EXHIBIT NO. 1 18 3-24-09

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 20, 2009

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER

SUBJECT: RESOLUTION ON THE I-95/395 HOV/BUS/HOT LANES PROJECT

ISSUE: Consideration of a resolution expressing the sense of Council on the Virginia Department of Transportation's I-95/395 HOV/Bus/HOT lanes project.

RECOMMENDATION: That City Council adopt the attached resolution (Attachment 1).

BACKGROUND: On March 14, 2009, on recommendation of the Alexandria Transportation Commission and following a public hearing, City Council approved comments for submission to the Virginia Department of Transportation (VDOT) for the public record of design public hearings on the proposed I-95/395 HOV/Bus/HOT lanes project that were held on February 9, 10 and 11, 2009. These comments were submitted to VDOT on March 18, 2009 (Attachment 2). At the March 14 hearing, Council also asked for a resolution to be drafted for Council's consideration.

The attached resolution was drafted to reflect those issues, questions and concerns raised by Council on March 14, and its position that the City will withhold support for the I-95/395 HOV/Bus/HOT lanes project until such time as those questions and concerns have been adequately addressed.

FISCAL IMPACT: None.

ATTACHMENTS:
Attachment 1. Draft resolution.
Attachment 2. Letter and comments submitted to VDOT regarding the I-95/395 HOV/Bus/HOT lanes project.

STAFF:
Mark Jinks, Deputy City Manager
Rich Baier, Director, Transportation and Environmental Services
Tom Culpepper, Deputy Director, Transportation and Environmental Services
Jim Maslanka, Division Chief, Transit Services and Programs

RESOLUTION NO. 2325

WHEREAS, the Commonwealth Transportation Board (CTB) is negotiating with a private firm, Fluor/Transurban, to expand and extend the existing two-lane high occupancy vehicle (HOV) facility on I-95/395 into a three-lane high occupancy toll (HOT) facility between Spotsylvania and Arlington counties, a portion of which is located within the City of Alexandria; and

WHEREAS, the City of Alexandria is concerned that this project may have significant adverse impacts on mobility and quality of life along this corridor; and

WHEREAS, the City of Alexandria has requested documentation from the HOT lanes project team that indicates how the HOT lanes will benefit Alexandria as well as how possible adverse impacts of the HOT lanes to Alexandria are being addressed; and

WHEREAS, according to the Northern Virginia Transportation Commission (NVTC), during the morning peak period, the two existing HOV lanes on I-95/395 outside the Capital Beltway carry about 25 percent more people than the four conventional lanes, and inside the Beltway the existing HOV lanes carry 50 percent more people than the conventional lanes; and

WHEREAS, the City of Alexandria is committed to preserving and improving the person throughput on this corridor; and

WHEREAS, local jurisdictions and regional transportation organizations of which Alexandria is a voting member, including the NVTC and the Northern Virginia Transportation Authority (NVTA), have expressed concerns about this project and its potential impacts on transit and mobility in the region; and

WHEREAS, most of these concerns have not been adequately addressed or resolved; and

WHEREAS, despite these outstanding concerns, the Federal Highway Administration (FHWA) has concluded that the Virginia Department of Transportation (VDOT) and Fluor/Transurban have satisfied the conditions laid out on August 31, 2006 for a Categorical Exclusion (CE), despite the numerous design exceptions and waivers that are required to construct the project and that will make the HOT lanes less safe and less usable as a transit facility; and

WHEREAS, Alexandria believes that the environmental documentation for this proposed project was not properly prepared nor did it receive adequate review, and that this project will have an adverse impact on the citizens of Alexandria and the Northern Virginia region as it is currently designed.

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Alexandria must withhold its support for the I-95/395 HOV/Bus/HOT lanes project until the issues, questions and concerns herein expressed are adequately addressed.

BE IT FURTHER RESOLVED THAT, the City of Alexandria requests that:

1. VDOT and Fluor/Transurban provide additional information specifically detailing project impacts and benefits within the northern segment of the I-395 portion of the corridor,
2. The operational analysis results presented in the project Interchange Justification Report (IJR) be disaggregated to separately present the project benefits and impacts on the general purpose and reserved use lanes,
3. Additional information be provided clearly demonstrating that the receiving street network at the northern project terminus can satisfactorily serve the projected increases in traffic demand as a result of this project,
4. The project demonstrate its consistency with local jurisdictions plans for transit-supportive development, expand its operational analyses to include all impacted local streets, and include in any subsequent project agreements financial and operational provisions to mitigate all adverse impacts,

5. Unless the project can provide convincing evidence that the numerous design exceptions and waivers will not compromise the safety of the HOV/Bus/HOT lanes, any final project agreement define safety performance standards for the project and require that HOT operations be discontinued inside the Capital Beltway based on an independent finding that the actual safety performance of the facility has failed to meet those standards,
6. The environmental documentation submitted by Fluor/Transurban be re-examined by VDOT and FHWA, including a thorough review of the required design exceptions and waivers, and that both agencies work directly with each local jurisdiction to ensure that the impacts to localities resulting from this project are fully identified and adequately addressed in the environmental document and any subsequent project agreements.

BE IT FURTHER RESOLVED THAT, the City of Alexandria requests additional information specifically addressing the following issues, concerns and questions with regard to the I-395/Seminary Road interchange:

1. How will the transit-only restriction be enforced to insure minimal violation rates?
2. In the event the transit-only restriction cannot be adequately enforced, what will be the impacts of HOV/HOT traffic using this access, either as violators or permitted users if the transit-only restriction is removed, on local streets and neighborhoods in the area?
3. The interchange turning platform has restrictive geometry. Will full-size transit vehicles be able to effectively navigate this platform? Will the proposed BRT service be able to navigate this platform?
4. VDOT is currently working with the City and the Department of Defense in seeking approval of a modification of this interchange to provide direct ingress and egress to the adjacent BRAC 133 site. Will the proposed new south-facing access point preclude this modification?
5. What impacts, if any, are anticipated on local streets and the HOV/Bus/HOT lanes during periods of heightened security levels at the BRAC 133 site?

BE IT FURTHER RESOLVED THAT, the City of Alexandria requests additional evidence that the reconfigured Shirlington/Quaker Lane interchange will operate in a satisfactory manner, including traffic flow around the rotary, reasonable pedestrian/bicycle accommodations and avoiding unacceptable queuing on interchange approaches.

BE IT FURTHER RESOLVED THAT, improved transit and HOV operations is the primary benefit of this project, the project design should reflect this priority and the City of Alexandria will strongly oppose any final project agreement that does not include significant improvements to transit and HOV services, including, but not limited to, the proposed bus rapid transit (BRT) service operating in the HOV/Bus/HOT lanes and project concession payments to support off-line transit service improvements.

BE IT FURTHER RESOLVED THAT, the City of Alexandria requests information specifically identifying the impact of the proposed project on the travel times of transit services currently operating in the I-95/395 HOV lanes and who will fund any additional capital and operating costs that may be incurred in order to maintain current service levels.

BE IT FURTHER RESOLVED THAT, the City of Alexandria requests clarification of several issues, questions and concerns regarding HOT lane enforcement, specifically:

1. To what extent will electronic or photographic enforcement techniques be used?
2. What agency or agencies will be responsible for enforcement?
3. How enforcement will be effectively accomplished without compromising safety or unduly impacting operations?
4. What is the estimated cost of enforcement and how will it be funded?

BE IT FURTHER RESOLVED THAT, the City of Alexandria requests clarification of several issues, questions and concerns regarding emergency/incident response for the HOV/Bus/HOT lanes, specifically:

1. How will emergencies, such as collisions and vehicle breakdowns, be managed in order to maintain operations with minimal disruption? Is there a rapid response/ clearance policy or plan?
2. Will local first responders be expected to respond to emergencies and/or incidents in the HOV/Bus/HOT lanes? If so, what funding is being provided to offset increased costs to local jurisdictions?
3. How will snow removal be handled and what performance standards will apply? In segments with reduced shoulder widths, will snow be trucked to a disposal site, and if so, where will it be located?

BE IT FURTHER RESOLVED, that the City of Alexandria requests that VDOT and Fluor/Transurban fully address in detail each of the issues, questions and concerns contained in this Resolution, as well as respond back to the City in a timely manner.

ADOPTED: March 24, 2009

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, CMC City Clerk

City of Alexandria, Virginia
301 King Street, Suite 2300
Alexandria, Virginia 22314

William D. Euille
Mayor

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March 18, 2009

Mr. Ronaldo T. Nicholson, P.E.
Regional Transportation Program Director
Virginia Department of Transportation
6363 Walker Lane, Suite 500
Alexandria, Virginia 22310

Re: I-95/395 HOV/Bus/HOT Lanes

Dear Mr. Nicholson:

On behalf of the City of Alexandria, I am pleased to provide comments concerning the referenced project for consideration by the Virginia Department of Transportation. These comments were authorized by the Alexandria City Council following a public hearing on March 14, 2009.

As the enclosed comments indicate, the City of Alexandria cannot support this project at this time based on concern about the overall project concept, several design and operational elements, its possible impact on current transit and HOV operations, and the associated enforcement and emergency response plans. In light of these concerns, the City has determined that it must withhold support for this project until such time as these issues have been adequately addressed and satisfactorily resolved.

Thank you in advance for your consideration of these comments, and we look forward to the Department's responses on these matters.

Sincerely,

William D. Euille
Mayor

Enclosure

cc: The Honorable Pierce Homer, Chairman, Commonwealth Transportation Board
Julia A. Connally, Commonwealth Transportation Board
J. Douglas Koelemay, Commonwealth Transportation Board

City of Alexandria, Virginia

Comments on the I-95/395 HOV/Bus/HOT Lanes

March 18, 2009

Project Concept

1. Based on the operational analysis summarized in the Interchange Justification Report (IJR), the overall benefits of the project appear minimal, with relatively limited increase in the volume of traffic served and predominately "neutral impacts" on traffic operations. Moreover, project benefits appear more pronounced in the southern segments of the project than in the northern segments, particularly on I-395 inside the Capital Beltway. What benefits, if any, are projected within the I-395 portion of the corridor as a result of this project?

2. The summarized IJR analysis results do not distinguish between the general purpose lanes and the HOV/bus/HOT lanes. These results must be disaggregated to separately identify the project benefits and impacts on the general purpose and reserved use lanes.

3. The current I-395 HOV/transit facility is functioning satisfactorily, with the exception of recurring congestion near its northern terminus, and the proposed project appears to only exacerbate this condition. Additional information demonstrating that the receiving roadway network can adequately serve the increased volume of traffic projected to enter and depart the HOV/bus/HOT lanes near the northern terminus during peak periods is requested for review and consideration of all potentially impacted local jurisdictions.

4. As conceived, this project is more supportive of continued suburbanization than of local jurisdiction plans for transit-supportive urban development and transportation systems appropriate for that environment. With our local streets significantly impacted by commuter vehicular traffic on a daily basis, Alexandria is concerned that this project will result in even greater commuter impact on our local streets and neighborhoods. Analyses to date have been limited the I-95/395 corridor and immediately adjacent local streets. We request that these analyses be expanded to include all impacted local streets, and that project agreements include both financial and operational provisions that can effectively avoid or mitigate all adverse impacts to our local streets.

Design and Operational Elements

5. As currently designed, the project requires 18 design exceptions and waivers, the majority of these relating to lane and shoulder width in the northern segments. The effects of these exceptions and waivers on safety have not been, but must be adequately addressed. Unless the safety of the HOV/bus/HOT canes can be

reasonably assured, the final project agreements must include provisions that discontinue HOT lane operations inside the Capital Beltway and return to existing HOV/transit conditions based on an independent finding that the safety performance of the HOV/Bus/HOT lanes has failed to maintain the current level of public safety.

6. Alexandria concurs with those who have questioned the adequacy of the traffic modeling used to support the project's environmental documentation and review, and joins in their call for the basis of the approved categorical exclusion to be thoroughly reviewed to ensure that this determination was made in full compliance with federal environmental requirements.

7. The proposed new south-facing access ramp at Seminary Road, designated for transit use only, raises a number of questions for the City of Alexandria. We request clarification or additional information on the following:
   - How will the transit-only restriction be enforced to insure minimal violation rates?
   - Believing the transit-only restriction will prove difficult to effectively enforce, what will be the impacts of HOV/HOT traffic using this access, either as violators or permitted users if the transit-only restriction is removed, on local streets and neighborhoods in the area?
   - The interchange turning platform has restrictive geometry. Will full-size transit vehicles be able to effectively navigate this platform? Will the proposed BRT service be able to navigate this platform?
   - VDOT is currently working with the City and the Department of Defense in seeking approval of a modification of this interchange to provide direct ingress and egress to the adjacent BRAC 133 site. Will the proposed new south-facing access point preclude this modification?
   - What impacts, if any, are anticipated on local streets and the HOV/Bus/HOT lanes during periods of heightened security levels at the BRAC 133 site?

8. Proposed changes to the Shirlington / Quaker Lane interchange include the addition of a new south-facing entry point to the HOV/Bus/HOT lanes, five new traffic signals, one at each of the interchange entry points, and additional lane capacity on both the rotary and interchange approaches. Staff in both Alexandria and Arlington are concerned that this interchange does not adequately serve pedestrian and bicycle traffic, cannot be operated satisfactorily and may experience unacceptable traffic backups on the local roadways. Alexandria needs from VDOT convincing information indicating that the facility will operate in a satisfactory manner after modification to accommodate the HOT lanes.

Transit and HOV Operations

9. The proposed TDM/Transit concessions and BRT service are the most significant benefits that this project offers for the inner-beltway jurisdictions, and must be included in the final project scope. Alexandria will oppose approval of any final scope that does not include these transit programs.

10. Alexandria considers the proposed BRT operation in the HOV/Bus/HOT lanes an essential element of this project; however, there are significant concerns about the operation of and access to the associated in-line station at Seminary Road. We are aware of the BRT operational study that is currently underway and ask that options to incorporate this service into the transit center being constructed as part of the BRAC 133 facilities be identified and evaluated, in addition to the in-line station. The City will reserve comment on this element until the findings and recommendations of that study are available.

11. There are currently sixty-eight (68) transit buses (DASH, WMATA, Fairfax County Connector, and PRTC) per hour using the existing HOV lanes during the morning peak and seventy-eight (78) transit buses per hour during the evening. The lane narrowing for conversion from two to three lanes, the narrower shoulders and the addition of HOT lane traffic will likely decrease the operating speed for transit vehicles and deteriorate the transit service delivered by all local and regional providers. Alexandria needs to know the extent to which transit speeds will decrease for transit vehicles using the HOV/Bus/HOT lanes and who will fund the additional capital and operating costs associated with maintaining current service levels.

Enforcement and Emergency Response

12. Originally it was indicated that automated technology would be used to enforce HOT lane compliance. It now appears this will not be the case. A clear and comprehensive enforcement plan should be developed and made available to local jurisdictions and the public, specifically addressing:
    - The use of electronic or photographic enforcement techniques;
    - The agency or agencies responsible for enforcement;
    - How enforcement will be effectively accomplished without compromising safety or unduly impacting operations; and
    - What is the estimated cost of enforcement and how will it be funded.

13. Some aspects of the emergency/incident response plans for this project need clarification and/or better definition. These include:
    - How will emergencies, such as collisions and vehicle breakdowns, be managed in order to maintain operations with minimal disruption? Is there a rapid response/ clearance policy or plan?
    - Will local first responders be expected to respond to emergencies and/or incidents in the HOV/Bus/HOT lanes? If so, what funding is being provided to offset increased costs to local jurisdictions?
    - How will snow removal be handled and what performance standards will apply? In segments with reduced shoulder widths, will snow be trucked to a disposal site, and if so, where is it located?