

AGENDA

Hampton Roads Transportation Accountability Commission

HRBT Funding Agreement Advisory Committee Meeting

February 15, 2019

9:00 a.m.

**Regional Building
Board Room A
723 Woodlake Drive
Chesapeake, VA 23320**

- 1. Call to Order**
- 2. Approval of Agenda**
 - *Recommended Action: Approval*
- 3. Public Comment Period**
 - *Limit 5 minutes per individual*
- 4. Chair Comments**
- 5. Consent Item**
 - *Recommended Action: Approval*
- A. Minutes of the January 17, 2019 Meeting**
- 6. Action Items**
 - *Recommended Action: Discussion/Endorsement/Recommendation/Direction*
 - A. Briefing on the P3 for HRBT Expansion Project and related project work streams, including development of Term Sheet, and review potential action items for HRTAC in respect of the P3, the prospective HRBT Funding Agreement, and the prospective Regional Tolling Network Agreement - Closed Session, as needed – (Attachment 6A) - Executive Director Page, Counselors Inglima, Ballou, and Wall.**
 - B. Direction from the HRBT Funding Agreement Advisory Committee**
- 7. Adjournment**

Agenda Item 5A
Consent Item

To: Chair Hipple and the other members of the HRBT Funding Agreement Advisory Committee

From: Kevin B. Page, Executive Director

Date: February 15, 2019

Re: January 17, 2019 Meeting Minutes

Recommendation:

The HRBT Funding Agreement Advisory Committee is asked to approve the January 17, 2019 Committee meeting minutes.

Background:

The HRBT Funding Agreement Advisory Committee approves meeting minutes for the permanent record of the Committee.

Fiscal Impact:

There is no fiscal impact in relation to this Consent Item.

Suggested Motion:

Motion is to approve the minutes of the HRTAC HRBT Funding Agreement Advisory Committee meeting on January 17, 2019.



**Hampton Roads Transportation
Accountability Commission (HRTAC)
HRBT Funding Agreement Advisory Committee Meeting
Summary Minutes of the January 17, 2019 Meeting**

The meeting of the Hampton Roads Transportation Accountability Commission (HRTAC) HRBT Funding Agreement Advisory Committee was held in the Regional Building Conference Room D/E, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

HRTAC HRBT Funding Agreement Advisory Committee Members in Attendance:

Michael Hipple, Chair	Delegate Chris Jones (by phone)
Kenneth Alexander	Donnie Tuck

HRTAC HRBT Funding Agreement Advisory Committee Members Absent:

Senator Frank Wagner

HRTAC Executive Director

Kevin Page

Other Participants:

Eric Ballou, Kaufman & Canoles	Chuck Wall, Seyforth Shaw (by phone)
Tom Inglima, Willcox & Savage	

* Denotes Late Arrival or Early Departure

Others Recorded Attending:

Brian DeProfio (HA); Jim Icenhour (JC); Amy Inman (NO); Rob Case (HRTPO)

Call to Order

Chair Hipple called the HRBT Funding Agreement Advisory Committee meeting to order at 10:00 a.m.

Approval of Agenda

Mr. Kenneth Alexander Moved to approve the agenda; Mr. Donnie Tuck seconded. The Motion Carried.

Public Comment Period (limit 5 minutes per individual)

No public comments were made.

Chair Comments

Chair Hipple did not have any comments for the Committee.

Consent Items

5A. Minutes of the December 10, 2018 Meeting

Mr. Donnie Tuck Moved to approve the minutes of the October 5, 2018 Meeting; seconded by Mr. Kenneth Alexander. The Motion Carried.

Action Items

6A. Funding Agreement Advisory Committee Remote Participation Policy

Mr. Kevin Page, HRTAC Executive Director, stated the policy had been previously distributed prior to the meeting for review and the adoption of the policy would allow members to participate remotely only if a physical quorum was obtained.

Mr. Tom Inglima, HRTAC Legal Counsel, indicated the policy included in the motion had been updated to allow the members to participate two times per year which is the maximum amount allowed by law.

Mr. Donnie Tuck Moved to approve the HRBT Funding Agreement Advisory Committee's Policy on Remote Participation in Committee Meetings by Electronic Means, Mr. Kenneth Alexander seconded. The Motion Carried.

6B. Briefing on the P3 for HRBT Expansion Project and related project work streams, including development of Term Sheet, and review potential action items for HRTAC in respect of the P3, the prospective HRBT Funding Agreement, and the prospective Regional Tolling Network Agreement – Closed Session, as needed

Mr. Donnie Tuck Moved that a closed session be held for discussions regarding the request for proposals for the Hampton Roads Bridge Tunnel project and the agreements being developed to fund and construct the project, in accordance with (1) Virginia Code Section 2.2-3711(A)(29) for the purpose of discussion of 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 public body, and (2) Virginia Code Section 2.2-3711(A)(8) for the purpose of consulting with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel; seconded by Mr. Kenneth Alexander. The Motion Carried.

The closed session commenced at 10:06 a.m. and ended at 10:56 a.m.

Chair Hipple, hearing no further discussion, called for a roll call vote. Counselor Inglima initiated a roll call vote of each member present during closed session agreeing to the foregoing certification, and the results were as follows:

Michael Hipple, Chair - Yes
Kenneth Alexander - Yes
Chris Jones - Yes
Donnie Tuck - Yes

Adjournment

With no further business to come before the Hampton Roads Transportation Accountability Commission Finance Committee, the meeting adjourned at 10:57 a.m.

Michael J. Hipple
HRBT Funding Agreement Advisory Committee Chair

Agenda Item 6A
Action Item

To: Chair Hipple and the other members of HRBT Funding Agreement Advisory Committee

From: Kevin B. Page, Executive Director

Date: February 15, 2019

Re: Briefing on the P3 for HRBT Expansion Project and related project work streams, including development of Term Sheet, and review potential action items for HRTAC in respect of the P3, the prospective HRBT Funding Agreement, and the prospective Regional Tolling Network Agreement - Closed Session, as needed

Recommendation:

The HRBT Funding Agreement Advisory Committee (“FAAC”) will be briefed by Commission staff, and counsels on the P3 for HRBT Expansion Project and related project work streams, including development of a Term Sheet, and review potential action items for HRTAC in respect of the P3, the prospective HRBT Funding Agreement, and the prospective Regional Tolling Network Agreement. The FAAC may enter into a closed session as needed.

Background:

FAAC members, Staff, and Counsels continue to work on matters pertaining to the development of points in principle for an agreement pathway for recommendation to the Commission for consideration. An update briefing will be provided to the FAAC members.

Fiscal Impact:

There is no immediate fiscal impact in relation to this Action Item.

