

**Hampton Roads Transportation
Accountability Commission (HRTAC)
Summary Minutes of the September 29, 2014 Monthly Meeting**

The Hampton Roads Transportation Accountability Commission (HRTAC) Monthly Meeting was called to order at 10:00 AM in the Regional Board Room, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

HRTAC Voting Members in Attendance:

Alan P. Krasnoff, Chair *	Mary Jones
Senator Frank Wagner, Vice Chair	Delegate S. Chris Jones
Paul D. Fraim	Senator Louise Lucas
W. Eugene Hunt	McKinley Price
Delegate Johnny Joannou	William D. Sessoms
Linda T. Johnson	George Wallace
Raystine D. Johnson-Ashburn	Kenneth Wright *
Dallas Jones	Delegate David Yancey

HRTAC Ex-Officio Members in Attendance:

Cathie France (Alternate) *
Charlie Kilpatrick
John Malbon
Jennifer Mitchell

HRTPO Interim Executive Director:

Camelia Ravanbakht

Other Participants:

Tom Inglima
Deputy Secretary Grindly Johnson

HRTAC Voting Members Absent:

Byron Bailey
Clyde Haulman
Donald Wiggins

HRTAC Ex-Officio Members Absent:

John Reinhart

* Late Arrival or Early Departure

Others Recorded Attending:

Helen Dragas, John Gergely, Stuart Goodpasture, Jonathan Nye, Frank Papcin, Donna Sayegh (Citizens); Jan Proctor, Earl Sorey (CH); Brian DeProfio (HA); Brittany Forman, Bryan Pennington, Jeffrey Raliski (NO); Britta Agerg, Claudia Cotton, Bryan Stilley (NN); Angela Bezik, Bob Matthias (VB); Chris Foley (AECOM); John Herzke, (Clark Nexsen); Scott Forehand, Greg Neal, Don Quisenberry, (eScribeSolutions); Dean McCain (Hampton Roads Chamber of Commerce); Ryan Banas, Anil Sharma (HNTB); Clyde T. Clark, Jr. (HRTAC – Technical Advisory Committee); Vince Mastracco (Kaufman & Canoles, PC); Ross Grogg (Kemper Consulting, City of Norfolk); Stephen Brich (Kimley-Horn & Associates); Barrett Herdman (Luck Stone); Tracy Baynard (Maguire Woods Consulting); Matt Benka (MDB Strategies); Deborah Brown (Parsons Brinckerhoff); Ronaldo T. Nicholson (Parsons Transportation Group); Debbie Messina, Philip Shucet (Philip A Shucet Company); Andrew Sinclair (Port of Virginia); Mark Geduldig-Yatrofsky (PortsmouthCityWatch.org); Dennis Heuer (RK&K); Diane Kaufman (Senator Kaine); Matt Ward (Suffolk News Herald); Dianna Howard (VBTP, VBTA, TLP); David Forster (Virginian-Pilot); William W. Harrison, Jr. (Williams Mullen); Melton Boyer, Jennifer Coleman, Nancy Collins, Greg Grootendorst, Jim Hummer, Randy Keaton, Mike Long, Joseph D. Paulus, Joe Turner, Chris Vaigneur (HRPDC); Rob Case, Brian Chenault, Kathlene Grauberger, Danetta Jankosky, Mike Kimbrel, Brian Miller, Kendall Miller (HRTPO);

Public Comment Period (*limit 5 minutes per individual*)

Mr. John Gergely was invited to make the first public comment. Mr. Gergely discussed the Code of Virginia, the legal creation of HRTAC, and his impression that HRTAC was not exercising authority within it's mandate. Mr. Gergely remarked that HRTAC's mandate is to reduce congestion in the Hampton Roads area to the benefit of Hampton Roads residents. He remarked that the Patriot's Crossing, supporting traffic to/from the port, was in support of the port, not the residents of Hampton Roads.

Mr. Frank Papcin was invited to make his comments. Mr. Papcin remarked that the HRTAC will soon be choosing a bank to house, collect, and disburse funds for HRTAC. To that end, he felt that many members of the HRTAC Board have potential conflicts of interest since they have positions of authority at those banks that could be awarded that banking contract. Mr. Papcin also went on to discuss that the ports are already receiving highway fund money, Patriot's Crossing is already being funded with HRTAC money, the port is a Virginia asset being subsidized by the state, and that the crossing is not going to fix the problem, only move the congestion to the other side of the HRBT. He was a proponent for widening I-64.

(Cathie France arrives)

Ms. Dianne Howard was invited to speak. She remarked that the members of the HRTAC board were not elected to the Board, but were appointed. She remarked that HRTAC money is supposed to be used to alleviate issues local to Hampton Roads. She remarked that control was supposed to remain locally, but we have State representatives

on the Board which gives some control to the State. Further, she described the port as a State asset, and that funding to support the port should come from the State, not from Hampton Roads. She continued discussing data about the HRBT being overly congested and having a high incidence of crashes. She closed with remarks that nobody wanted the third crossing and that it wasn't addressing the local traffic issues.

(Alan Krasnoff arrives, Kenneth Wright arrives)

Ms. Donna Sayegh addressed the HRTAC. She began by quoting English Common Law, John Locke, John Adams, and scripture relating to land and property ownership, as well as the rise of tyranny and anarchy when property rights are ignored. She remarked that the General Assembly tricked the population, created its own communist manifesto via increased taxes and the creation of the Hampton Roads Transportation Fund. She raised the thought that HRTAC is allowed to tax the population without having been elected. She closed with a request to be appointed to the HRTAC Finance Committee.

Mr. Mark Geduldig-Yatrofsky addressed the HRTAC. He made a suggestion that the method of Board creation in the future include directly elected individuals instead of appointed members. He made the remark that elected officials had to vote to suspend rules so that they could be appointed to the Board. He recommended methods of election. He stated that we cannot pave our way out of congestion, and that a multi-modal approach was needed.

Mr. Jonathan Nye addressed HRTAC. He commented about legislative packets. He made reference to alternative methods of Board composition to include elections. He commented that five members appointed themselves, and that one Delegate stated he would have the General Assembly do his bidding regardless of what HRTAC decided. He commented that tax and toll weren't funding answers, that paving was not a solution, that climate issues needed to be considered, and that more unified regional leadership was needed. He closed with a story about a delayed bus ride.

Minutes of the August 21, 2014 HRTAC Retreat

Mayor Paul Fraim Moved to approve the August 21, 2014 HRTAC Retreat Summary Minutes as written; seconded by Senator Frank Wagner. The Motion Carried.

Report on the 2034 Long range Transportation Plan Amendment

Dr. Camelia Ravanbakht presented the 2034 Long Range Transportation Plan (LRTP) and amendments. She discussed I-64 widening, Patriot's Crossing, I-64/I264 widening and the US 460/58/13 connector. She discussed cost projections and various 2034 LRTP project inclusions.

Delegate Joannou asked if the projects included tolls. Dr. Ravanbakht responded that the plan did not include tolls, and that her purpose was to present the projects for inclusion into the plan, not to determine where funding was forthcoming. Secretary Layne added

that the source of the funding is not yet determined. Additional questions from Delegate Joannou prompted additional response from Secretary Layne describing that the decision to be made was not to determine funding, and that was to come later. After some additional discussion, Delegate Joannou made a point that they should not toll one facility to pay for another facility. Vice Chairman Frank Wagner gave explanation that current projections show that funding can be accomplished with existing cash flow. He remarked sharing Delegate Joannou's concerns regarding tolling one location to pay for another. Senator Wagner concluded that any talk of tolling was premature. After additional discussion, Senator Wagner stated that the projects being put forward do not involve tolls.

Secretary of Transportation Aubrey Layne Addressed the HRTAC

Secretary Layne was next to speak. He talked about the creation of HRTAC, the history of funds distribution, the various projects and their various states of progress. He reiterated that HRTAC was to be an autonomous entity, but it needed help from other local and state agencies to get going. He offered his services to be the Executive Director for HRTAC so that he could help the processes with the State, and offered to create/draft a Memorandum of Understanding (MOU) to that effect.

Mayor Kenneth Wright asked if there was a model available to look at project funding on this scale, and Secretary remarked that there was a model available that developed with KPMG.

Secretary Layne's additional comments focused on funding, long range plan funding, different methods of funding such as bonding, taxing, tolling.

Mayor Raystine Johnson-Ashburn expressed concerns, and made a point of order about setting a precedence of voting on items not on the agenda. Senator Wagner attempted to give explanation. Mary Jones made supportive statements regarding the issue and stated appreciation for the legal clarification. Mr. Eugene Hunt summarized the conversation and provided additional clarity to the issue.

Senator Wagner apologized for the oversight of not having the project budget items included prior to the meeting. He went on to give his bleak estimation of the process without a vote on budget inclusion on that day. Mr. George Wallace asked for clarification of what they were going to be voting. Mr. Wagner explained in greater detail, which satisfied Mr. Wallace.

Mayor Johnson-Ashburn questioned remuneration for Secretary Layne's offer to be the HRTAC Executive Director. Secretary Layne gave additional explanation.

Mayor Wright asked about additional enhancements beyond HRTAC jurisdiction to the North. Secretary Layne gave a remark that those discussion aren't complete yet, and that House Bill 2 will start having an impact on those future projects.

HRTAC Finance Committee Report by Senator Wagner

Finance Committee Chairman Frank Wagner was next to speak and presented the HRTAC Finance Committee proposed budget. Mr. Wagner described the post-approval process involving public hearings and collection of public comments. November 5, 2014 was listed as a tentative date for public review of the budget. A discussion regarding staffing and the temporary use of HRTPO staff by HRTAC. Delegate Joannou asked for clarification of the use of the HRTPO staff, and was provided with the answer that they are temporary staff. He was satisfied with the response.

Senator Wagner made a motion to include the projects with their overall dollars projections into the draft budget. The motion was seconded. A vote was taken and the motion passed.

Senator Wagner made a Motion to approve the draft budget including the list of projects. The Motion was amended by Mr. Eugene Hunt to have the State prepare the MOU; seconded by Ms. Johnson. The Motion Carried.

Senator Wagner made a Motion that the just-approved draft budget be referred to VDOT for advertising, public hearing, and public comment collection. The motion was seconded by McKinley Price. The Motion Carried.

Senator Wagner next discussed the upcoming banking services RFP. Additional questions regarding bank eligibility, RFP publication, procurement laws, Board Member voting eligibility, potential Board Member conflicts of interest occurred, and expected availability of ample competition. Mr. Wallace requested additional clarification of whether one or multiple awardees are expected. Secretary Layne discussed the importance of having a banking services vendor in place since as long as the State holds the money, bonding of the funds will not be possible. Delegate Joannou and Mayor Fraim raised questions of ethical nature about RFP response and the potential need for RFP response abstinence. Tom Inglima stated that he needed to know more to comment on the issue.

Senator Wagner made a Motion to advertise the Banking Services RFP. The Motion was seconded by Mr. Eugene Hunt. The Motion Carried.

A further discussion occurred regarding finance committee members voting on making the Banking Services RFP award recommendation, who can and cannot vote and/or make those decisions. It was decided that the attorneys will look into the matter and disseminate an answer to the Board.

Unfinished/New Business

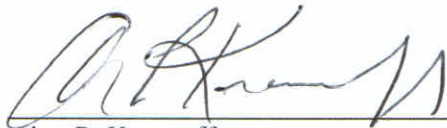
No business was discussed.

Next Meeting

The next HRTAC Board Meeting was set to be October 16, 2014 at 12:30 pm. The HRTAC By-Laws Committee meeting is set for October 17, 2014.

Adjournment

With no further business to come before the Hampton Roads Transportation Accountability Commission (HRTAC), the meeting adjourned at 11:35 a.m.

A handwritten signature in black ink, appearing to read 'A. Krasnoff', written over a horizontal line.

Alan P. Krasnoff
HRTAC Chair