



Minutes

1323rd Meeting of the Board of Directors October 25, 2007

Ms. Hewlett called the meeting to order at 10:47 a.m. Present were:

Directors

Ms. Elizabeth Hewlett
Mr. Chris Zimmerman
Mr. Jim Graham left at 1:02 p.m.
Mr. Peter Benjamin
Mr. Dana Kauffman
Mr. Emeka Moneme

Alternate Directors

Mr. Gordon Linton
Mrs. Catherine Hudgins
Mr. William Euille
Mr. Tony Giancola

Staff

Mr. John B. Catoe, Jr.
Ms. Polly Hanson
Mr. Christian Kent
Ms. Helen Lew
Ms. Carol O'Keeffe
Mr. Shiva Pant
Mr. Chuck Woodruff
Ms. Leen'da Chambliss

Mr. Catoe expressed condolences for the loss of a Metrobus operator killed when a tractor-trailer struck him on southbound I-395 on the morning of October 25, 2007.

Approval of Agenda:

Mr. Graham moved, seconded by Mr. Zimmerman, that Item XI.7, Approval of Takoma Station Staff Report, be moved to the first item under XI, Administrative Actions. Mr. Benjamin, seconded by Mr. Moneme, offered a substitute motion that Item XI.7, Approval of Takoma Station Staff Report, be moved to the second item under XI, Administrative Actions. Both motions failed. Mr. Graham moved, seconded by Mr. Moneme, that Item XI.7, Approval of Takoma Station Staff Report, and Item XI.1, Approval of Proposed Fare and Parking Rate Changes, in that order, be moved to consideration after the conclusion of the Public Comment period. Mr. Benjamin, seconded by Mr. Kauffman, offered a substitute motion that Items XI.1 and XI.7, respectively, be moved to consideration after the conclusion of the

**Washington
Metropolitan Area
Transit Authority**

600 Fifth Street, NW
Washington, D.C. 20001
202/962-1234

*By Metrorail:
Judiciary Square-Red Line
Gallery Place-Chinatown
Red, Green and
Yellow Lines*

*A District of Columbia,
Maryland and Virginia
Transit Partnership*

Public Comment period. After a brief discussion, this substitute motion was adopted by unanimous consent.

Approval of Minutes:

The minutes of the September 27, 2007 meeting were approved as submitted.

Report by Riders' Advisory Council (RAC):

Mr. Snyder expressed condolences on behalf of the RAC to the family of the Metrobus operator and the entire WMATA family. He then referred to the RAC report submitted to the Board. He urged the Board not to approve any mid-fiscal year fare increase and stated the RAC is concerned that there has been insufficient discussion of an indexed fare policy to allow for its implementation in FY09.

The RAC appreciates that WMATA is working on its communications with customers during service disruptions and that WMATA is taking steps to address reliability problems with the NextBus information system. He stated that there are concerns that the system was not advertised to riders as a pilot when it was expanded to additional routes in May 2007 and that this latest action raises uncertainty with riders as to the dependability of certain system features. The RAC also asks WMATA to keep the lines of communication open with its customers to outline its expectations for systems such as NextBus and to solicit customer feedback when making changes. In addition, the RAC passed a resolution asking that WMATA relocate the ashtrays at Metro stations to locations on the station perimeter to reduce secondhand smoke and litter in stations.

Public Comment Period:

Ten persons spoke during the public comment period conducted at this meeting:

1. Ms. Kathy Porter, Mayor of Takoma Park, Maryland, stated the Board has not taken into account several issues raised by Montgomery County and the City of Takoma Park. She stated that the main concerns of the City of Takoma Park are that the plan does not provide the twelve bus bays recommended by the Takoma Transportation Plan, the shared bus and car access, pedestrian and disabled access, and the lack of adequate parking. Takoma Park's concern is about access to transit.
2. Mr. Bruce Williams stated that this is not regional cooperation. The majority of users of the Takoma station are Maryland residents and Takoma Park has provided extensive comments which have been ignored. He said Metro has not considered alternatives and he urged the Board to vote no.

3. Mr. Josh Wright stated that 90% of residents are against the EYA development, he is concerned that the transit access in the plan does not allow for future transit needs, and that the process is flawed and WMATA changed the process.
4. Mr. Mark Sherman stated that the Takoma Station proposal would destroy the buffer between the station and his house.
5. Ms. Ruth Foster said that she has been working with the site since 1972. In the beginning, Takoma Park and the District of Columbia worked together and she does not understand how Takoma Park is no longer part of the process as the EYA proposal has not substantively changed. She expressed she would like WMATA to go back to the drawing board.
6. Ms. Rosalynn Hughey of the District of Columbia stated the D.C. Office of Planning supports the sale and plan. The plan would support revitalization of the Takoma Central Business District and meets the Takoma Central District Plan.
7. Ms. Christine Simpson stated that this is not a local District of Columbia issue as 80% of station users come from Maryland, and the plan would make pedestrian access worse. She also stated she does not feel like she has been listened to by the Board and urged the Board to reject the staff report.
8. Ms. Megan Scribner asked the Board to consider that a majority of the District of Columbia and Maryland comments are opposed to development; to study the EYA plan, which is not transit-oriented and doesn't follow the Takoma Central District plan; to visit the site in person; and to reject the EYA plan.
9. Ms. Heather Mizeur of the Maryland General Assembly stated that Metro needs to show good fiscal stewardship and urged the Board to send the plan back to the drawing board to address public comments.
10. Ms. Lorraine Pearsall stated the EYA plan does not meet the Takoma Central District plan.

Mr. Graham read a letter from Councilmember Muriel Bowser of Ward 4 in support of the sale and development of WMATA property to EYA.

Administrative Actions

Other Items

1. Approval of Public Hearings on Proposed Fare and Parking Rate Changes

Mr. Kauffman moved, seconded by Mr. Benjamin, that Staff Option B be adopted for commencement of the public hearing process. Mr. Graham, seconded by Mr. Moneme, offered a substitute motion for a different fare proposal to be brought to public hearing. Using Staff Option B as a base, Mr. Graham's proposal increased the rail peak fare by 22.5%, increased the parking rate by \$1.25 per day, kept bus fares and off-peak rail fares at their current levels, increased the number of reserved parking spaces by 3,500, and kept paper transfers for a one-year transition period.

Mr. Benjamin noted that Mr. Graham's proposal would charge \$15 per day to the riders who parked and took the longest rail trip, which would be the highest fare charge of any heavy rail system in the U.S. and is six times more costly than the daily round trip \$2.50 bus fare, which is not equitable. Over half of bus riders have an income over \$75,000. He further noted that WMATA's bus fares are the lowest of the largest U.S. transit systems. He suggested amending Mr. Graham's proposal by increasing the bus fare by \$.25 for the purposes of a public hearing discussion. Mr. Kauffman stated that Mr. Graham's proposal is a shake-down of riders who park, and raised concerns about the increase in the number of reserved parking spaces, saying that commuters already faced difficulties in finding parking spaces in lots in which reserved parking went unused. Mr. Benjamin stated that bus fares cover 30% of bus costs while rail fares cover 80% of rail costs, so that rail riders are already subsidizing bus service, and Mr. Graham's proposal makes this situation worse. Mr. Moneme commented that whatever proposal goes to public hearing, WMATA needs to use it to increase ridership. There is latent capacity on buses and off-peak rail which needs to be exploited. Mrs. Hudgins stated that the Board needs to go to public hearing, and the Board should not limit the scope of the hearings; the hearings should be structured to allow for adoption of comments on the proposal. She also emphasized that riders are not jurisdictionally-owned and the Board should not push the costs off on one particular group at the expense of others, and the hearings should also be used to discuss the reason WMATA needs the money from a fare increase – to improve service.

Mr. Zimmerman questioned details of Mr. Graham's proposal, particularly the percentage of increase for those who take the longest rail trips versus those who take the shortest rail trips. Mr. Graham stated that under the staff proposals, key trips for the District had the highest percentages of increase. He noted that while the District has almost 50% of WMATA's weekday bus ridership, Montgomery and Prince George's Counties have 29% of WMATA's weekday ridership. He also stated, there are 9,800 people on a waiting list for reserved parking, and a parking fee is a way to reach people who live outside the Compact jurisdictions.

Ms. Hewlett stated that the longer the Board postpones going to public hearings, the higher the increase will have to be, thus hurting the very riders the Board is trying to protect. Mr. Euille stated that this needs to go to public hearing as the Board has a responsibility to get this to the public in a timely manner.

Mr. Kauffman discussed the efforts of regionalism undertaken to save the Metrobus system after he first joined the Board when the jurisdictions outside of the District were thinking of abandoning it. He spoke of the importance of listening to what the public has to say at a hearing instead of assuming that Board members were speaking for the people.

Mr. Zimmerman stated that he is supportive of many points of Mr. Graham's proposal. However, he also stated that providing service to low income riders is not WMATA's only purpose, and that the Board needs to be mindful of other factors like clean air and traffic congestion. While people in Arlington rarely speak to him about parking, he does have to ask, if it becomes more painful for people coming from farther out, will they then just drive through Arlington on their way to the District, thereby affecting the people of Arlington. How much will people farther out pay and still use the transit system? There is a tradeoff between the money WMATA can make on parking and the level of ridership. There is also the equity question and the consequences of people who are willing to pay for a reserved parking space and not use it versus those people who cannot find an available space despite the unused reserved spaces, who then drive through Arlington on their way to the District. He thought it was wrong to debate specifics of fare proposals before going to public hearings.

A vote was taken on Mr. Graham's substitute motion. The motion failed.

Ayes: 2 – Mr. Graham and Mr. Moneme

Nayes: 4 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, and Mr. Kauffman

A second substitute was offered by Mr. Benjamin, seconded by Mr. Kauffman, of Mr. Graham's proposal with the addition of a \$.25 increase in bus fares. Mr. Graham moved, seconded by Mr. Kauffman, to end debate on the substitute motion. The motion to end debate passed. The second substitute motion failed.

Ayes: 4 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, and Mr. Kauffman

Nayes: 2 – Mr. Graham and Mr. Moneme

Mr. Graham moved, seconded by Mr. Moneme, to end debate on Mr. Kauffman's original motion. The motion to end debate failed.

Mr. Benjamin noted that 50% of the riders, service and cost of bus service occur in the District, but the District only pays 43% of the subsidy, and if the District truly believes people in the District cannot afford an increase in bus fares, the District can buy down the bus fares. He offered an amendment, seconded by Mr. Kauffman, to Mr. Kauffman's motion to allow any jurisdiction to buy down the bus fare to any level they wished below the \$.25 increase either before or after public hearings. Mr. Graham stated that Mr. Benjamin's amendment would result in changing the funding formula, and as the District has long felt that it has been paying in excess of the benefit it has received, the District would be amenable to incorporating a discussion regarding the restructuring of the funding formula as part of this process. Mr. Benjamin stated that at the time Mr. Kauffman had referred to earlier when the bus system was in peril, the funding formula was readjusted whereby Maryland agreed to pay substantially more than it did before because it felt that the bus system is critical regionally. He emphasized that his amendment gives any jurisdiction the ability to change the bus fare.

Ms. Hudgins stated that this discussion should focus on transit rather than one jurisdiction focusing on the service needs of one type of rider. Ms. Hewlett emphasized that whatever is advertised as the proposal for the public hearings will be the ceiling of the rate increased. The Board may not raise fares to that level, but should not put itself in a position where the fares cannot go up, if need be.

Mr. Graham moved to end debate. The motion to end debate passed. Ms. Hewlett called for a vote on the substitute motion. The motion failed.

Ayes: 4 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, and Mr. Kauffman

Nayes:2 – Mr. Graham and Mr. Moneme

Ms. Hewlett called for a vote on the main motion. This motion failed.

Ayes: 4 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, and Mr. Kauffman

Nayes:2 – Mr. Graham and Mr. Moneme

Mr. Zimmerman stated that if the District would not allow public hearings to commence, the resulting higher fare increases and greater service cuts would affect the budgeting process, and the Board should not discuss this until July 2008. Ms. Hewlett agreed. Mr. Graham asked for information on how a delay in the public hearing timeline would affect the necessitated increase. Mr. Catoe replied that any delay in the process would cost \$6 million per month and asked for clarification on the specific information requested. Mr. Zimmerman stated he would like to know the amounts of fare increase and service cuts based on delaying the increase until July 2008, and on the increase in subsidy needed to ameliorate these service cuts.

Mr. Euille asked that this information be provided to the JCC as it has serious implications for the jurisdictions' budgeting process.

Ms. Hewlett called for a five minute recess. Upon reconvening, Mr. Graham moved, seconded by Mr. Kauffman, to take to public hearing the District's proposal with the following changes: a \$.10 increase in the cash bus fare (while having no increase for those paying by SmarTrip®), a parking rate increase of \$1.15, and an \$.80 increase on the maximum rail fare. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

A copy of the approved Resolution (2007-41) has been made a part of the official file.

Report by General Manager:

Mr. Catoe recognized Mr. Adrian Avant and Mr. Michael Banks, both WMATA employees, and customer Mr. Harold Bell, who observed a young woman fall onto the railbed at the Potomac Avenue station. Mr. Banks turned off power to the third rail while Messrs. Avant and Bell lifted the young woman to safety, thereby saving her life.

Administrative Actions

Other Items

7. Approval of Takoma Station Staff Report

Approval of the Final Public Hearing Staff Report for the Takoma Station; amendment of the Takoma Station General Plans to include bus facilities, and parking and access changes, including a 121-space garage; and amendment of the Adopted Regional System plan for the Takoma station to include the above changes; and First Amendment to the Purchase, Sale, and Development Agreement.

Mr. Moneme moved, seconded by Mr. Graham, approval of this action. Ms. Hewlett stated that Governor O'Malley expressed concerns he would like addressed and asked that this matter be postponed for two weeks to allow for further discussion. She stated she would therefore not support this motion. Mr. Linton referred to the letter by County Executive Ike Leggett and stated that Montgomery County would like time to review the staff responses to the concerns which had been raised. Mr. Moneme stated that while this issue was an example of what is not right about WMATA's joint development process, the District has an interest to move this forward. Mr. Giancola noted that both the former Ward 4 Councilmember Adrian

Fenty and the current Ward 4 Councilmember Muriel Bowser supported this project, and that these issues could be dealt with in the planning and development process. He encouraged the Board to move forward with this. He further noted, in response to the assertion that this project is not transit-oriented development, that the Coalition for Smarter Growth also supports this development. Mr. Kauffman stated that he was impressed by the turnout and testimony of the Mayor of Takoma Park and her colleagues, as well as the residents of Takoma Park; however, based on Mr. Giancola's arguments and the proximity of his residence to the station, he would defer to Mr. Giancola's recommendation to move forward. Ms. Hewlett reiterated that she would not support this motion. A vote was taken on this motion. The motion failed.

Ayes: 3 – Mr. Graham, Mr. Kauffman, and Mr. Moneme

Nayes: 2 – Ms. Hewlett and Mr. Benjamin

Abstain: 1 – Mr. Zimmerman

Ms. Hewlett stated that Maryland's opposition was to an immediate approval of the Staff Report without a postponement to address concerns and that she would support a two-week postponement. She moved, seconded by Mr. Benjamin, to reconsider this matter. This motion was approved.

Ms. Hewlett moved, seconded by Mr. Benjamin, to reconsider this matter at a special Board meeting in two weeks on November 8, 2007. Mr. Zimmerman noted that he would be unavailable for a November 8, 2007 meeting and that the reason for his abstention in the previous vote was that he believed it would be inappropriate for a representative of Virginia to decide a dispute between the District and Maryland. The motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

Report by Chair:

Mr. Zimmerman moved, seconded by Mr. Kauffman, approval of the appointment of RAC members. This motion was unanimously approved.

Ayes: 6 – Ms. Hewlett, Mr. Zimmerman, Mr. Graham, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

A copy of the approved Resolution (2007-42) has been made a part of the official

file.

Report by Customer Service, Operations and Safety Committee

Mr. Benjamin declined to refer the Board to the report by the Customer Service, Operations and Safety Committee.

Report by Planning, Development and Real Estate Committee

A. Approval to Enter into Negotiations with Montgomery County on Sale of Property

Mr. Zimmerman referred the Board to the request for approval to negotiate and execute a Sales Agreement with Montgomery County for the sale of WMATA property at 11507 Georgia Avenue, Wheaton, Maryland. Committee members requested staff to develop a general policy that governs the sale of property to municipalities and instructed staff to determine if the proceeds from the sale of the property are federally-restricted funds. Mr. Zimmerman asked for the results of that determination. Mr. Bottigheimer stated that they are federally-restricted funds required to be used to defray the capital cost of a federally-eligible project. It goes into a capital account and can be used for a federally-eligible capital project.

Mr. Zimmerman moved, seconded by Mr. Benjamin, to direct the General Manager to enter into negotiations with Montgomery County on the sale of the property. This motion was unanimously approved.

Ayes: 5 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

A copy of the approved Resolution (2007-43) has been made a part of the official file.

Report by Finance, Administration and Oversight Committee

A. FY08 Contract Awards for Safety, Security and Emergency Management

Ms. Hewlett referred the Board to the request for approval of a resolution to include additional FY08 contracts from the Department of Safety, Security and Emergency Management to the list of contracts approved in the FY08 budget. Ms. Hewlett moved, seconded by Mr. Kauffman, approval of this action. This motion was unanimously approved.

Ayes: 5 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

A copy of the approved Resolution (2007-44) has been made a part of the official file.

B. Capital Improvement Program Budget Reprogramming

Ms. Hewlett referred the Board to the request for approval to increase the budgets for a small subset of Metro Matters projects totaling \$34 million and reduce the budget for two Metro Matters projects totaling \$37 million that do not require full budget authority. Mr. Kauffman noted that the reason for the ability to reallocate these funds is that Fairfax County brought in a bus garage well under budget and in the County's commitment to regionalism, is allowing this money to be redistributed among a number of other pressing needs within the Authority.

Ms. Hewlett moved, seconded by Mr. Kauffman, that the Board approve this action. This motion was unanimously approved.

Ayes: 5 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, Mr. Kauffman, and Mr. Moneme

A copy of the approved Resolution (2007-45) has been made a part of the official file.

Administrative Actions

Other Items

Mr. Kauffman moved, seconded by Mr. Benjamin, that the Board approve, en bloc, Administrative Items XI.A numbered 2-6 and 8. This motion was unanimously approved.

Ayes: 5 – Ms. Hewlett, Mr. Zimmerman, Mr. Benjamin, Mr. Kauffman, and

Mr. Moneme

2. Approval to Initiate & Award a Contract for Rehabilitation of Structural Concrete

Approval to award a multi-year contract to Haris Design and Construction for the rehabilitation of structural concrete at seven underground stations.

3. Approval to Initiate & Award a Contract for Fire Suppression Preventive Maintenance

Approval to initiate and award a service contract to provide preventive maintenance on WMATA bus fire suppression systems for a one-year base with four one-year options.

4. Approval to Initiate & Modify Contract for Car and Body Lifts

Approval to initiate and award a contract for the purchase and installation of 32 new car and body lifts at Greenbelt Yard, if within budget; and to modify a contract in the not-to-exceed amount of \$2.6 million for repair of eight existing lifts, the purchase and installation of four new truck lifts and the installation of a new crane system in the truck repair shop at Greenbelt Yard.

5. Approval to Implement FY06 and FY07 Transit Security Grant Program

Approval to modify existing construction and engineering contracts, including the issuance of new or expanding current engineering consultant tasks in FY08 and beyond, or to initiate and award new contracts or modify existing contracts as required; and to continue funding for the two positions approved in last year's security grant funds. These two positions will support all security program projects and will be terminated at the end of the Security Program.

6. Approval of Connection Agreement at Morgan Boulevard Station

Approval to negotiate and execute a Connection Agreement with Camden Summit Partnership, L.P. for a pedestrian connection at the Morgan Boulevard Metrorail station.

8. Approval of International Travel

Approval for international travel for Metro Transit Police Department Captain Erhart Olson to participate in an Anti-Terrorism Assistance Program Workshop on transit security and counterterrorism as a subject matter expert. The United States Department of State will pay expenses incurred while traveling.

Report by D.C.: None

Report by WSTC: None

Report by NVTC: None

Adjournment:

The meeting was adjourned at 1:21 p.m.

A handwritten signature in cursive script, reading "Leen'da Chambliss".

Leen'da Chambliss, Acting Board Secretary