is an organic impromptu activity. Commissioner Rishell said she's concerned that PRTC is "drifting" because while the document says PRTC is uniquely positioned to support slugging growth, she believes PRTC is uniquely positioned to promote transit and that's where staff's time and energy should be directed.

Commissioner Kelly said he is a trained liability adjuster for insurance companies and is confused because the Commissioners are saying slugging is good but they don't want to promote it. For any lawsuit to be legitimate, someone would have to show that PRTC did something directly that resulted in something happening, and simply advertising a program would be "tenuous at best." The Commissioners also have expressed concern about the liability of sluggers using commuter parking lots; but if there's a problem in the parking lot it doesn't matter if PRTC has promoted slugging or not – the liability will be the same. Even VDOT is acknowledging that we can't pave our way out of the growth that's happening so we need to look at every opportunity to get people out of single occupancy vehicles. What other organizations are out there, Commissioner Kelly asked, to take this project on?

Commissioner Lawson said she appreciated Commissioner Kelly's point but she will defer to Prince William County staff and the County Attorney's Office, which has concerns about actively marketing an unregulated program or transit option. Other concerns raised this evening about VDOT, the focus of PRTC, and future funding have added new reasons to not support this resolution, she said.

Commissioner Shelton said she slugs and asked how much staff time would be consumed by seeking this grant and managing the project, noting that PRTC wanted to add a new position in FY21 to seek more grants. Dr. Schneider said the procurement is already written, so the only staff time would be in scoring proposals and managing the actual project because outside contractor would do the majority of the work. Mr. Steigerwald said the grant has already been rewarded and received by PRTC. He estimated that staff would spend about 1 hour per week on this project, or about 50 hours per year. The grant is for three years because the idea was to carry through to the opening of the Express Lanes, he added.

Commissioner Kelly said the Commissioners are missing a fundamental question: What is the cost compared to the benefit? If staff spends 50 hours a year and the result is that we free up a lane of traffic, 50 hours is a good investment. The Board went down this road for a reason, he said, inviting staff to speak. We should look at the potential benefits to I-66 and weigh investment versus impact.

Dr. Schneider said at the direction of the Board over the past four to five years, PRTC has been involved in creating a Strategic Plan and in positioning PRTC as “more than just a bus company,” which is why it is involved in the vanpool, rideshare, and Transportation Demand Management (TDM) programs and plays the role of being a one-stop-shop for all transportation issues other than building a road. Regarding slugging, people in the I-66 corridor don’t understand how it works. Slugging would remain grass roots, but this project would help make people aware of the slugging option and how it works.

Commissioner Kelly said there has been a lot of time and effort over the years talking about slugging and the Commissioners need to look at every option instead of building more roads. PRTC wouldn’t be running the project, just setting it up, and any concerns about potential on-going expenses can be addressed by simply saying no to future funding requests. By passing on this project, the Board would miss a huge opportunity to make improvements in the lives of Northern Virginians, Commissioner Kelly said, adding that the concerns that have been raised don’t outweigh the benefits.

Commissioner Rishell said if slugging is appropriate and proper for that corridor, it will likely develop organically. She understands the desire to reduce congestion but thinks that if transit is promoted successfully a byproduct will be reduced congestion. She will not support the resolution.

(ANGRY/SEBESKY; AYES: 4, NAYS: 10; MOTION FAILS
AYES: KELLY, SKINNER, FRAZIER, HORSLEY;
NAYS: ANGRY, BAILEY, BODDYE, FRANKLIN, LAWSON, VEGA, SEBESKY, RISHELL, ALLEN, SHELTON)

Chair Franklin referenced a discussion earlier in the meeting regarding moving the Wheels-to-Wellness program to Prince William County. Commissioner Bailey made a motion to move the Wheels-to-Wellness program under Prince William County with a second by Commissioner Boddye.

Commissioner Angry said he wanted to clarify if the motion’s intention is to take Wheels-to-Wellness to the County for a period of discussion or if it’s going to the County with no intention of returning it to PRTC and that transportation service will still be provided on a month-to-month cost basis.

Commissioner Bailey stated an amended motion that Wheels-to-Wellness be taken to Prince William County for discussion about its future.

Chair Franklin asked Ms. Pandak if the Board needs a motion to take the discussion to Prince William County. Ms. Pandak said a motion isn’t necessary but it’s up to the Commission if it wants to entertain that motion. Chair Franklin stated that she believes no motion is needed because Prince William can have this discussion on its own. Commissioner Bailey then withdrew her motion.

Commissioner Boddye said he’s fine with having the motion withdrawn, but he wants the public record to reflect that the County will be having a discussion about Wheels-to-Wellness.

Commissioner Angry thanked Commissioner Kelly for providing a history of the Wheels-to-Wellness program.

Chair’s Time – 11

Chair Franklin said she is looking at possibly reconvening the July PRTC meeting in person. Chair Franklin noted that local media recently posted her Opinion/Editorial piece thanking transit workers during the pandemic, and she thanked PRTC staff for placing the editorial.

Commissioner Vega asked if Commissioners will be able to participate remotely at the July meeting even if some members attend in person. Chair Franklin said she is open to that option. Dr. Schneider said a call is being scheduled with the Chair to discuss options for the July meeting, and it will take into account the most recent information from Governor Northam.

Commissioner Bailey said Wheels-to-Wellness is a very important program and she wants to make sure the Commissioners are supporting it efficiently and fiscally.

Other Business/Commissioner's Time – 12

Commissioner Boddye said he hopes people will be encouraged to continue teleworking, even as the community goes through phased reopening, to help keep people safe and reduce traffic.

Commissioner Shelton thanked Commissioner Bailey for her passion and said it makes serving on the Commission a good experience.

Senator Barker, who anticipates being re-appointed to the PRTC Board, said he will share with the Board soon some of the items that came before the General Assembly during the most recent session.

Adjournment – 12

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

The meeting was adjourned at 9:09 p.m.

Information Items

None