



BOARD OF DIRECTORS MEETING

Minutes of November 4, 2009

The regular meeting of the Board of Directors was held in Conference Rooms 1A/1B/1C at 1 Aviation Circle and was called to order by the Chairman at 9:05 a.m. The following Directors were present during the meeting:

H.R. Crawford, Chairman
Robert Clarke Brown
William W. Cobey Jr.
Frank M. Conner III
Michael David Epstein
Jack A. Garson

Leonard Manning
Dennis L. Martire
Michael L. O'Reilly
Mame Reiley
Charles D. Snelling
David G. Speck

The Secretary and the following Officers were present:

James E. Bennett, President and Chief Executive Officer
Margaret E. McKeough, Executive Vice President and Chief Operating Officer

I. MINUTES OF THE OCTOBER 7, 2009 BOARD MEETING

The Chairman called for approval of the minutes of the October 7, 2009 Board Meeting, which were unanimously adopted.

II. COMMITTEE REPORTS

a. Audit Committee

Mr. Snelling reported that the Audit Committee met on October 7, 2009. The Vice President for Audit presented the results of recent reviews for three concession contracts. She noted that the compliance issues related to two of the contractors are being addressed, and no compliance issues were noted for the third concessionaire. Ms. Holt discussed the results of a review of the Purchase Card Program noting that compliance with the program controls and policies were very high.

b. Business Administration Committee

In Mr. Manning's absence, Mr. Crawford chaired the Business Administration Committee meeting on October 21, 2009. Mr. Manning provided the Committee's report for today's meeting.

Monthly Contracting Report. Steve Baker reported that contract awards and modifications totaled \$11.5 million for September 2009. LDBE year-to-date participation totaled \$60 million, representing 27.7 percent of non-federally funded contracts awarded this year. He noted that year to date DBE contract participation totaled \$7.1 million.

2009 Business Opportunity Seminar. Mr. Baker reported that the Business Opportunity Seminar (BOS) will be held on Friday, November 13, 2009, at the Renaissance Hotel in Washington, D.C. He noted that the BOS is an opportunity for local and disadvantaged businesses to meet and seek business with the Airports Authority.

Annual Operational Insurance Policy Renewals. Mike Natale reported on the trends impacting the Airports Authority's property and casual insurance program. He stated that the renewals of coverage were executed on October 1, 2009.

Recommendation to Proceed with 2010 Disadvantaged Business Enterprise Participation Goal for Federally-Assisted Design and Construction Contracts. Mr. Baker stated that the airports must solicit public comment on such goals for a 45-day period. Mr. Baker reported that the Airports Authority's staff recommended a goal of 25 percent for 2010, and requested the Committee's concurrence to enter into the 45-day public comment period. At the conclusion of the public comment period, the recommendation will be forwarded to the Board for approval. A motion was made and passed by the Committee.

Recommendation to Approve 2010 Medical and Dental Insurance Programs with Proposed Premium Rates. Arl Williams requested that the Committee recommend to the Board, approval of the employee medical coverage program totaling \$19,974,000 for 2010, which represents a 7 percent increase in cost to last year's program. A motion was made and accepted by the Committee. Mr. Manning stated that he would offer a Resolution later in today's meeting.

Recommendation to Award a Contract for Information Technology Services Support. George Ellis requested that the Committee recommend to the Board

the award of a contract to McNeil Technologies of Springfield, Virginia, to provide information and support services to the Airports Authority. The total cost of the contract is \$24.45 million over a five-year period. A motion was made and passed by the Committee. Mr. Garson recused himself from the vote due to a business relationship with the incumbent company. Later in today's meeting, Mr. Manning would offer a Resolution.

Recommendation on Proposed Resolution Authorizing the Airports Authority to Join VEPGA for the Purpose of Purchasing Electricity from Dominion Virginia Power. Paul Malandrino requested that the Committee recommend to the Board adoption of a resolution authorizing the Airports Authority to become a member of the Virginia Energy Purchasing Governmental Association (VEPGA). He noted that the approval would allow the Airports Authority to execute an agreement with VEPGA to purchase electricity for its facilities served by Dominion Virginia Power (DVP), and at VEPGA/DVP negotiated rates. Richard Golinowski identified this opportunity, which would decrease the Airports Authority's existing rates by approximately 20 percent, resulting in an estimated savings of \$3 million in 2010 on electricity purchases. Later in today's meeting, Mr. Manning would offer a Resolution.

Recommendation to Award a Contract for Glycol Removal at both Airports. Chris Browne reported that the Committee recommend to the Board an award of a contract to Inland Technologies International, Ltd., for the removal and recovery of glycol from Dulles International and Reagan National in 2010. This contract has a total value of \$18.7 million, over five years, with a three year base, and two single-year options. Mr. Manning stated that he would offer a Resolution later in today's meeting.

Recommendation to Award a Contract for Airside Snow Removal and Ice Control Services at Dulles. Chris Browne reported that management requested the Committee to recommend to the Board, the award of a contract to Aero Snow Removal, to provide airside snow removal and ice control services at Dulles International. A motion was made and passed. Later in today's meeting, Mr. Manning would offer a Resolution.

Mr. Manning noted that at the September 16, 2009 Business Administration Committee meeting, it was incorrectly reported that the Request for Proposals (RFP) included a 15 percent LDBE participation goal. This RFP was for the Pre-Solicitation Terms for a Fee Manager to Lease, Market and Manage Food and Beverage and Retail Concessions at both Airports. At the time of the meeting,

the LDBE goal had not yet been established. The requirement has now been set at 10 percent.

Mr. Crawford requested the minutes reflect that he discussed Mr. Manning's concerns regarding the September 16, 2009 Committee agenda and that Ms. McKeough addressed his concerns.

c. Dulles Corridor and Finance Committee (Joint)

The Dulles Corridor and Finance Committee met jointly on October 21, 2009. Ms. Reiley began the meeting by asking the Directors to review a copy of an email from Mr. Conner, who was unable to attend the October 21 meeting, and asked that his comments be added to the record.

Adoption of Regulation Establishing Increased Toll Rates for the Use of the Dulles Toll Road. Mr. Bennett presented staff's recommendation to adopt the regulation to increase the toll rates for the Dulles Toll Road (DTR). He noted that effective January 1, 2010, a \$0.25 increase would occur at both the mainline plaza and at the entrance/exit ramps. Effective January 1, 2011 and January 1, 2012, subsequent increases of \$0.25 would occur at the mainline toll plaza only. Mr. Bennett stated that on July 15, 2009, the Dulles Corridor and Finance Committees authorized staff to begin the regulatory process necessary to amend the Airports Authority's regulations that establish the toll rates. As a result of the authorization, the Airports Authority conducted three public hearings in the Dulles Corridor and conducted a 30-day public comment period for people unable to attend the hearings. Throughout the public comment period, display boards and an on-line comment form for those unable to attend were included on the Airports Authority's website. Mr. Bennett reported that 221 comments were received from 210 individuals.

Phil Sunderland reported on the comments received from the public, and noted that such comments have been sorted into six categories: 1) Fairness of Toll Rate Increases; 2) Real Beneficiaries; 3) Impacts of Toll Increases; 4) Toll Represents a Tax; 5) Less of Toll Increase; and 6) Support of the Project. Mr. Sunderland presented each category and summarized the major points expressed in the comments, and the Airports Authority's responses to those comments. Ms. Reiley noted that the Airports Authority will continue to welcome comments and respond to them as the toll rate increases occur. Mr. O'Reilly moved that the Committees recommend that the Board adopt the regulation to increase the toll rates for the use of the DTR. Ms. Reiley again acknowledged

Mr. Conner's comments and noted that he was unable to attend today's meeting, but that he expressed his support of the motion. A motion was made. By a show of hands, all members of the Dulles Corridor and Finance Committees present adopted the recommendation to increase the toll rates for the use of the DTR.

Mr. Crawford inquired about the number of attendees, excluding staff, at the public hearings. Mr. Bennett responded that a total of 148 people attended the public hearings.

d. Dulles Corridor Committee

Ms. Reiley reported that the Dulles Corridor Committee met on October 21, 2009.

Recommendation to Award a Contract for Architectural and Engineering Services for the Phase 2 Preliminary Engineering for the Dulles Corridor Metrorail Project.

Pat Nowakowski presented staff's request that the Dulles Corridor Committee concur and recommend to the Board a contract award to Parsons Brinkerhoff/AECOM Joint Venture. The contract award will be for Architectural/Engineering services for the Preliminary Engineering of Phase 2 of the Dulles Corridor Metrorail Project (DCMP). Mr. Nowakowski indicated that a pre-proposal meeting was held in September 2009, where the cost proposal for the design services was discussed, and the contract was negotiated in the amount of \$35 million. He stated that the \$35 million contract price is higher than the initial \$25 million estimate prepared, due to staff's reevaluation of the work to be completed.

A motion was made and accepted by the Committee to recommend that the Board award the contract to Parsons Brinkerhoff/AECOM Joint Venture. Later in today's meeting, Ms. Reiley would offer a Resolution.

Dulles Corridor Metrorail Project Phase 1 Monthly Cost Summary and Project Update. Pat Nowakowski presented the monthly cost report highlighting the project budget of \$2.75 billion. He stated that the amount forecasted to complete the project totals \$2.5 billion, and provides \$250 million in contingency proceeds for managing the project.

September 2009 Financial Report – Dulles Corridor Enterprise Fund. Andy Rountree reported that the Toll Road generated \$5.5 million in revenue, which is a \$34,000 decrease from August 2009; however, overall revenue is up \$44,500

compared to September 2008. Mr. Rountree noted that September marked the fourth consecutive month this year that revenues have exceeded prior year's monthly performance. He stated that operating expenses for the month of September were \$2.1 million, resulting in an operating net income of \$3.3 million for the Toll Road. Mr. Rountree reported that the rail project reported revenue of \$17.7 million from the federal government and \$11.2 million from state and local sources. The rail project recorded construction-in-process during September of \$37.4 million. Mr. Rountree stated that on a year-to-date basis, the Toll Road generated \$48.9 million in revenue, which is down year to date by approximately \$342,000, compared to the prior year. Operating expenses year to date are \$15.6 million, resulting in a net operating income of \$33.4 million. Mr. Rountree indicated that \$212.3 million has been recorded in grants from the federal, state and local government for rail. Year-to-date net income for the Dulles Corridor Enterprise totaled \$245 million.

e. Finance Committee

Mr. Brown reported that the Finance Committee met on October 21, 2009. The Committee discussed financial advisory services provided to the Dulles Corridor Enterprise. The Committee reviewed the advisory work completed by Mercator and Frasca & Associates on the first financing. During that discussion, Mr. Brown noted Rusty Conner's comments that were distributed to the Committee and asked that they be added as part of the record. Staff prepared a background paper for the discussion, noting that both firms had performed well in the course of the financing completed over the summer. Additionally, both firms provided services not included in their contracts. The Committee voted to recommend to the Board, the appointment of Mercator and Frasca, as co-financial advisors, for the Dulles Corridor Enterprise program going forward.

At that meeting, Jim Taylor reported on the status of the 2010 Plan of Finance for the Metrorail project. Mr. Taylor noted that the financial advisors and staff have been looking at liquidity requirements needed for the program next year, and the viability of the Airports Authority to access the market, and bring the next financing to market. Mr. Taylor concluded that the next financing did not have to occur this calendar year, but would most likely be recommended during the first half of 2010. He noted that Build America Bonds (BABs), a low cost funding source, would be used in the next issuance. The BABs would be the Airports Authority's first issuance under its subordinate lien financing program.

The Aviation Enterprise financial advisors reported that the Commercial Paper Notes, Series Two have been restructured to maintain liquidity support from a LBBW Letter of Credit, which carries the sovereign guarantee of the German state. The total amount of commercial paper available was reduced by \$75 million because of the bank's loss of credit support capacity. With the reduction, the Airports Authority now has \$345 million of tax exempt commercial paper available for the aviation program out of the \$500 million that was authorized. There is limited availability of bank capacity to support that kind of short-term financing program.

Mr. Brown reported that the third quarter operating revenues were \$414 million, representing 73 percent of budgeted revenues while operating expenses were \$365 million, representing 66 percent of budgeted expenses. He noted that the budget savings were primarily in materials, supplies, and services. As of September 30, 2009, there were 380 days of unrestricted cash on hand.

Mr. Brown noted the passing of Pat Corbin, founder and Chief Executive Officer of PG Corbin, the co-financial advisor for the Aviation Enterprise.

f. Planning and Construction Committee

Mr. Garson reported that the Planning and Construction Committee met on October 21, 2009. At that meeting, Frank Holly reported on the changes that occurred in the monthly capital construction cost report, which essentially impacted the overall percentage of program work, and noted that the variance remained less than 1 percent. The most significant change occurred with the Main Terminal APM station and security mezzanine. Mr. Holly and Directors discussed the previous year's cost forecast for completing the project, as well as cost overruns, and factors contributing to cost overages and tentative contractors' claims. Due to the confidential nature of the contract, the Board tabled the discussion for Executive Session.

Steve Smith presented the quarterly Parsons Management Consultants update, and reported on projects under construction and completed work at Reagan National and Dulles International Airports.

III. INFORMATION ITEMS

a. President's Report

Mr. Bennett reported that time is running out to pass the FAA re-authorization bill during the 2009 Congressional calendar year. He stated that the process has stalled because the Senate Finance Committee has not considered the tax portion of the bill. Mr. Bennett stated that the FAA re-authorization bill includes taxes that are used to fund the aviation system in the country, and the disagreement in Congress centers around the tax structure. He reported that the FAA has been operating under a series of short-term extensions over the past two years as Congress attempted to address these issues. It is likely that there will be another interim extension until an agreement can be reached on a multi-year authorization for the FAA. Mr. Bennett stated that this bill contains the various provisions about changes to the slots and/or perimeter rules at Reagan National. The bill also contains a provision that will raise the ceiling on passenger facility charges (PFCs) collected at airports; PFCs are currently capped by federal statute at \$4.50. He stated that the House version of the bill would allow an increase to \$7, providing additional revenue for aviation projects around the country. Mr. Bennett also reported on the status of the Surface Transportation Re-Authorization Program bill, which provides the Federal Transit Administration highway funding. Mr. Bennett stated that the authorization is not progressing at this time.

Mr. Bennett reported that testing has resumed for the Automated People Mover (APM) at Dulles International. He noted that the stand-down period has improved the program, and that the Airports Authority staff is encouraged that operational testing will be completed by the end of the year. At the conclusion of the testing, Airports Authority staff would determine when to begin using the APM system, perhaps during the holiday period or early next year.

Mr. Bennett noted that the Business Opportunity Seminar (BOS) would be held on November 13. Over 900 attendees pre-registered for the BOS, and Mr. Bennett encouraged Directors to attend the event.

Mr. Bennett reminded the Board that the hotel/motel courtesy fees recently approved will take effect on January 1, 2010 and that additional information on the fee structures and its operation will be provided to the hospitality industry.

Mr. Speck encouraged Airports Authority staff to contact Governor-Elect Bob McDonnell and other local legislators that have interest in projects associated with the Airports Authority. Mr. Bennett acknowledged that staff would soon begin outreach efforts.

Mr. Crawford noted that the morning news reported on an incident where a passenger was considered inappropriately dressed and removed from first class. He stated that the incident resulted from the airline's policy rather than the Airports Authority policy.

Mr. Crawford requested that Mr. Snelling, the Chairman-Elect in 2010, send a congratulatory note to Governor-Elect McDonnell, and offer to brief him on the Airports Authority's operations. Mr. Epstein stated that he could coordinate a meeting with Governor-Elect McDonnell and interested Directors.

Mr. Snelling stated that he was certain that the Airports Authority will continue its positive relationship with the Governor-Elect, just as it shared with Governor Kaine. Mr. Epstein noted that the Governor-Elect supports rail to Dulles.

b. Executive Vice President's Report

Ms. McKeough reported on the passenger activity levels for September 2009 at both Airports. She reminded Directors that the industry first began to see a reduction in flights in September 2008. Ms. McKeough stated that the new base line comparison represents the changes occurring in the industry with capacity reductions that started in 2008. For September 2009, the industry as a whole experienced a 2 percent reduction; however, both Reagan National and Dulles International experienced positive growth in passenger activity. Reagan National served approximately 1.4 million passengers, representing a .5 percent increase. Dulles served 1.8 million passengers, representing an increase of 4.5 percent. In September 2009, both domestic and international passenger traffic increased by 3.7 percent and 6.6 percent, respectively. Ms. McKeough reported that through September 2009, Reagan National is operating at a 3 percent passenger decline while Dulles is at a 4 percent decline. She stated that the cargo activity continues to show a decrease over the prior year's month. Ms. McKeough noted a 7 percent decline in cargo and a 5 percent decline in freight in September 2009 compared to the prior year.

Mr. Crawford inquired about airport charging stations. Ms. McKeough responded that there are charging stations in the hold rooms at Dulles International

throughout Concourses B, C and D as part of the Samsung Power Pole project. These poles were installed by the advertising concessionaire. She stated that the Airports Authority was unsuccessful in implementing that same system at Reagan National; however, additional plugs have been added to the food court stations and airside piers.

IV. NEW BUSINESS

a. Recommendation to Adopt Regulation Establishing Increased Toll Rates for the Use of the Dulles Toll Road

Ms. Reiley moved the adoption of the following resolution:

WHEREAS, on November 1, 2008, the Commonwealth of Virginia transferred the Dulles Toll Road (DTR) to the Metropolitan Washington Airports Authority (Airports Authority) to be operated, maintained and improved by the Airports Authority for 50 years pursuant to the Permit and Operating Agreement (POA), dated as of December 29, 2006, between the Virginia Department of Transportation (VDOT) and the Airports Authority;

WHEREAS, under and during the term of the POA, the responsibility to establish toll rates for use of the DTR lies solely with the Airports Authority;

WHEREAS, in anticipation of the DTR transfer, in Resolution No. 07-24, dated August 8, 2007, the Airports Authority adopted a new Part 10 to the Metropolitan Washington Airports Authority Regulations (Regulations) which established toll rates for the DTR that would become effective upon the transfer of the DTR by VDOT to the Airports Authority; these rates did not differ from the rates in effect in August 2007;

WHEREAS, under the POA, the Airports Authority is obligated to finance and construct the Dulles Corridor Metrorail Project (Metrorail Project), which is an extension of the Washington, D.C., regional Metrorail system that will run from the West Falls Church Metrorail station on Interstate 66 in Fairfax County, along the Dulles Airport Access Highway, through the Tysons Corner area of Fairfax County, to and through Washington Dulles International Airport (Dulles Airport), to a western terminus at Route 772 in Loudoun County;

WHEREAS, under the POA, the Airports Authority is currently obligated to complete construction of the Metrorail Project by December 31, 2016;

WHEREAS, the Metrorail Project is being constructed in two phases, with Phase 1 running from Interstate 66 to Wiehle Avenue in Reston, Virginia, and Phase 2 running from Wiehle Avenue through Dulles Airport to Route 772 in Loudoun County;

WHEREAS, construction of Phase 1 of the Metrorail Project commenced in March 2009, and preliminary engineering on Phase 2 is expected to begin before the end of 2009;

WHEREAS, under the current plan of finance for the Metrorail Project, the sources of funds for construction of the project are the federal government, the Commonwealth of Virginia, Fairfax and Loudoun Counties, the Airports Authority, and the DTR;

WHEREAS, on June 23, 2009, Airports Authority staff presented the plan of finance for the Metrorail Project to the Dulles Corridor Advisory Committee (consisting the Commonwealth's Secretary of Transportation, a representative of the Commonwealth Transportation Board, and two representatives from each of Fairfax County, Loudoun County and the Airports Authority), along with a schedule of potential new toll rates for the DTR that would produce additional DTR revenues to be used, among other things, to help fund the DTR's share of the Metrorail Project construction cost, as described in the plan of finance;

WHEREAS, staff presented this plan of finance and schedule of potential new DTR toll rates to the Dulles Corridor and Finance Committees (Committees) on July 15, 2009, along with a recommendation that the Committees authorize staff to initiate the process for amending Part 10 of the Regulations to substitute this schedule of new DTR toll rates for the current toll rates, and the Committees accepted this recommendation and provided the authorization;

WHEREAS, on August 10, 17, 24 and 31, 2009, notice was published in *The Washington Post* (i) of the proposed amendment to Part 10 of the Regulations, the proposed new DTR toll rates and the effective dates of the new rates, (ii) of the dates, times and locations of three public hearings on the proposed amendment, and (iii) of the opportunities available to members of

the public to submit comments on the proposed amendment during a formal comment period that would run from August 14 through September 14, 2009;

WHEREAS, public hearings on the proposed amendment were conducted on August 24, 2009, in Ashburn, Virginia, on September 3 in McLean, and on September 9 in Reston;

WHEREAS, 299 comments on the proposed amendment were submitted by 210 individuals during the comment period;

WHEREAS, a report summarizing the public comments (as well as stating the comments themselves) (Report) and a separate staff paper responding to the comments have been submitted to and considered by the Committees and the Board of Directors;

WHEREAS, on October 21, 2009, after considering and discussing the Report, staff paper and public comments, the Committees concluded that it is in the interest of the Airports Authority to adopt the proposed amendment, and voted to recommend to the Board that it adopt the proposed amendment to Part 10 of the Regulations that had been the subject of public review and comment during the comment period;

WHEREAS, after considering the Report, staff paper and public comments, as well as the recommendation of the Committees, the Board has determined that it is best interest of the Airports Authority, particularly in light of its obligation under the POA to finance and construct the Metrorail Project and to have completed the construction by December 31, 2016, to adopt the proposed amendment to Part 10 of the Regulations, and to increase the DTR toll rates in accordance with the schedule in the proposed amendment, all as set forth below in this resolution; and

WHEREAS, based in part on recommendations of members of the Dulles Corridor Advisory Committee, the Board has instructed staff (i) to make every reasonable effort to secure federal funding for Phase 2 of the Metrorail Project, as well as additional funding from other sources, so that the DTR contribution to the project's construction cost can be reduced, and (ii) in the latter part of 2010 and 2011, to evaluate whether the toll rate increase scheduled for January 1 of the following year continues to be warranted and to share its evaluation with the public;

NOW, THEREFORE, BE IT RESOLVED

1. That the Metropolitan Washington Airports Regulations are hereby amended by rescinding Part 10 of the Regulations and adding an entirely new Part 10, having the force and effect of law, to read as, and with the effective dates as, follows:

PART 10 - DULLES TOLL ROAD

§ 10.1. (Effective January 1, 2010) Tolls for Use of the Dulles Toll Road.

- (1) The tolls applicable to the Dulles Toll Road (also known as the Omer L. Hirst-Adelard L. Brault Expressway) shall be as follows:

Vehicle Class	Tolls	
	Main Line Plaza	Ramps
2-axle	\$1.00	\$0.75
3-axle	\$1.25	\$1.00
4-axle	\$1.50	\$1.25
5-axle	\$1.75	\$1.50
6 or more axles	\$2.00	\$1.75

- (2) Except for persons permitted free use of toll facilities under Virginia Code § 33.1-252, it shall be unlawful for any person operating a vehicle to use the Dulles Toll Road without payment of the tolls set forth in this section.

§ 10.1. (Effective January 1, 2011) Tolls for Use of the Dulles Toll Road.

- (1) The tolls applicable to the Dulles Toll Road (also known as the Omer L. Hirst-Adelard L. Brault Expressway) shall be as follows:

Vehicle Class	Tolls	
	Main Line Plaza	Ramps
2-axle	\$1.25	\$0.75
3-axle	\$1.50	\$1.00
4-axle	\$1.75	\$1.25
5-axle	\$2.00	\$1.50
6 or more axles	\$2.25	\$1.75

- (2) Except for persons permitted free use of toll facilities under Virginia Code § 33.1-252, it shall be unlawful for any person operating a vehicle to use the Dulles Toll Road without payment of the tolls set forth in this section.

§ 10.1. (Effective January 1, 2012) Tolls for Use of the Dulles Toll Road.

- (1) The tolls applicable to the Dulles Toll Road (also known as the Omer L. Hirst-Adelard L. Brault Expressway) shall be as follows:

Vehicle Class	Tolls	
	Main Line Plaza	Ramps
2-axle	\$1.50	\$0.75
3-axle	\$1.75	\$1.00
4-axle	\$2.00	\$1.25
5-axle	\$2.25	\$1.50
6 or more axles	\$2.50	\$1.75

- (2) Except for persons permitted free use of toll facilities under Virginia Code § 33.1-252, it shall be unlawful for any person operating a vehicle to use the Dulles Toll Road without payment of the tolls set forth in this section.

§ 10.2. Penalty

Persons violating § 10.1 shall be liable for a civil penalty, consistent with Virginia Code § 46.2-819.1, as follows:

- (1) for any violation not addressed in paragraphs (2) through (4) of this section, a penalty of \$50;
- (2) for the first violation occurring after, and within 12 months of, the violation described in paragraph (1) above, a penalty of \$100;
- (3) for the first violation occurring after, and within 24 months of the violation described in paragraph (2) above, a penalty of \$250; and
- (4) for each violation occurring after the violation described in paragraph (3), and within 36 months of the violation described in paragraph (2) above, a penalty \$500.

§ 10.3 Unpaid Tolls and Administrative Fee

In addition to the penalty described in § 10.2, persons violating § 10.1 shall be liable, in connection with each violation, for the unpaid toll and an administrative fee designed to recover the expense of collecting the unpaid toll.

2. That this resolution shall be effective upon the date of its adoption.

Mr. O'Reilly stated that recent comments made by the local press only suggested that the five Directors representing Virginia are taking this project seriously. This statement is untrue. Each Director, including Directors representing other jurisdictions, takes the responsibility of increasing toll rates very seriously.

The Resolution was thereupon unanimously approved.

The final resolution filed in the Board of Directors office includes a copy of the staff recommendation paper.

- b. Recommendation to Award a Contract for Architectural and Engineering Services for the Phase 2 Preliminary Engineering for the Dulles Corridor Metrorail Project

Ms. Reiley moved the adoption of the following resolution, which was unanimously approved:

