

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

The Hampton Roads Transportation Accountability Commission (HRTAC) Regular Meeting was called to order at 12:08 p.m. in the HRTPO Regional Board Room, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

HRTAC Voting Members in Attendance:

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

HRTAC Executive Director:

Kevin Page

HRTAC Non-Voting Members in Attendance:

Charlie Kilpatrick	John Malbon
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Other Participants:

Cathie France	W. Sheppard Miller, III
Tom Inghima	James Utterback
Dep. Sec. Grindley Johnson	

HRTAC Voting Members Absent:

Senator Kenneth Alexander	Dallas Jones
W. Eugene Hunt, Jr.	Senator Frank Wagner
Raystine Johnson-Ashburn	Delegate David Yancey

HRTAC Non-Voting Members Absent:

Jennifer Mitchell	John Reinhart
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* Denotes Late Arrival or Early Departure

Others Recorded Attending:

Donna Sayegh, Tony Wilson (Citizens); Jim Baker, Kelly Lackey, Earl Sorey (CH); Lynn Allsbrook (HA); Bryan Hill (JC); Thelma Drake, Jeffrey Raliski (NO); Bryan Stilley, Jerri Wilson (NN); Sherri Neil, Lydia Pettis Patton (PO); Patrick Roberts (SU); Angela Bezik, Brian Solis (VB); Frank Papcin (Citizens Advisory Committee); Randy Darden (Dewberry); Scott Forehand, Don Quisenberry (eScribeSolutions); George Consolvo (Kaufman & Canoles); David Miller (PFM); James Webb Jones (Poole Mahoney); Mark Geduldig-Yatrofsky (Portsmouthcitywatch.org); Mindy Hughes (Seventh Point Transportation PR); Dianna Howard (TLP, VBTA, VBTP); Jim Long, Paula Miller (VDOT); Jordan Pescale (Virginia Pilot); Amber Randolph (Willcox & Savage); Phil Lohr (WRA); Jennifer Coleman, Nancy Collins, Danetta Jankosky, Mike Long, Joe Turner (HRPDC); Robert Crum, Kathleen Grauberger, Mike Kimbrel, Brian Miller, Camelia Ravanbakht (HRTPO)

Call to Order

Chair William Sessoms called the meeting to order at 12:08 p.m.

Public Comment Period (limit to 5 minutes per individual)

Mr. Frank Papcin commented that tolls punish the working class and those that choose to live a distance from their jobs. He also called for the projects to be completed sooner than later, noting the economic stagnation resulting from project delay.

Ms. Donna Sayegh recounted recent discussions with James Utterback and Art Moye. She expressed concern that the citizens of Portsmouth need to be better informed before tolling and taxing decisions are made. She expressed a desire to be part of the decision making process.

Mr. Mark Geduldig-Yatrofsky questioned whether the HRTAC enabling legislation offered HRTAC the ability to consider sea level rise and recurrent flooding in the decision making process.

Approval of Agenda

Delegate Chris Jones Moved to approve the agenda; seconded by Mr. Rex Alphin. The Motion carried unanimously.

Delegate Johnny Joannou offered some comments regarding the letter presented to the Commission, which was a copy of Secretary Layne's letter to the HRTPO. He noted that Delegate Jones, Delegate Yancey, and he were not in the General Assembly when the 1995 P3 was passed by the General Assembly. He added that the new bill replaced the bill that gave local City Councils authority to decide whether to move forward with a project or not.

Delegate Chris Jones expressed that the HOV to HOT conversion can be another funding source. He also reminded the Commission that he is working on a bill that will require establishment of a free alternative if a fixed toll was placed.

Ms. Johnson expressed that she believes the study is prudent and a good idea. She reiterated that the cost would not be the responsibility of the HRTPO or HRTAC.

Mr. Tom Shepperd offered 3 observations:

1. He questioned who is doing the study;
2. He noted the Return-on-Investment had already been discussed and found to be low; and
3. He questioned how the conversion will affect the other projects.

Delegate Joannou asked why not just open up the HOV lanes to regular traffic. He added that spending money to convert HOV to HOT might be a waste when the money could be spent elsewhere on building other roads.

Ms. Johnson reiterated that the letter only spoke of a 13.5 mile segment. She questioned the cost of conversion, noting that it seemed excessively expensive.

Mr. Kilpatrick explained that you had to build ingress and egress components, ramps, etc. He suggested that infrastructure light facilities would be good for the short term, and that you could make incremental changes over time.

Consent Items

A. Minutes of the November 19, 2015 HRTAC Regular Meeting (Attachment 5A)

Mr. George Wallace Moved to approve the Minutes of the November 19, 2015 HRTAC Regular Meeting; seconded by Mr. Paul Fraim. The Motion carried unanimously.

6. Action Items

A. Authorization of Public Hearing on Amendment to the FY 2016 Budget (Attachment 6A)

HRTAC Executive Director Kevin Page offered that the HRTAC Finance Committee proposed a FY2016 Budget Amendment. The specifics of the amendment are an additional \$1,878,500 to complete the operating budget through close of business 2016, resulting in a total Amended Budget of \$2,966,732.

Delegate Joannou questioned whether the amended amount included the Secretary of Transportation's recommended \$1 million study. Mr. Page responded that the recommendation for the study was sent to the HRTPO and that the HRTPO would be responsible for the cost of the study. Ms. Linda Johnson noted that the Office of Intermodal Planning and Investment would be covering costs.

Mr. Alan Krasnoff expressed concerns that the HOV to HOT conversion study would hold up the High Rise Bridge project. Mr. Charlie Kilpatrick, VDOT Commissioner, responded that he didn't foresee anything about the study that would slow down the project, and could see the study easily dovetailing with other projects.

Regarding the High Rise Bridge project, Mr. Kilpatrick made the following observations:

- The Environmental Document is essentially complete;
- In order for FHWA to sign the Finding Of No Significant Impact, they need a funding plan; and
- They have initiated a call to move forward with some fundamental engineering work, aerial survey, and geotech work.

Mr. Krasnoff suggested that building a new bridge in addition to the existing bridge could cut project costs significantly. Mr. Kilpatrick agreed they are very likely to consider that option. Mr. Krasnoff asked if VDOT could present to HRTAC regarding that option in January, to which Mr. Kilpatrick responded affirmatively.

Delegate Jones suggested that February could be a more reasonable return date on a funding plan, since VDOT may need more time to get accurate numbers.

Mr. Kenneth Wright observed that the figures presented at the last meeting were prepared using tolling, and that new information has been presented that suggest a no-tolling scenario might prevail. Mr. Wright observed that the previously provided numbers need to be reworked to reflect the absence of tolling. Chair Sessoms agreed.

Mr. Rex Alphin Moved to authorize the Finance Committee to hold a Public Hearing on Proposed Amendments to the Approved FY 2016 Budget; seconded by Ms. Linda Johnson. The Motion carried unanimously.

B. Construction of Phase I of the I-64/I-264 Interchange Improvements Project (UPC 57048)(Attachment 6B)

Mr. Page reminded the Commission of Secretary Layne's presentation from August regarding HB2 applications potentially slowing projects. He offered that this current Action Item was put forth to continue to advance project readiness in incremental construction. He noted that the HRTPO has submitted the project for HB2 funding. He relayed that the current funding of the project was a pay-go type funding, and the action item is requesting allocation of \$137,023,653. He highlighted that the resolution allows for a reduction in allocated funds should other funding sources like HB2 funds be procured.

There was a discussion regarding the legal implications of the phrase "subject to modifications as the Chair and Executive Director may deem necessary." Mr. Joannou questioned whether that could give the Chair or the Executive Director the authority to impose tolling without having the Commission vote on tolling. Counsel Inglima said that it did not. Counsel Inglima stated that he would recommend against that action, adding that if that action were to happen, it would create a contract that was not enforceable. For further clarification, Counsel Inglima offered that changes made would be akin to changing the name of the project, project location, dates, and amounts.

Delegate Chris Jones summarized Delegate Joannou's concern regarding binding the Commission to certain actions without the Commission voting on them, and questioned whether a check and balance existed. Counsel Inglima added that the Bylaws contemplate that budget line item changes made by the Executive Director require Finance Committee Chair approval, which acts as a check and balance on changes to the operating budget. He suggested that in the future, the Commission could adopt a similar check and balance in connection with contract modifications.

Mr. Alan Krasnoff Moved to adopt the applicable resolution presented in the agenda packet to approve construction of Phase I of the I-64/I-264 Interchange Improvements Project; seconded by Ms. Linda Johnson. A roll call vote was held with the results as follows:

Alan Krasnoff	Yes
Raystine Johnson-Ashburn	Absent
George Wallace	Yes
Rex Alphin	Yes
Michael Hipple	Yes
McKinley Price	Yes
Paul Fraim	Yes
Kenneth Wright	Yes
Linda Johnson	Yes
William Sessoms	Yes
Clyde Haulman	Yes
Thomas Shepperd	Yes
Johnny Joannou	Yes
Frank Wagner	Absent
Kenny Alexander	Absent
Eugene Hunt	Absent
Dallas Jones	Absent
David Yancey	Absent

The Motion Passed with the required affirmative votes.

C. Annual Fiscal Year 2015 Annual Report to the Joint Commission on Transportation Accountability (JTAC) Relating to the Hampton Roads Transportation Fund (Attachment 6C)

Mr. Page explained that the annual report submitted to the JCTA was a requirement of the Appropriations Act. He noted that the report should look similar to a report submitted last year. He concluded his comments thanking the Commissioner and his staff for their help with the preparation of the report.

Mr. Rex Alphin Moved to endorse for submission the Annual Fiscal Year 2015 Annual Report to the Joint Commission on Transportation Accountability; seconded by Ms. Linda Johnson. The Motion carried unanimously.

7. Information Items

A. HRTF Financial Report

- Combined bank balances of \$362,657,294.85 as of 10/31/15;
- Gross Revenues of \$365 million;
- Total Expenditures of \$2.142 million; and
- Cash balance of \$363,433,790.

B. Funding Strategies Advisory Committee Update

Mr. Sheppard Miller reported the following regarding the Funding Strategies Advisory Committee:

- The funding for the current I-64 Widening Project is 75% Regional Funds, and 25% State and Federal Funds;
- \$229 Million per year is the expected funding shortfall;
- Flooring the Gas Tax is a potential solution to some of the shortfall; and
- He expects to be able to provide hard numbers on the HOV to HOT conversion in the next 30 to 60 days.

C. HRTPO Executive Director's Comments

Mr. Page provided that he was very close to finishing his task of meeting with all the voting members of the Commission. He thanked everyone for opening up their schedules and wished everyone a great holiday.

D. HRTPO Report of Activities

Mr. Robert Crum stated that the HRTPO will place on their January 21 meeting agenda an item regarding following up on Secretary Layne's correspondence.

Next Regular HRTAC meeting date

Chair Sessoms stated that the next HRTAC Regular meeting would be held on January 21, 2016 at 12:30 PM.

Adjournment

With no further business to come before the Hampton Roads Transportation Accountability Commission, the meeting adjourned at 1:16 p.m.



William D. Sessoms, Jr.
HRTAC Chair