**Michael Goldman**

 CHAIR

**Donald G. Drummer**

VICE CHAIR

**Eric Olson**

SECRETARY-TREASURER

**Tuesday, December 12, 2023**

**9:30 AM**

**WSTC Bi-Annual Commissioners Meeting Minutes**

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| **Commissioners in Attendance** |
| Mr. Mike Goldman, Chair |
| Mr. Donald Drummer |
| Mr. Eric Olson |
| Mr. Tom Hucker |
| Mr. Raymond J. Briscuso, Jr |
| Mr. Joe McAndrew, MDOT Assistant Secretary |
| **Staff in Attendance** |
| Mr. Drew Morrison, Acting- Director, Washington Area Transit Office |
| Ms. Tammy Cooper |
| Mr. Sara LeBarron |
| **County Representatives in Attendance** |
| Ms. Semia Hackett, Prince George’s County |
| Mr. Gary Erenrich, Montgomery County |
| **Public in Attendance** |
| Mr. Bill Orleans |

# Call to Order

# Chair Goldman called the meeting to order at 9:32 AM and a quorum was met.

1. **Approval of the Agenda**

A motion to approve the agenda was presented by Chair Goldman and approved unanimously by attending commissioners.

# Approval of the Minutes

#  A motion to approve the minutes from the September 20, 2023, Bi-Annual Business Meeting was presented by Chair Goldman and approved unanimously by attending commissioners.

# Public Comment

#  Mr. Bill Orleans believes it should be required that WSTC hold a public forum to engage the public regarding transit updates. He suggested that WSTC hold one forum for both Prince George’s and Montgomery counties. He also does not believe a study using the Joint Study Fund is necessary.

# FY23 WSTC Audit

#  Key & Associates were unable to attend in person or virtually to provide a summary of the audit but provided a written summary read by Ms. Sara LeBarron.

#  “We want to emphasize that our audit resulted in an unmodified report, but we did have one finding as dis-

#  cussed in the attached document. Professional standards require us to accumulate all known and likely.

#  misstatements identified during the audit, other than those that are trivial, and communicate them to the

# appropriate level of management. Management has made reasonable attempts to correct the misstatements identified, however, Management has not corrected all such misstatements. The misstatements detected as a result of audit procedures and uncorrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole. We have included a repeat finding for an entry involving the deferred revenue of $10,000 which needed to be reversed during 2023.

# This information is intended solely for the use of the Commissioners and management of the Washington Suburban Transit Commission and is not intended to be and should not be used by anyone other than these specified parties.

# We want to thank Mr. Drew Morrison and his staff for their full cooperation during the audit.”

# Ms. LeBarron clarified the finding. Prince George’s final payment towards their portion of the FY2023 administrative expenses was entered into QuickBooks as deferred revenue instead of revenue. This entry was not flagged or corrected prior to closing out the fiscal year, resulting in a repeat finding.

#  A motion to accept the FY23 Audit was presented by Chair Goldman and approved unanimously by attending commissioners. The audit will be posted to the WSTC website.

# WMATA Joint Study Fund

Mr. Morrison explained that there is a fund balance at the WSTC that staff wishes to deploy towards the think tank capabilities. One of the critical issues before us is MetroAccess funding. Since Maryland represents the bulk of the MetroAccess service in the region, state of Maryland and it is a cost that continues to rise. WSTC staff would like to use the fund balance of approximately $100,000, to bring on a consultant to do a landscape and strategy analysis to develop that strategy with WMATA and regional partners about how we can bend the cost curve of MetroAccess while providing high quality service. It should be a relatively quick study, but staff would like to assume it would take six months to get something final, given the subject matter. By the start of the next budget cycle, WSTC should have some useful directions and feedback for WMATA on how MetroAccess can consider evolving over time.

Mr. Drummer applauded the WSTC staff for this approach, noting that the landscape and cost driver analysis are critical. Peer review, an exceptional approach, not only locally, regionally and nationally, is the way to approach it and anything WSTC can do to help optimize what is happening with MetroAccess would be good for all.

#  A motion was made by the chair to create a Joint Study Fund and that it approves an amendment to the FY2024 budget to reallocate the $100,00 fund balance toward a Joint Study Fund. The staff will coordinate with the two counties to finalize the scope of work to permit the release of an RFP. The motion was unanimously approved by the attending Commissioners.

# WMSC Update

#  Mr. Goldman and Mr. Morrison summarized a recent conversation with Max Smith of the Washington Metrorail Safety Commission. Mr. Smith is Communications Director for WMSC.

#  First item discussed was the Ronald Reagan Airport station derailment that happened some months prior. It involved a train that derailed because it ran over a decoupled brake that was from a 2000 or 3000 Series rail car and was not from the 7000 Series rail car that was involved in the derailment. Mr. Smith believes the cause was the insufficient torquing or insufficient tightening of the wheels. This does not impact the issues that involved the 7000 Series rail cars previously. WMATA announced recently they are beginning the process of re-torquing the wheels to the axles on the 748 7000 Series rail cars.

#  The second item discussed was the recent Metro announcement that they would start automatic door operations on the Red Line. Automatic door operation, which is part of the automatic train operation program, that was originally used by Metro for many years until the Fort Totten accident in 2009. Thereafter, the whole system went to manual operation. The doors will open automatically but will be manually closed by the operator. Following the experiment of the pilot with automatic door opening, WMATA will move to advance automatic door operations on the other lines.

# FY2025 Proposed Budget

# The total expenses proposed for FY2025 are $507,981. Compared to the FY2024 approved budget, this is a 2% increase. The Salaries and Fringe benefits have an overall increase of 4%, this includes the estimated salary for the vacant transit analyst position in addition to an assumed 3% increase effective January 1, 2024. Due to the recent office move, WSTC signed a contract with a new internet provider resulting in a decrease of 11%. Removal of the estimated moving expenses in the miscellaneous category resulted in a decrease of 39%. WSTC assumes MDOT will be funding the phone service since our office will be added to their phone network resulting in a 100% decrease; WSTC will no longer need to account for office telephone services. Lastly, with the addition of the Metro Joint Study Fund of $100,000, this will increase the proposed amount to $607,981, resulting in an overall increase of 22%.

# Amendment to WSTC By-Laws

# MDOT Memorandum on Board of Directors terms (provided in meeting materials)

# Mr. Morrison discussed MDOT’s perspective on the Board of Directors terms. After considering the perspectives of the Commission and of stakeholders, MDOT supports a four-year term of service for this Board seat. There is one fundamental priority at the heart of this policy: achieving seniority and leadership on the Board. A two-year term, including a potential alternating structure, does not give sufficient time for the Board Director to build seniority and thereby take a leading position, including potentially Chair, in the direction of the Board.

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# Amendment 1

# Section II, Paragraph 2 of the By-laws currently reads:

# The Governor shall appoint two (2) members with the advice and consent of the Senate of Maryland. One member shall be a resident of Montgomery County and one member shall be a resident of Prince George’s County. The Governor’s appointees shall serve as the Commission’s appointee to the WMATA Board of Directors.

# Consistent with current Maryland law, Staff recommends that Section II, Paragraph 2 of the By-laws be amended to read:

# The Governor shall appoint two (2) members with the advice and consent of the Senate of Maryland. One member shall be a resident of Montgomery County and one member shall be a resident of Prince George’s County. One of those appointees shall serve as a Commission appointee to the WMATA Board of Directors and a Principal Director. The other Commission appointee to the WMATA Board of Directors and Principal Director shall be the Maryland Secretary of Transportation, or the Secretary’s designee.

# The Commission concurred with this amendment unanimously among the Commissioners present.

# Amendment 2

# This Amendment would clarify the period of appointment of a Commissioner as a Principal Director to the WMATA Board. As discussed on September 20, 2023, the term of this appointment could be either two years or four years. Section II, Paragraph 2 would be further amended to read:

# The Governor shall appoint two (2) members with the advice and consent of the Senate of Maryland. One member shall be a resident of Montgomery County and one member shall be a resident of Prince George’s County. One of those appointees shall serve as a Commission appointee to the WMATA Board of Directors and a Principal Director. The Commission appointee to the WMATA Board of Directors shall rotate every two/four year between a Montgomery County resident and a Prince George’s County resident, with the term of the new Commission appointee to the WMATA Board of Directors commencing on July 1 of the third/fifth year following the commencement of the current Commission appointee to the WMATA Board of Directors. The other Commission appointee to the WMATA Board of Directors and Principal Director shall be the Maryland Secretary of Transportation, or the Secretary’s designee.

# A motion was made by Mr. Drummer to approve the staff recommendation that the second principal Board member, which alternates between Montgomery County and Prince George’s County be on a four-year cycle, beginning July 1, 2025, be approved. The motion was seconded by Mr. Briscuso.

# A vote was taken, and it was unanimously approved by the attending Commissioners. However, the Chair noted some potential refinement of the language regarding the rotation. Staff will bring forward the final Amendment for approval in the next Commission meeting.

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# WMATA FY2025 Fiscal Cliff

# MDOT update on FY2025 Budget

# The deficiency between revenue and expense is an estimated $750 million according to the General Manager’s budget. MDOT has been working closely with leadership within the department and within the Governor’s office regarding paths forward, in terms of Maryland’s funding of Metro. MDOT is looking to provide $150 million in additional subsidy in both fiscal years 2025 and 2026, increasing to $250 million in fiscal 2027 through 2029 as part of their six-year Capital Transportation program. With the COVID aid officially drying up at the end of this fiscal year, the commitment level for the Governor and the Secretary of MDOT is to make sure WMATA can function and provide the services needed to access jobs and for the economy to thrive. Although unable to fully fund WMATA’s funding request, $200 million or $250 million is unsustainable as a department; however, there is an agreement in the amount of $150 million. WMATA is projecting anywhere from $120 million to $209 million as the additional subsidy request.

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# Consideration of WSTC Public Forum

# Mr. Goldman suggests considering having a public forum in late January or early February to take views from both representatives of local governments, Mayors and County Councils, as well as the public to see what the real priorities or bottom lines would be. Examples including, avoiding turn backs on the Red Line, and avoiding significant cuts in Metrobus service that affects Prince George’s County, especially MetroAccess. Mr. Morrison expressed WSTC’s struggle in the past for attendance at the public forums and indicated that perhaps co-hosting with the counties to set up the public forum would have greater value to counties and WSTC. A virtual meeting could be a possibility or holding one public forum instead of two for each county. Combining the forums at a central location would be advantageous; for example, the WSSC headquarters may provide an appropriate space and location. The Commission recommended advancing a public forum.

# WSTC Update

# Update on WSTC Internal matters

# Office Move

# Mr. Morrison confirmed the WSTC office has moved to the new location.

# Transit Analyst Position

# WSTC is actively recruiting for the Transit Analyst position and hopes to fill the position soon.

# Policy and Program Updates (FY2024 Work Plan)

# PG/MC 103-24 Legislation

# WSTC staff have been working on several policy and program elements. The legislation that has been shared with the Commission to update items related to re-appointment to the WMATA Board of Directors seat. And to the pesky provision that the councils must approve every single contract; that is making its way through the process.

# MWCOG convenings

# WSTC staff have been working with COG on regional convenings, Mr. McAndrew and Mr. Morrison attend the Strategy Group and Ms. LeBarron and Mr. Morrison join the CAO’s working group with Chief Administrative Officers throughout the region.

# County Engagement

# WSTC staff continue to have regular meetings with Montgomery County and Prince George’s County.

# Better Bus Network

# During the meeting with the counties there is a particular focus on the Better Bus Network and working to align Montgomery County and Prince George’s County bus future with Maryland state goals.

# Bus Subsidy Formula updates

# During the meetings with the counties, WSTC staff discussed the Bus Subsidy Formula that is going to create a structure for the future of bus service.

# County Conversation

# Prince George’s County

# Ms. Hackett from Prince George’s County shared Prince George’s County Transit Transformation during the last meeting. Ms. Hackett is happy to announce that the County has implemented the first successful fall service change post COVID. The County received a lot of good feedback from the ridership and communities. The Bus is seeing an improvement in on-time performance. The team is now actively preparing for a spring service change and hopes to have those proposals out in early FY24 for community input. Prince George’s County is also moving ahead with the Zero Emission Bus transition plan and Transit Vision plan. Both plans are moving forward aggressively and hope to have additional public outreach in mid to late January.

# Montgomery County

# Mr. Erenrich from Montgomery County indicated that the County had BRT type ribbon cutting a few weeks ago for Great Seneca Transit Network kick-off for two routes. Montgomery County is ready to move forward with the two new transit lines to connect the University to the Shady Grove area.

# In the next week or two, the construction of University Boulevard tactical bus line will be completed. This is 2.1 miles for Wheaton toward Four Corners and is taking a lane in each direction on University Boulevard for bus lanes. The red paint is underway and should be finished very shortly. Montgomery County plans to hold an event in January depending on the weather regarding the service kick-off. Montgomery County has a very good relationship in advancing these projects with MDOT State Highway Administration and with Metro.

# Good of the Order

# Closing Remarks

# New meeting cadence proposal

# Mr. Morrison advised the Commissioners to consider a new meeting cadence that would make sense at this time. June and December are difficult times of the year to schedule meetings. WSTC staff proposes a move more towards a March and September schedule. Also, given today’s meeting, the Commissioners should discuss the desired format.

# The meeting was adjourned at 11:15am

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