



COMMONWEALTH of VIRGINIA

Virginia Passenger Rail Authority Board

Jennifer L. Mitchell
Chairperson

600 East Main Street
Richmond, Virginia 23219

(804) 786-4440 (DRPT)
Fax: (804) 786-3725 (DRPT)

MINUTES

Meeting of the Virginia Passenger Rail Authority Monday, February 22, 2021 - 10:00 am Electronic Board Meeting

In light of the continuing state of emergency declared by Governor Northam, where it is impracticable or unsafe to assemble a quorum in a single location, and as allowed by the General Assembly during the continuing state of emergency, this meeting to take action to discuss or transact the business statutorily required or necessary to continue operation, the Virginia Passenger Rail Authority held an electronic meeting on February 22, 2021.

All board members participated remotely using a GotoMeeting platform. Members of the public were able to witness the meeting online via live-streaming and were provided with the opportunity to provide public comment telephonically at the outset of the meeting using a dial in number provided in the online meeting public notice. The online internet public notice for the meeting noted that this meeting would be conducted using an electronic process due to the COVID-19 state of emergency and as a precaution to reduce the risk and spread of the novel coronavirus. The online meeting public notice also furnished the Agenda and Board materials as well as information regarding the availability of online live-streaming of the meeting at the noted link. Online viewers were furnished a telephone number to call to notify staff of any interruption of the live streaming of the meeting in accordance with Item 4-0.01.g. of Chapter 1289 and Section 2.2- 3708.2 of the Code of Virginia.

The audio and meeting documents and presentation materials are on the Virginia Department of Rail and Public Transportation's website, <http://www.drpt.virginia.gov/vpra/board-meetings/>

MEMBERS PRESENT

Sharon Bulova, Deborah Bulter Painter, Victor Cardwell, Patricia Doersch, Jay Fiset, Roderick Hall, Wick Moorman, Cynthia Moses-Nedd, Paul Nichols, Hossein Sadid, James Spore, Mariia Zimmerman, Rich Dalton (Ex-Officio), Bruno Maestri (Ex-Officio), and Jennifer Mitchell (Chair).

VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION STAFF PRESENT

Linda Balderson, Bridget Davis, Haley Glynn, Jeremy Latimer, Michael McLaughlin, Steve Pittard, Ashwini Tamhane, Andrew Wright, and Katherine Youngbluth.

GUESTS/OTHERS PRESENT

Nathan Macek (WSP), John O'Neill (Hunton) and Lisa Wright (Office of the Attorney General).

CALL TO ORDER/ROLL CALL

The Chair, Jennifer Mitchell, presided and called the meeting to order at 10:05 a.m. The Chair welcomed everyone to the meeting and reviewed the procedures and instructions for the electronic meeting, including all votes will be conducted by roll call vote. The following statement was made:

"On November 19th, Governor Ralph Northam signed House Bill 5005, Virginia's revised biennial budget, which includes new language for meeting electronically. In light of the continuing state of emergency declared by Governor Northam, we are conducting this meeting in a remote setting, keeping safety top of mind and mitigating the impacts and spread of COVID-19."

Executive Assistant Bridget Davis then called the roll and confirmed a quorum was present.

MINUTES OF THE JANUARY 25, 2021 MEETING

Ms. Bulova moved, with a second by Mr. Moorman to approve the minutes of the January 25, 2021 meeting. The vote was conducted by a roll call vote and the motion passed.

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WORKSHOP PRESENTATIONS

The following items were presented for information:

1. Board Chair Update

Presented by: Jennifer Mitchell, Chair

Chair Mitchell provided the following updates:

Rail Updates:

- **General Assembly 2021:** HB1893 and SB1212 introduced by Delegate Hurst and Senator Edwards to create a New River Valley Passenger Rail Station Authority have passed their respective house. Both bills are anticipated to pass the full Assembly during the last week of the session.
- **CTB:** During the February 17, 2021 CTB meeting, DRPT requested, and subsequently received, authorization for the DRPT Director to enter into the final CSX and Amtrak agreements that are consistent with the terms presented. DRPT Director Mitchell and DRPT's Counsel will be making a presentation to VPRA in Closed Session on February 22.

- **FRA Coordination:** On February 12, 2021 DRPT and Amtrak met with FRA staff to present the major business terms of the Amtrak agreement.
- **NS Negotiations:** DRPT and Norfolk Southern continue negotiations about expanding service to Roanoke and extending service to the New River Valley. DRPT and rail consultants conducted a site visit of the Virginian Line from Salem to the New River Valley to determine the condition of the line and ensure there are no massive structural liabilities.
- **Rail Industry Day:** DRPT and VRE are holding a joint Rail Industry Day on February 24, 2021 to inform the contracting community of the various upcoming procurements associated with the Transforming Rail in Virginia capital program. The focus will be on procurements that will be released in 2021 and 2022, with many of the projects, such as Alexandria 4th track and Franconia 3rd track, moving into the Final Design stage.
- **TRV Communications Plan:** The DRPT communications team is working with consultants to develop a communications plan, including a webpage, for Transforming Rail in Virginia. The webpage is anticipated to be up and running by the end of February 2021.
- **Virginia Statewide Rail Plan:** DRPT Rail Planning is working on the 2022 Virginia Statewide Rail Plan, required by the Federal Railroad Administration (FRA) every 4 years to receive Federal rail funding. The last Virginia plan was adopted by the CTB in January 2018. DRPT expects to update the CTB as the plan is developed.

COVID-19 IMPACT:

- **Federal Stimulus:** The states that sponsor Amtrak intercity passenger rail service under PRIIA 209 have received \$174.85M in the second stimulus funding package related to COVID-19 to assist in state payments for service, out of which Virginia will receive \$12.6M. This will help offset Virginia's payments to Amtrak for passenger service.

Amtrak Service:

- **Carry-On Bikes Pilot:** Amtrak has installed bike racks in passenger cars on all Northeast Regional equipment. DRPT staff are planning a test run of this service in late February to determine the feasibility of offering a reservation option for this feature on Virginia sponsored Amtrak trains.
- **BidUp Program:** Amtrak is scheduled to implement a BidUp program starting on February 21, 2021. The BidUp program will allow passengers to upgrade to premium classes of service by bidding on unsold inventory. The initial launch will permit passengers to bid for Business Class and Acela First Class upgrades.
- **Presidential Inauguration Service Impact:** As part of enhanced security measure for inauguration day, all Amtrak Northeast Regional service south of Washington, D.C., including all Virginia stations, was suspended from 6am Tuesday, January 19 to 6am Thursday, January 21, 2021.
- **COVID-19 Service Schedule:** All routes are back in operation except Washington D.C.-Richmond route, which still remains suspended due to COVID-19 impact. Richmond route stations are being served by Newport News and Norfolk route trains, as well as by long distance Amtrak service.
- **50% Capacity Restriction:** Capacity restriction is still in effect on all Amtrak trains. Ridership demand and COVID infection rate will dictate termination of this capacity restriction.

Amtrak Ridership Impact:

- Ridership on Virginia sponsored service for the month of January 2021 was 28.5% of January 2020 ridership (down -71.5%)
- M-o-M ridership change for Virginia sponsored service: January 2021 ridership was 15% lower than December 2020 ridership (-3,442)

VRE Service:

- **Presidential Inauguration Service Impact:** As part of security measure for inauguration day, VRE service was suspended from Monday, January 18 through Wednesday, January 20, 2021. Monday's shutdown was previously scheduled because of the Martin Luther King Jr. Day holiday; Tuesday and Wednesday's suspension was related to enhanced security measures related to the Presidential inauguration. The VRE 'S' Schedule Plus service resumed on Thursday, January 21, 2021.
- **COVID-19 Service Schedule:** VRE trains are operating on an 'S' Schedule Plus (special schedule for holidays and snow days, supplemented with Train 300 for the northbound commute and Train 307 for the southbound commute on the Fredericksburg line).
- **Step-up Program suspension:** VRE step-up program for Amtrak trains stands suspended. The duration of this suspension is unknown at this time.
- **VRE Ridership Impact:** VRE's Average daily ridership (ADR) in January 2021 was 1,179. VRE system wide on-time performance rate for January 2021 was 92%.

Mr. Fissette inquired to know the real value of the New River Valley rail authority since it was not similar to other broad regional authorities.

2. Executive Director Search Committee Update

Presented by: Wick Moorman

Mr. Moorman shared that the committee meet on Friday, February 19, 2021 to review resumes with the goal of whittling the list down to the top 5-6 candidates. The committee will conduct interviews with the week of March 1, 2021 via Zoom. Afterward, the committee will make a recommendation for the top 2-3 candidates to be interviewed by the full board.

PUBLIC COMMENT

Chair Mitchell opened the meeting to the public for comment. No public comments were offered.

MOTION FOR CLOSED SESSION

Following the presentations, Ms. Bulova made the following motion:

"I move that the Board convene in a Closed Session pursuant to Section 2.2-3711 (A)(6) of the Code of Virginia, for the purpose of discussing potential transactions where bargaining is involved and where the financial interest of the Commonwealth would be adversely affected if the discussion were made public at this time,

And,

pursuant to Va. Code Sec. 2.2-3711(A)(8), for the purpose of consulting with legal counsel regarding provisions in the agreement requiring legal advice.

"Additionally, I move that staff and attorneys attend the Closed Session because their presence is deemed necessary, and will aid the Board in its consideration of this matter."

The motion was seconded by Ms. Butler Painter and carried unanimously by Board roll call vote.

The Board suspended the open session at 10:23 a.m. on February 22, 2021 to move into closed session with instructions that the open session would reconvene at 1:30 p.m. on February 22, 2021.

RECONVENE IN OPEN SESSION

The Chair reconvened the open session meeting at 11:51 a.m. on February 22, 2021. Upon reconvening the meeting, Vice Chair Bulova made the following statement:

"We are now going to take a roll call vote, and I ask that each member indicate their agreement with the following:

To the best of my knowledge, during the Closed Meeting, the only matters heard, discussed or considered were those matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and only those public business matters as were identified in the motion by which the Closed Meeting was convened."

The motion was seconded by Mr. Moorman and carried unanimously by Board roll call vote.

NEW BUSINESS

None.

ADJOURNMENT

Chair Mitchell adjourned the meeting at 11:53 a.m. All presentations to the Board and meeting video can be found at www.drpt.virginia.gov/vpra/board-meetings/.

Respectfully Submitted:

Bridget Davis, Executive Assistant

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