

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

The Hampton Roads Transportation Accountability Commission (HRTAC) Regular Meeting was called to order at 12:31 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 *	John Malbon
Senator Kenneth Alexander	McKinley Price
Rex Alphin	William Sessoms, Jr.
Paul Fraim	Tom Shepperd, Jr.
Clyde Haulman	Senator Frank Wagner
Michael Hipple	George Wallace
W. Eugene Hunt, Jr.	Kenneth Wright
Linda Johnson	Delegate David Yancey
Raystine Johnson-Ashburn	

HRTAC Ex-Officio Members in Attendance:

Charlie Kilpatrick
John Malbon

HRTPO Executive Director:

Robert Crum

Other Participants:

Deputy Secretary Grindly Johnson
Tom Inglima
Camelia Ravanbakht
James Utterback

HRTAC Voting Members Absent:

Delegate Johnny Joannou
Delegate Chris Jones
Dallas Jones

HRTAC Ex-Officio Members Absent:

Jennifer Mitchell
John Reinhart

* Denotes Late Arrival or Early Departure

Others Recorded Attending:

Beatrice Browder, Deborah Brown, Bill Cashman, JB Holland, Mindy Hughes, Michelle Martin, Kevin Page, Henry Ryto, Donna Sayegh, Lee Yowell (Citizens); James Baker, Jan Proctor (CH); Randy Martin (FR); Mary Bunting, Brian DeProfio (HA); Adam Kinsman (JC); Thelma Drake, Brittany Forman, Marcus Jones, Jeffrey Raliski, Ron Williams (NO); Britta Ayers, Bryan Stilley (NN); Robert Baldwin, Sherri Neil (PO); Randy Wheeler (PQ); Patrick Roberts (SU); Phil Pullen, Tara Reid, Mark Shea, Jim Spore (VB); Neil Morgan (YO); Brittany Arnold (CH2M); Frank Pappin (Citizens Advisory Committee); James Openshaw (CTAC); Scott Forehand, Don Quisenberry, (eScribeSolutions); Ivan Rucker (FHWA); Phil Rinehart (HNTB); Cher Wynkoop (HRTAC); Neal Crawford (HRTAC TAC); Bert Ramsay (Lane Construction); Karen McPherson (McPherson Consulting); Beth Drylie (Michael Baker International); Dennis Heuer (RK&K); Ellis W. James (Sierra Club, NEC Observer); Dianna Howard (TLP, VBTA, VBTP); Julie Bartley (Union Bank & Trust); Michael King (US Navy); Angel Deem, Tony Gibson, James W. Long, III, Paula Miller, Dawn Odom, Caleb Parks, Scott Smizik, Heather Williams (VDOT); Amber Randolph, Brett Spain (Willcox & Savage); Kelli Arledge, Melton Boyer, Nancy Collins, Randy Keaton (HRPDC); Robert Case, Kathlene Grauberger, Danetta Jankosky, Mike Kimbrel, James McNamara, Kendall Miller, Keith Nichols, Joe Paulus, David Pritchard, Dale Stith (HRTPO)

Call to Order

Chair Alan Krasnoff called the meeting to order at 12:31 p.m. and welcomed Senator Kenny Alexander.

Public Comment Period (limit 5 minutes per individual)

Mr. Frank Pappin stated that people use roads, whether by driving on them or using goods transported on them. He expressed understanding of the difficulty and his concern regarding selection of projects along with how to finance them.

Ms. Diana Howard recounted facts about bylaws amendments. She requested that the Bylaws Committee of HRTAC be convened to allow amendments providing for taxpayers to participate in this regional government.

Mr. Ellis James expressed appreciation for HB1886, which embodies the tools to help avoid a future loss such as incurred with the Route 460 project.

Mr. Robert Dean presented a letter to HRTAC from Virginia Beach City Councilman John Moss, who recommended that HRTAC refrain from acting upon the nominating committee recommendation of Mayor William Sessoms as Chair. Mr. Moss suggested that the current Chair continue to serve until the conclusion of the investigation of Mayor Sessoms by the Commonwealth Special Prosecutor.

Ms. Donna Sayegh recounted Principles of Liberty 17: a system of checks and balances should be adopted to prevent abuse of power. She stated that the system no longer exists, citing examples of abuse regarding project funding, ports, and tolls.

HRTAC FY 2016 Election of Chair and Vice-Chair of the Commission

Mr. Tom Inglima, HRTAC Counsel, explained the nominating and election process under the Bylaws.

Mr. Michael Hipple, Chair of the HRTAC nominating committee, Moved to nominate Mayor William Sessoms as Chair; seconded by Mr. Kenneth Wright.

Chair Krasnoff, hearing no further nominations or discussion, called for a roll call vote. The roll call vote was conducted and the results were as follows:

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.	Yes
Mayor Kenneth Wright	Yes
Mr. Dallas Jones	Absent
Mayor Linda Johnson	Yes
Mayor William Sessoms, Jr.	Yes
Mayor Clyde Haulman	Yes
Mr. Tom Shepperd, Jr.	Yes
Mayor Alan Krasnoff	Yes
Senator Frank Wagner	Yes
Delegate David Yancey	Yes
Senator Kenneth Alexander	Yes
Delegate Chris Jones	Absent
Delegate Johnny Joannou	Absent

Regarding the motion on the floor, The Motion Carried Unanimously.

Mayor William Sessoms was elected as Chair.

Chair William Sessoms took the gavel, thanked the Commission for the opportunity, and applauded Mayor Krasnoff for his service.

Mr. Hipple Moved to nominate Mayor Clyde Haulman as Vice-Chair; seconded by Mr. Paul Fraim.

Chair Sessoms, hearing no further nominations or discussion, called for the roll call vote. A roll call vote was conducted and the results were as follows:

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.	Yes
Mayor Kenneth Wright	Yes
Mr. Dallas Jones	Absent
Mayor Linda Johnson	Yes
Mayor William Sessoms, Jr.	Yes
Mayor Clyde Haulman	Yes
Mr. Tom Shepperd, Jr.	Yes
Mayor Alan Krasnoff	Yes
Senator Frank Wagner	Yes
Delegate David Yancey	Yes
Senator Kenneth Alexander	Yes
Delegate Chris Jones	Absent
Delegate Johnny Joannou	Absent

Regarding the motion on the floor, The Motion Carried Unanimously.

Mayor Clyde Haulman was elected as the Vice-Chair of HRTAC.

Minutes of the Regular Meetings of HRTAC on April 16 and May 21, 2015 and the May 28, 2015 Special Meeting.

Mr. Rex Alphin Moved to approve the minutes of the regular HRTAC meetings of April 16 and May 21, 2015 and the Special Meeting of May 28, 2015; seconded by Ms. Linda Johnson. Chair Sessoms held a voice vote to approve the motion, and The Motion Carried Unanimously.

Executive Director Search

Senator Frank Wagner stated that he was prepared to brief the Commission on the search, but since it involved discussion of candidates for employment, the Commission should follow the rules for a closed door session.

Mr. Inglima remarked that he had prepared a motion where if approved the Commission could move into a closed session. He further explained the nature of the business can be conducted during that session.

Vice-Chair Clyde Haulman made the Motion that a closed session be held to discuss and consider prospective candidates for the Commission's Executive Director position and the potential terms and scope of an employment agreement with one of the prospective candidates and if necessary to interview that candidate, which closed session will be held in accordance with Virginia Code Section 2.2-3711(a)(1) for the purpose of discussion, consideration or interviews of prospective candidates for employment and in accordance with Virginia Code Section 2.2-3711(A)(29) for the purpose of discussing the award of a public contract involving the expenditure of public funds and discussion of the terms and scope of such contract where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Commission and which closed session will be attended by all voting and nonvoting members of the Commission, the Commission's attorneys and any other person that the Chair determines after the commencement of the closed session should be permitted to attend as such attendance would be consistent with Virginia Code Section 2.2-3712(F); seconded by Mr. Alphin.

Chair Sessoms, hearing no further discussion, called for a voice vote. The Motion Carried unanimously.

[Session 1 closed at 1:04 P.M.]

[Session 2 reconvened at 1:39 P.M.]

Chair Sessoms reconvened the meeting.

Mr. Inglima explained the Certification for which the Commission was going to be voting.

Mayor Raystine Johnson-Ashburn made a Motion: The Commission hereby certifies that to the best of each member's knowledge 1) only public business matters lawfully exempted from opening meeting requirements under the Virginia Freedom of Information Act and 2) only such public business matters as were identified in the motion by which the closed session was convened, were heard, discussed or considered in the closed meeting just concluded; seconded by Ms. Linda Johnson.

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

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.	Yes
Mayor Kenneth Wright	Yes
Mr. Dallas Jones	Absent
Mayor Linda Johnson	Yes

Mayor William Sessoms, Jr.	Yes
Mayor Clyde Haulman	Yes
Mr. Tom Shepperd, Jr.	Yes
Mayor Alan Krasnoff	Yes
Senator Frank Wagner	Yes
Delegate David Yancey	Yes
Senator Kenneth Alexander	Yes
Delegate Chris Jones	Absent
Delegate Johnny Joannou	Absent
John Malbon	Yes
Charles Kilpatrick	Yes
Jennifer Mitchell	Absent
John Reinhart	Absent

Regarding the motion on the floor, The Motion Carried Unanimously.

Executive Director of HRTAC Search

Senator Frank Wagner presented the resolution regarding the employment of the Executive Director and the accompanying benefit plans.

Mr. Inglima stated the resolution with changes as:

“Whereas the Commission desires to offer to employ Kevin Page, as its Executive Director on substantially the same terms and conditions as those presented to the Commission today, which include a salary of \$192,500 and one year's severance, and on such other terms and conditions as may be satisfactory to the Chair and Vice-Chair. Whereas in connection with employing its Executive Director and future employees, the Commission desires to pursue membership in the Virginia Retirement System for retirement benefits and group life insurance benefits. Whereas in connection with employing its executive director and future employees, the Commission further desires to obtain the Social Security coverage that is available to public employees through section 218 of the Social Security Act and Title 51.1 Chapter 7 of the Code of Virginia and to take such other action as may be necessary or appropriate in connection therewith and to establish the other employee benefit plans and programs presented to the Commission today, which shall initially be based on the HRPDC policies, including enrollment in The Local Choice health benefits program.

Now therefore be it resolved that the Commission approves offering Kevin Page employment as its Executive Director on substantially the same terms and conditions as those presented to the Commission today and on such other terms and conditions as may be satisfactory to the Chair and Vice-Chair. And be it further resolved that the Commission authorizes each of the Chair and Vice-Chair either of whom may act individually to take such action as may be necessary or appropriate to (a) negotiate, finalize, execute and deliver an employment agreement with Kevin Page in accordance with the foregoing; (b) pursue membership in the Virginia Retirement System and request and pay for the actuarial study required by VRS in connection with its application process, (c) finalize, execute, deliver a Social Security coverage plan and agreement and customary form with the Virginia agency responsible for the Commonwealth Section 218 agreement and to cause the proper fiscal officers to establish such systems of payroll deductions as may be required in connection with such coverage and to report and pay such deductions in accordance with

applicable law, and (d) establish the other employee benefit plans and programs described above including enrollment in The Local Choice health benefits program.”

Senator Wagner Moved to adopt the Resolution; seconded by Mr. George Wallace.

Mr. Wallace suggested a change to eliminate the word “negotiate” in connection with the employment agreement with Mr. Page. Mr. Inglima confirmed that could be done.

Hearing no further discussion, Chair Sessoms called for a voice vote. The Motion to Adopt the Resolution passed unanimously.

Hampton Roads Third Crossing Supplemental Environmental Impact Statement

Ms. Angel Deem, VDOT Environmental Division, presented an overview of the Hampton Roads Crossing Study Supplemental Environmental Impact Statement (SEIS). She explained the history of the study of the corridor going back to the year 1999, including the allocation of demonstration funds for innovation projects to the year 2013. Ms. Deem noted that the region has evidenced interest in the Third Crossing, and thus the Federal Highway Administration and VDOT decided to complete the Supplemental EIS to re-evaluate decisions from 2001. Three alternatives previously considered will be re-evaluated as a baseline, which are CBA-1, CBA-2, and CBA-9.

She gave an overview of each of the three alternatives, and noted that the Commission should be familiar with the three alternatives already. She emphasized that agency coordination was going to be critical for the study and explained that VDOT, Federal Highway Administration, and the Corps of Engineers have already started meeting.

She provided a schedule that included a Notice of Intent that was published on June 23 in the federal register, and Citizen Information Meetings were scheduled for Tuesday and Wednesday of next week to coincide with the first agency kickoff meeting. She expects to be able to deliver the draft SEIS in early fall of 2016, and hopes to get a decision by the end of 2016. She added that her entire location study staff will be participating in the study to make certain they meet the two year schedule for the SEIS.

Ms. Deem introduced Mr. Scott Smizik from the staff as NEPA project manager for the study and noted that Mr. Jim Long with the Hampton Roads District is the representative on the study.

Mr. Eugene Hunt asked how VDOT will reconcile the perspectives of numerous agencies regarding congestion and other variables. He specifically inquired about improvements on Route 164 and the Craney Island connector. He noted that a citizen had made some suggestions to look at that as an alternative. He emphasized a reduction of 20 miles of new bridge using the citizen-suggested 164 alternative. Ms. Deem offered that the three alternatives are considered a baseline and that others may be looked at.

HRTAC Technical Advisory Committee Report

Mr. Neal Crawford, Chair of the HRTAC Technical Advisory Committee, reported that the body has engaged Public Financial Management Group (PFM) to be its financial advisor. Mr. Crawford stated that he anticipates being in a position in 90 days to make recommendations to the Commission on the nine projects. The committee is trying to use available data, but may need additional resources for a traffic and revenue study. The next scheduled meetings are for August 18 and September 15, 2015.

HRTAC Finance Committee Report

Senator Frank Wagner, Chair of the Finance Committee, reported the following:

- A balance of \$269,139,465.66 as of June 1, 2015
- A balance of \$293,487,195.42 as of June 16, 2015
- An expected incoming wire transfer of \$22,106,808.49 tomorrow
- Expected increases of \$10 million to \$15 million per month
- The figures quoted do include almost \$170,000 of collected interest on deposited funds

Unfinished/New Business

Chair Sessoms asked for any unfinished or new business.

Mr. Charles Kilpatrick, VDOT Commissioner, referred to his April 2015 briefing of the Commission regarding I-64 Segment II and noted that it is a design-build contract. He explained the process and requested that the Commission authorize the completion and finalization of the project agreement.

Senator Wagner noted that progress payments will be authorized with oversight by the new Executive Director.

Mr. Kilpatrick explained that the action that is needed to take place is the Commission to authorize the construction funding of the project and finalization of the agreement. He requested that the matter be placed on the agenda for the next HRTAC meeting.

Senator Wagner asked if VDOT has received any bids. Mr. Kilpatrick described the bidding process and stated that proposals, which he hopes will come in under estimate, are to be submitted in September 2015. He pointed out that he must take the contract before the VDOT board and then proceed as the Commission desires.

Chair Sessoms stated that the actual cost is what the Commission would be looking for. Senator Wagner suggested that the Finance Committee can work out a system if the Commission will authorize, and he can report back.

Mr. McKinley Price reminded the Commission that next month no PDC or TPO meetings are scheduled.

Mr. Price Moved to change the Regular HRTAC meeting time on August 20, 2015 to 9:00 A.M.; Delegate David Yancey seconded. The Motion Carried.

With no further business to come before the Hampton Roads Transportation Accountability Commission, the meeting adjourned at 2:05 p.m.

William D. Sessoms, Jr.
HRTAC Chair