

**Hampton Roads Transportation
Accountability Commission (HRTAC)
Summary Minutes of the April 16, 2015 Regular Meeting**

The Hampton Roads Transportation Accountability Commission (HRTAC) Regular Meeting was called to order at 12:57 p.m. in the Regional Board Room, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

HRTAC Voting Members in Attendance:

Alan Krasnoff, Chair	Delegate Chris Jones
Senator Frank Wagner, Vice-Chair	Dallas Jones
Rex Alphin	McKinley Price
Paul Fraim	William Sessoms, Jr.
Clyde Haulman	Tom Shepperd, Jr.
Michael Hipple	George Wallace
Delegate Johnny Joannou	Kenneth Wright*
Linda Johnson	Delegate David Yancey
Raystine Johnson-Ashburn	

HRTAC Ex-Officio Members in Attendance:

Charlie Kilpatrick
John Malbon
Andrew Sinclair (Alternate)

HRTPO Interim Executive Director:

Camelia Ravanbakht

Other Participants:

Deputy Secretary Grindly Johnson
Tom Inglima
James Utterback

HRTAC Voting Members Absent:

W. Eugene Hunt, Jr.
Senator Louise Lucas

HRTAC Ex-Officio Members Absent:

Jennifer Mitchell
John Reinhart

* Denotes Late Arrival or Early Departure

Others Recorded Attending:

Frank Papcin, Donna Sayegh (Citizens); James Baker, Jan Proctor, Earl Sorey (CH); Randy Martin (FR); Bryan Hill, Mary Jones (JC); Brittany Forman, Joe Howell, Marcus Jones, Jeffrey Raliski, David Ricks, Ron Williams (NO); Bryan Stilley, Jerri Wilson (NN); Robert Baldwin, Brannon Godfrey, Nita Mensia-Joseph, (PO); Randy Wheeler (PQ); Leroy Bennett, Eric Nielsen, Pat Roberts (SU); Jim Spore (VB); Jack Tuttle (WM); J. Mark Carter (YK); Chris Fronheiser (AECOM); Rich Clifton (Allan Myers); James W. Long, III (CBBT); Mark Macintire (CH2M Hill); John Herzke (Clark Nexsen); Jamaal E. O'Neal (Daily Press Media Group); Rob Correll, Don Quisenberry, (eScribeSolutions); Dianna Howard (H RTP, TLP, VBTA); Kathleen McCarthy, (H RTP –Norfolk Chapter, TLP); Bert Ramsay (Lane Construction); Tracy Baynard (McGuire Woods Consulting); Karen McPherson (McPherson Consulting); Neal Crawford (Monarch Bank); Michael King, Rhonda Murray (Navy Region Mid-Atlantic); Ellis W. James (N.E.C., Sierra Club Observer); Deborah Brown (Parsons Brinckerhoff); L. Gail Henderson (Office of Senator L. Louise Lucas); Matt Wood (Suffolk Publications); Robert K. Dean (Tidewater Libertarian Party); Tony Gibson, Janet Hedrick, Salvija Hofheimer, Dusty Holcombe, John Lawson, Paula Miller, Dawn Odom, Rick Walton, (VDOT); Phil Lohr (Whitman, Requardt & Assoc.); Kelli Arledge, Melton Boyer, Nancy Collins, Randy Keaton, Mike Long, Joe Turner, Chris Vaigneur (HRPDC); Robert Case, Kathlene Grauberger, Danetta Jankosky, Mike Kimbrel, Kendall Miller, Keith Nichols, Leonardo Pineda, Dale Stith (HRTPO)

Call to Order

After the Call to Order, Chair Alan Krasnoff stated a voice vote will be used during the meeting unless there is a nay vote or an abstention, in which case the Commission will utilize a roll call vote.

Public Comment Period (limit 5 minutes per individual)

Ms. Dianna Howard spoke on concerns regarding taxes, revenues, and transportation projects, and specifically referenced her concerns with the proposed budget. She referred to the HB2 project selection process and the HB1887 dispersal of transportation dollars. She stated that people are upset over taxes because funds seem to get diverted to other things.

Ms. Donna Sayegh spoke on Principle of Liberty 21: strong local self-government is the keystone for preserving human freedom. She continued with an explanation of the effects of centralization of political power on the citizens, specifically noting the City of Portsmouth. In addition, she shared her concerns over the cost of the HRTAC staff positions of Executive Director, Chief Financial Officer, and Executive Assistant.

Mr. Frank Papcin read the following quotation from Northern Virginia Transportation Authority Chairman Martin Nohe: "Everything we do is designated to get people home to their families faster in a congested region like ours. That's a tall order. So, towards the goal of reducing congestion in the most regionally significant corridors, we have to have cooperation between jurisdictions and across agencies." Mr. Papcin shared his opposition

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Prepared by S. Forehand, ESSI

Edited by K. Grauberger and HRTAC Counsel

to funding light rail through Virginia Beach. He contended that light rail would not help with congestion, but rather increase it. He stated that he had tried with no success to get information from VDOT on vehicular usage of I-264, getting off and on I-64 in each direction. Chair Krasnoff asked Dr. Ravanbakht if they could get that information. Mr. Papcin commented that traffic approaches I-264 from a multitude of directions and if light rail were continued through Virginia Beach, people would be traveling to light rail, bringing more congestion. Mr. James Utterback stated that VDOT would supply traffic counts to Mr. Papcin as he requested. Mr. Papcin thanked Mr. Utterback.

Ms. Kathleen McCarthy distributed a packet for each member regarding her concerns and questions. She addressed both the HRTAC Draft Policy for Remote Participation and certain provisions of FOIA. The packet Ms. McCarthy prepared included citations to rules regarding statutory interpretation and construction, along with certain provisions of the FOIA code. Ms. McCarthy's questions addressed circumstances under which HRTAC members may participate in meetings through electronic means and whether HRTAC is a regional body that must be formed by referendum.

Mr. Robert Dean referenced plans to refit the meeting room with a new sound system, and questioned whether the new system would allow Commission members not present to hear proceedings via a telephone hookup or internet connection. He further requested that the same courtesy be extended to general taxpayers who may not be able to attend meetings. Mr. Dean noted the importance of roll call votes for transparency. He concluded with a request that HRTAC ensure that any member of the Commission who has a conflict of interest during the bond issuance process be disqualified and that HRTAC run bond issuances through the state to eliminate conflicts.

Mr. Ellis W. James spoke giving support for two items. First, Mr. James commented that the state should vigorously pursue its funding that was spent on Route 460. Secondly, he indicated the importance of the extension of light rail in the direction of ODU, the medical complex, the Naval Air Station, and the Virginia Beach oceanfront, especially for citizens who otherwise do not have transportation.

Minutes of the March 19, 2015 HRTAC Regular Meeting

Mr. Rex Alphin Moved to approve the minutes of the March 19, 2015 HRTAC Regular Meeting; seconded by Senator Frank Wagner. The Motion Carried unanimously.

Update of HRTAC Executive Director Search

Deputy Secretary of Transportation Grindly Johnson reported that Springsted, Inc. was moving forward in its search for the HRTAC Executive Director. She outlined the timeline as follows:

- March 24 – Candidate Recruitment Began
- April 21 – Candidate Applications Due

- Week of May 4 – Report with Candidates Recommended for Interview Presented to HRTAC Selection Committee
- Week of May 11 – Selection Committee Notifies Springsted of Candidates Selected
- May 25 – First Round Interviews
- Week of June 8 – Second Round Interviews/Negotiations
- Week of June 15 – Executive Director Selected
- July 15/July 30 – Executive Director Begins Employment

Deputy Secretary Johnson noted that the timeline may shift somewhat due to the Selection Committee's schedule, and stated that the Selection Committee had received 10 applications to date and it could continue to receive applications until April 21st. Deputy Secretary Johnson then summarized key criteria to be used when considering applicants.

Delegate Joannou inquired as to the salary of the new Executive Director. Deputy Secretary Johnson replied that salary would be negotiable, anywhere from \$170,000 – \$235,000, based on experience. She stated that Senator Louise Lucas, who has been the Selection Committee Chair, has been instrumental in accomplishing the work to date. She indicated that she will continue to update both the Chair of the Commission and HRTAC members on a weekly basis.

Finance Committee Report - Report on HRTAC Banking

Senator Frank Wagner reported that BB&T and Union Bank and Trust were chosen by HRTAC and that the Finance Committee met and signed documents to establish accounts so that funds held by the State Treasury could be transferred to HRTAC accounts. He explained that the initial transfer would be approximately \$269 million that would be deposited into the BB&T account, and then approximately \$2 million of that would be transferred to the Union Bank and Trust account for operating expenses. The funds placed with BB&T will be in two basic accounts: an interest-bearing account with a limit of \$100 million, and a managed account that can safely invest the balance in anything from one to seven year obligations with \$1 – \$2 million a year anticipated in interest alone. Additionally, in the future, somewhere between \$10 and \$15 million dollars a month will be deposited into the BB&T account. Senator Wagner stated he planned to bring information to the next HRTAC meeting regarding an investment policy for HRTAC approval. In the meantime, certain funds would be invested in safe, short-term securities. He noted that the plan was to get a maximum rate of return while still having money available when needed.

Delegate Joannou asked about costs from each bank. Senator Wagner replied that there were some small banking fees associated with investment policies along with a small fee for the professional manager. He stated that the investment of the funds would follow Code of Virginia guidelines for the investment of government funds. Senator Wagner asked Ms. Nancy Collins about bank fees. Ms. Collins indicated gross revenues of approximately \$2 million were expected with 10%, or approximately \$200,000, in fees. Delegate Joannou asked if Union Bank and Trust charged a fee. Senator Wagner replied that the Commission

approved a structure in which Union Bank and Trust would be the operating account and BB&T would hold the balance, and asked HRTAC Counsel, Mr. Inglima, for clarification. Mr. Inglima agreed with Senator Wagner. Delegate Joannou again asked whether Union Bank and Trust would be paid a fee. Ms. Collins replied affirmatively; however, the fee would be nominal. Senator Wagner pointed out that there is interest return on the account. Delegate Joannou thanked Senator Wagner for the explanations.

Finance Committee Report - Draft FY 2016 Budget

Senator Wagner reported that the proposed budget was included in the agenda packet. Senator Wagner stated the proposed budget did not include any increase from the previous year, and reminded the Commission that VDOT had agreed to cover the Commission's operating expenses for the first year. Senator Wagner requested a motion to present the HRTAC draft budget to the public at a hearing scheduled for May 20, 2015.

Mayor William Sessoms Moved to present the HRTAC Draft FY 2016 Budget at a public hearing on May 20, 2015; seconded by Mayor Linda Johnson. Chair Krasnoff asked if there was further discussion on the motion. Hearing none, he called for a voice vote. The Motion carried unanimously.

Chair Krasnoff asked the time for the public hearing, and Dr. Camelia Ravanbahkt responded that the time will be from 4:30 p.m. – 7:00 p.m. in the Regional Building Boardroom.

In closing, Senator Wagner reminded the Commission and the public that HRTAC is established solely for the single purpose of funding congestion-relieving road projects or bridge and tunnel projects. He indicated the Commission did not have the authority to spend money on any type of mass or public transit projects, including light rail, and the Commission may only fund those projects that have been approved by the HRTPO.

Projects Referred to the HRTAC Technical Advisory Committee

Dr. Ravanbakht outlined the two project requests for the HRTAC Technical Advisory Committee as follows:

- I-64/264 Interchange: Additional environmental and engineering on the remainder of the needed interchange improvements – \$10.0 million;
- Route 460/58/13 Connector (I-64/I-664 at Bowers Hill to Eastern End of Suffolk Bypass, including interchanges at SPSA Facility and Hampton Roads Executive Airport): Environmental and engineering – \$5.0 million.

Chair Krasnoff welcomed Mr. Neil Crawford, Chair of the HRTAC Technical Advisory Committee, and stated that the above items have now been now referred to that Committee.

Arrangements with VDOT and Project Status

Mr. Inglima reminded the Commission that at the January meeting, the Commission approved the Memorandum of Agreement with VDOT and the Chair working with the Vice Chair and counsel to finalize the initial Interim Project Agreements. There are currently four interim project agreements. Two of the agreements relate to the I-64/I-264 interchange and cover preliminary engineering and right of way acquisition; the third relates to the Third Crossing environmental SEIS; and the fourth relates to preliminary engineering on the I-64 Southside High Rise Bridge project. All of those agreements have been finalized and executed, and are now moving onto the next phase.

Delegate Joannou asked the amount of Federal funds put into the I-64/I-264 interchange improvements project. Mr. Utterback replied that the preliminary engineering, which to date has cost approximately \$13 million, has been Federal money, and that the Commission has put \$60 million toward right of way. Delegate Joannou further questioned whether that was a partial project or the full project. Mr. Utterback explained that it was part of the interim agreements to keep the projects moving forward. Delegate Joannou asked if there would be future costs on this project. Mr. Utterback affirmed that there would be additional costs, and that the entire project is estimated to cost \$230 million. Delegate Joannou asked if those estimated costs included only the Witchduck portion of the project. Mr. Utterback reviewed the costs of various portions of the project, and stated that in order to move the project in a more expedient manner, VDOT is breaking the project in half. He described a map of the construction, noting they hope to move the first portion of the project to construction next year, with the remainder of the project going to construction the following year. They estimate the total budget for Phase 1 will total \$110 million.

I-64 Peninsula Widening – Segment II

Mr. Inglima introduced the topic of the Segment II of I-64 Peninsula widening project, and Mr. Utterback proceeded to describe the project. Segment II consists of the first 12 miles up to Rt. 199, Exit 242 on I-64, which joins Segment I currently under contract. He hopes construction on Segment I will begin before Labor Day, 2015. Mr. Utterback pointed out that Segment II is basically the same as Segment I, except the plan to reconstruct the entire roadway. The project will include one 12-foot lane and shoulder in each direction on the median side of the interstate, in addition to widening the shoulders.

Delegate Chris Jones asked if there would be enough shoulder depth to accommodate an additional traffic lane. Mr. Utterback replied that with Segment I, VDOT was looking into strengthening the shoulders, but not for Segment II. Delegate Jones stated it may make sense to do something similar with Segment II. Mr. Utterback pointed out that the environmental documents and traffic show that six lanes are all that is needed on this section. Eight lanes would be utilized up to Lee hall. Delegate Jones clarified it to be Fort Eustis.

Delegate Joannou asked if it would be better to get four-lane right of way for the future, especially considering increasing traffic in the area. Mr. Utterback noted that the environmental documents specify it would be an ultimate eight-lane configuration, but creating eight lanes right now would require significant expenditure in connection with the Fort Eustis exit. The idea is to have six lanes now with the ability to use shoulder lanes for peak traffic. This plan leaves the opportunity to address creating eight lanes in the future.

Senator Wagner added that the Segment I was estimated at \$144 million, with the State agreeing to pay for \$100 million and HRTAC covering \$44 million. He noted that the bids came in below full price, so HRTAC is now only responsible for \$22 million. Senator Wagner recommended expediting Segment II since the money is available. Delegate Yancey confirmed his support of Senator Wagner's comments.

Mr. Utterback offered further information on the budget and timeline. He summarized a record pace, illustrated by the RFQ release in June, technical proposals in September, followed by price proposals and Notice of Award in the fall, CTB approval in December, and finally Notice to Proceed in January of 2016.

Delegate Chris Jones requested that add-ons mentioned by Senator Wagner be included in writing. Chair Krasnoff agreed that would be worthwhile and should be followed up on.

Mr. Inglima referenced the proposed resolution included in the agenda packet, and explained that, regarding the Segment II project, there will be an interim project agreement for the initial preliminary engineering to allow VDOT to continue working. Currently, the PE work being authorized is for \$6 million, with the remainder of work to be authorized at a subsequent meeting at which the Commission can consider financing alternatives. Mr. Inglima noted that the interim project agreement presented at today's meeting is consistent with agreement presented at the Commission's January meeting, and that the costs were part of the funding plan that went through the public hearing process.

Senator Wagner announced that he and Mr. Inglima had gone over the documents carefully, and, referencing Section 7 of the agreement, pointed out that bills would not be paid until costs were incurred.

Delegate Yancey Moved to approve the HRTAC Resolution 2015-01 included in the agenda packet regarding I-64 Peninsula Segment II; seconded by Mr. Michael Hipple.

Hearing no further discussion, Chair Krasnoff called for a roll call vote. A roll call vote was conducted and the results were as follows:

Mayor Alan Krasnoff	Yes
Mayor Raystine Johnson-Ashburn	Yes
Mayor George Wallace	Yes
Mr. Rex Alphin	Yes
Mr. Michael Hipple	Yes

Mayor McKinley Price	Yes
Mayor Paul Fraim	Yes
Mayor W. Eugene Hunt, Jr.	Absent
Mayor Kenneth Wright	Absent
Mr. Dallas Jones	Yes
Mayor Linda Johnson	Yes
Mayor William Sessoms, Jr.	Yes
Mayor Clyde Haulman	Yes
Mr. Tom Shepperd, Jr.	Yes
Senator L. Louise Lucas	Absent
Senator Frank Wagner	Yes
Delegate Johnny Joannou	Yes
Delegate Chris Jones	Yes
Delegate David Yancey	Yes

Regarding the Motion on the Floor, the Motion Carried.

Policy on Remote Participation in HRTAC Meetings by Members

Chair Krasnoff requested to defer this item to allow Mr. Inglima to review the public comments and to conduct further research.

Delegate Jones stated that he had a question from FOIA Counsel, Maria Everett, regarding HRTAC being a regional public body.

Delegate Yancey added that last year there was legislation regarding FOIA and changes to the code.

Mr. Inglima said that he was aware of those changes and thanked Delegate Jones for the additional information.

Chair Krasnoff noted a consensus to defer this item.

HRTF Financial Report

Chair Krasnoff stated the HRTF Financial Report was in the agenda packet and was available for informational purposes.

Next HRTAC Regular Meeting

Mayor Johnson Moved that the next HRTAC Regular Meeting be held at 12:30 p.m. on May 21, 2015 in the Regional Building Boardroom; seconded by Mayor Paul Fraim. Chair Krasnoff called for a voice vote. The Motion Carried unanimously.

With no further business to come before the Hampton Roads Transportation Accountability Commission (HRTAC), the meeting adjourned at 1:56 p.m.

Alan P. Krasnoff
HRTAC Chair