

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
777 North Capitol Street, N.E.
Washington, D.C. 20002-4239**

**MINUTES
Board of Directors' Meeting
COG Board Room
January 12, 2004**

BOARD MEMBERS, ALTERNATES AND PARTICIPANTS PRESENT AND NOT PRESENT

***SEE ATTACHED CHART FOR ATTENDANCE**

STAFF

**David J. Robertson, Executive Director
Lee Ruck, General Counsel
Ron Kirby, Director, Transportation Planning Department
Ted Graham, Director, Water Resources Program**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Mendelson called the meeting to order at 12:15 p.m. with a recitation of the pledge of allegiance.

2. APPROVAL OF MINUTES OF NOVEMBER 10th

Motion was made, seconded and carried unanimously to adopt the minutes of the November 10th meeting.

3. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

Chair Mendelson welcomed new Board members: Supervisor Joan DuBois of Fairfax County, replacing Supervisor Catherine Hudgins; Supervisor Maureen Caddigan of Prince William County, replacing Chairman Sean Connaughton; and Supervisor Hilda Barg of Prince William County (not present), replacing Supervisor Corey Stewart.

a) Mutual Aid Update

Chair Mendelson briefed the Board on mutual aid. In December, Congress passed the Intelligence Reform Act of 2004, which authorizes the District of Columbia, Maryland and Virginia to enter

into mutual aid agreements during emergencies. He asked Dave Robertson for a memorandum on this issue for the next Board meeting, and Mr. Robertson said he'd provide a short written summary. Council Member Carol Schwartz thanked Mr. Robertson and Lee Ruck for their work.

b) NARC Washington Policy Conference

NARC's annual Washington Policy Conference is scheduled for February 5 – 8, 2005, and will be held at the Renaissance Washington Hotel.

c) Executive Director's Report

The Executive Director highlighted activities as of January 2005 by other COG policy bodies, officials and staff.

4. ADOPTION OF CONSENT AGENDA ITEMS

Resolution R3-05 – Authorizes the Executive Director to accept an Urban Area Security Initiative subgrant to provide regional support for homeland security activities in the National Capital Region.

5. PRESENTATION ON WMATA FUNDING PANEL REPORT AND RECOMMENDATIONS

After Mr. Robertson made introductory remarks about the WMATA funding panel, he introduced panel member James W. Dyke, Jr., a partner at McGuire Woods, LLP. Mr. Dyke briefed the Board on key findings and recommendations of the WMATA funding panel.

The panel found that current WMATA funding is neither adequate nor dependable, and concluded that a regional sales tax and additional federal funding would address WMATA's financial needs. Specifically, the compact jurisdictions of D.C., Maryland and Virginia should select a regional dedicated revenue source sufficient to address the shortfall and recommends a sales tax increase of ½ percent of 1 percent, which could drop to ¼ of 1 percent with increased federal participation. The Panel also recommends that fare increases be capped at the current ratio so that riders pay no more than 57 percent of the system's operating costs. If jurisdictions conclude that a sales tax increase is not viable, the Panel recommends alternatives, such as a gas or parking tax. The Panel also concludes that MetroAccess should be funded as a social service rather through a dedicated transportation funding source.

Supervisor Maureen Caddigan asked if Prince William County was part of the WMATA compact area, and Mr. Dyke said it was not. Council Member Nancy Floreen thanked him for his service and asked if the Panel looked at a federal funding formula. Mr. Dyke said it called for the federal government to pay 50 percent of the deficit. Motion was made and seconded to adopt Resolution R1-05, and Ms. Floreen moved to amend the resolution. The motion was seconded.

Supervisor Lori Waters expressed concern about the Panel's recommendation for a regional sales tax increase. She referred to the failure of a 2002 ballot referendum in Virginia and discussed the transportation problems in Virginia, particularly on Route 7. Metro, just like any other business, has to operate within a budget. The riders are its dedicated funding source. Ms. Waters indicated that she would not support the resolution and would recommend that Loudoun County lobby against it.

Board Member Jay Fiset asked why the proposed user fee was capped at 57 percent and what the comparable user fee was for drivers. In response, Ron Kirby of COG said an increase in the user fee should be implemented to maintain current fare box operating ratio. Drivers are paying what are considered user fees through gasoline, construction and operation of roads, but the subsidy issue

comes in when talking about the externalities, like the cost of congestion, emissions, etc. Most economists would agree that there is an under pricing of road costs. Mr. Fisetite said that some Virginians who support a tax for transit voted against the referendum because of concern that not enough of the money would go to transit.

Commissioner John Lovell said the WMATA report was an essential function of COG to be able to examine infrastructure problems, but he took issue with a portion of Ms. Floreen's amendment (embracing a "single alternative"), indicating that such language would be a stumbling block for some jurisdictions. He added that paratransit is a big issue in Frederick County, but considers it a local issue. In the interest of Mr. Lovell's concern about the amendment, Ms. Floreen proposed to strike language in #4 from "a single alternative for all three jurisdictions" to "embrace a revenue source." The change was accepted.

Mayor Douglas Waldron asked if he should vote on the resolution since Manassas is not a member of the compact. Chair Mendelson said that because Manassas is part of the COG membership, he was permitted to vote if he wished to. Ms. Schwartz expressed concern about the language in the resolution and suggested delaying the vote until February. Motion to postpone to February was made and seconded, but the motion failed.

Ms. Waters asked for a roll call vote on the motion to postpone. Chair Mendelson said the matter had been dispensed with, and Ms. Waters objected and moved to appeal the Chair's ruling. The appeal failed on a voice vote. Ms. Floreen's amendment was now on the floor, and Ms. Waters requested a roll call vote on the amendment. Voting yea were Alfreda Davis, Robert Bobb, Phil Mendelson, Carol Schwartz, Robert Catlin, John Lovell, John Schlichting, Judith Davis, Bruce Romer, Nancy Floreen, Michael Knapp, Camille Exum, Bruce Williams, Redella Pepper, Jay Fisetite, Penny Gross, Joan DuBois, Mary Meserve and Douglas Waldron. Voting nay was Ms. Waters, and abstaining were Sandra Peaches, Maureen Caddigan and Tony Knotts. The amendment to the resolution was passed by 19 yeas, 1 nay and 3 abstentions.

Ms. Schwartz made a motion to amend the resolution, changing "COG Members and staff should work with the Board of Trade, the Federal City Council, and other stakeholders," to COG Members and staff should work with stakeholders..." Ms. Waters made a motion to amend the resolution to strike the word "excellence" in #1. Both friendly amendments were accepted by a vote of 17 yeas and 5 nays. The full resolution as amended was now on the floor. By a show of hands, Resolution R1-05 as amended was passed by a vote of 21 yeas and 1 nay. No abstentions were recorded.

6. REVIEW OF CHESAPEAKE BAY BLUE RIBBON FINANCE PANEL REPORT

Ms. Gross presented the Chesapeake Bay Blue Ribbon Funding Panel's report to the Board, and introduced Jack Greer, Assistant Director for Communications and Public Affairs of Maryland Sea Grant. Mr. Greer, formerly the director of the University of Maryland's Environmental Finance Center for 12 years, said the Center and the Chesapeake Bay Program provided the support for the 15-member panel.

The charge of the panel was to find money for Chesapeake Bay restoration. The cost of restoration will be about \$28 billion. The Panel decided to target money for Bay-specific problems, and the biggest need is to reduce nitrogen loads by 100 million pounds by 2010 to get off the "dirty waters" list. So far, the load has been reduced by only a few million a year. There must be steep reductions, which will take a large-scale financial investment. There also must be a fully integrated approach across jurisdictions and stakeholders, and the political will to get it done.

Ms. Gross said the main recommendation is establishing a Chesapeake Bay financing authority no later than January 2007. The authority must be empowered to issue grants, revolving loans and

funding by sustainable revenue streams. She asked that the authority be established by the federal government and funded at \$2 billion per year for the next six years.

Mr. Williams asked the Board to adopt Resolution R2-05. Ms. Waters asked if a state surcharge was part of the recommendation in the report and resolution, and Mr. Greer said no. Ted Graham of COG added that the resolution does not endorse a position. Motion was made, seconded and carried unanimously to adopt the resolution.

7. TEEN DRIVING PRESENTATION

Ms. Gross briefed the Board on teen driving in the region. Teens are dying from motor crashes, and we don't have data collection across the region to provide a better picture. Ms. Gross moved that COG support teen driving as part of the Public Safety Policy Committee's work plan, and the motion was seconded. Robert Bobb asked that young car thieves be added to the motion. Ms. Gross agreed, and the motion was carried unanimously.

8. ELECTION OF BOARD OFFICERS

Mr. Robertson presented the nominations for Chair and Vice Chair of the COG Board for 2005, and Ms. Gross moved to close nominations. Nominated were Judith Davis for Chair, Jay Fisette for Vice Chair and Anthony Williams for Vice Chair. A vote to elect as recommended was passed.

9. FORMAL TRANSFER OF GAVEL

Chair Mendelson officially transferred the gavel to Ms. Davis, who became the new Board Chair. She congratulated Vice Chairs Jay Fisette and Anthony Williams (not present) and talked about some of Mr. Mendelson's accomplishments as Chair. She and Mr. Robertson presented gifts of appreciation to Mr. Mendelson, who said that he'd enjoyed serving as Chair of the Board and stressed the importance of working together on regional issues.

10. APPOINTMENT OF 2005 POLICY COMMITTEE CHAIRS

Chair Davis appointed or reappointed the chairs of the following COG Board policy committees in 2005: Chesapeake Bay Policy Committee – John Lovell; Committee on Noise Abatement and Aviation at National and Dulles Airports – Rob Krupicka; Human Services Policy Committee – Walter Tejada; Metropolitan Development Policy Committee – Elizabeth Hewlett; Public Safety Policy Committee – Penny Gross; and National Capital Region Emergency Preparedness Council – Bruce Williams.

11. THE BOARD WAS REMINDED THAT THE NEXT BOARD MEETING WILL BE FEBRUARY 9, 2005.

There being no further business, the meeting was adjourned at 2:00 p.m.

ATTENDANCE: January 12, 2005

BOARD OF DIRECTORS/ALTERNATES 2005

<u>Jurisdiction</u>	<u>Member</u>	<u>Y/N</u>	<u>Alternate</u>	<u>Y/N</u>
District of Columbia				
Executive	Hon. Anthony A. Williams	N	Ms. Alfreda Davis	Y
	Mr. Robert Bobb	Y	Ms. Sharon Anderson	Y
Council	Hon. Phil Mendelson	Y		
	Hon. Carol Schwartz	Y		
Maryland				
Bowie	Hon. G. Frederick Robinson	N		
College Park	Hon. Robert Catlin	Y		
Frederick County	Hon. John R. Lovell, Jr.	Y	Michael Cady	N
Gaithersburg	Hon. John Schlichting	Y		
Greenbelt	Hon. Judith "J" F. Davis	Y		
Montgomery County				
Executive	Hon. Douglas M. Duncan	N	Mr. Bruce Romer	Y
Council	Hon. Nancy Floreen	Y		
	Hon. Michael Knapp	Y		
Prince George's County				
Executive	Hon. Jack B. Johnson	N	Ms. Sandra Peaches	Y
Council	Hon. Camille A. Exum	Y		
	Hon. Tony Knotts	Y		
Rockville	Hon. Robert E. Dorsey	N		
Takoma Park	Hon. Bruce Williams	Y		
Maryland General Assembly	Hon. Patrick Hogan	N		
Virginia				
Alexandria	Hon. Redella S. Pepper	Y		
Arlington County	Hon. G. N. Jay Fiset	Y		
City of Fairfax	Hon. Robert F. Lederer	N		
Fairfax County	Hon. Gerald E. Connolly	N		
	Hon. Penelope A. Gross	Y		
	Hon. Joan DuBois	Y		
Falls Church	Hon. Daniel Gardner	N	Marty Meserve	Y
Loudoun County	Hon. Lori Waters	Y		
Manassas	Hon. Douglas Waldron	Y		
Manassas Park	Hon. Frank Jones	N	Mr. Michael Bunner	N
Prince William County	Hon. Maureen Caddigan	Y		
	Hon. Hilda Barg	N	Rick Canizales	Y
Virginia General Assembly	Hon. James M. Scott	N		

Other Participants
James Dyke, Member of the WMATA Funding Panel
Jack Greer, Asst. Dir. for Comm. And Public Affairs for MD Sea Grant