

RICHMOND REGIONAL PLANNING DISTRICT COMMISSION
Minutes of Meeting
February 10, 2011

Members/Alternates Present

Chris W. Archer (M)..... County of Henrico
L. Ray Ashworth (M).....City of Richmond
Richard Ayers (M)County of Powhatan
Willie L. Bennett (M) County of Henrico
Malvern R. “Rudy” Butler (M).....County of Goochland
Douglas G. Conner (M)City of Richmond
Robert R. Cosby (M).....County of Powhatan
Timothy W. Cotman, Sr. (M)..... County of Charles City
James D. Crews (M)County of Goochland
James B. Donati (M), Chairman County of Henrico
Marleen K. Durfee (M).....County of Chesterfield
Evan Fabricant (M)County of Hanover
Kathy C. Graziano (M)City of Richmond
Russell J. Gulley (M)County of Chesterfield
James M. Holland (M)County of Chesterfield
Dorothy Jaeckle (M)County of Chesterfield
David A. Kaechele (M)..... County of Henrico
Lynn McAteer (M).....City of Richmond
Patricia S. O’Bannon (M) County of Henrico
C. Harold Padgett (M).....County of Hanover
Edward W. Pollard (M)..... County of New Kent
Faye O. Prichard (M), Treasurer.....Town of Ashland
Robert R. Setliff (M).....County of Hanover
Randall R. Silber (A) County of Henrico
Stran L. Trout (M), Vice Chairman County of New Kent
Joseph B. Walton (M)County of Powhatan
Arthur S. Warren (M)County of Chesterfield
Deborah B. Winans (A)County of Hanover

Members Absent

Daniel A. Gecker (M)County of Chesterfield
Richard W. Glover (M)..... County of Henrico
John E. Gordon, Jr. (M), SecretaryCounty of Hanover
E. Martin Jewell (M).....City of Richmond
Charles R. Samuels (M)City of Richmond
Millard D. Stith (M)County of Chesterfield
Frank J. Thornton (M)..... County of Henrico

Others Present

John R. Amos..... RRPDC Legal Counsel
Allyson Finchum..... County of Charles City
George Homewood..... County of New Kent

Staff Present

Robert A. Crum, Jr..... Executive Director
Jo A. Evans Assistant Executive Director
Julie H. Fry..... Executive Secretary
Sulabh Aryal Associate Planner
Anne Darby Senior Planner
Billy Gammel..... Associate Planner
Chuck Gates Communications Coordinator
Barbara Jacocks Principal Planner
Jin Lee Senior Planner
Daniel N. Lysy Director, Transportation
Barbara S. Nelson Principal Planner
Kathy Robins Senior Planner
Greta Ryan Data Analyst
Randy Selleck Principal Planner
Jackie Stewart Director, Planning and Information Services
Sarah Stewart Senior Planner
Peter M. Sweetland Finance and Contracts Administrator
Tiffany Tran Senior Planner
Lee Yolton Principal Planner

Call to Order

Chairman Donati called the regularly scheduled February 10, 2011 RRPDC meeting to order at approximately 1:10 p.m. in the RRPDC board room. He then led members in the pledge of allegiance to the flag.

I. ADMINISTRATION

A. Certification by Commission Executive Director of Meeting Quorum

Mr. Crum certified that a quorum of members was present.

B. Requests for Additions or Changes in Order of Business

Chairman Donati asked if there were any additions or changes to be made to the agenda. There were no changes and the agenda was accepted as presented.

C. Open Public Comment Period

Chairman Donati asked if there was anyone from the public in attendance who wished to make a comment to members of the Commission. He reminded speakers that their time is limited to three minutes. As there were no requests from the public to address the Commission, the Chairman closed the public comment period.

D. Chairman's Report

Chairman Donati reported that he has received notice from the Virginia Association of Counties and the National Association of Counties that there is a good possibility that Community Development Block Grant (CDBG) funding will be cut by about 7 percent in the coming fiscal year. He said he knows a lot of localities and organizations depend on these grant funds, and he suggested that contact be made with members' congressmen to ask that the funding be maintained.

During today's Executive Committee meeting, resolutions of appreciation were approved for outgoing members John Grier (City of Richmond) and Ernest Vanarsdall (Henrico County). These resolutions will be forwarded to them by staff.

Chairman Donati introduced Mr. Chris Archer, who is replacing Mr. Vanarsdall as the representative from the Henrico County Planning Commission. He welcomed Mr. Archer to the Commission.

E. Executive Director's Report

Mr. Crum brought the members' attention to the monthly staff activity report, which is included in the agenda book under Tab 1, and details work being advanced by staff on behalf of the localities. He said staff would be happy to address any questions on what is included in the report.

Mr. Crum introduced new staff members:

- Tiffany Tran – Senior Planner, Transportation Division; former RRPDC intern who left to work as a planner for the Shenandoah Valley Regional Commission
- Billy Gammel – Associate Planner, Planning Division; RRPDC intern who assisted with the Socioeconomic Data Report

Mr. Crum reported that he has been discussing with the Executive Committee an opportunity to establish a conversation with the regional college and university presidents to see how the community can partner with the educational institutions on economic and business development. Staff has been coordinating with

Henrico County and Greater Richmond Chamber staffs to set a tentative date of Thursday, June 16. Henrico County has offered the use of the Henrico Theatre. The program will begin at 6:30 p.m. and will be followed by an informal reception. Each president will be given a few moments to provide information on activities at their institutions and the opportunities they see for partnership. Time will be allowed for questions and answers. Invitations to participate have been mailed to each president, and once staff has heard back from them, more information will be sent out. The event will be co-hosted by RRPDC, the Greater Richmond Chamber, and the Greater Richmond Partnership.

Mr. Crum also introduced another new staff member – Sulabh Aryal. He is an associate planner in the Urban Transportation Division, who was also an RRPDC intern. Mr. Aryal assisted with the Socioeconomic Data project and brings a good deal of GIS expertise to the agency.

II. CONSENT AGENDA

Chairman Donati indicated items on today's Consent Agenda include:

A. Approval of Minutes – December 9, 2010 Meeting

B. Approval of the November and December 2010 Financial Reports

Chairman Donati asked if anyone wished to have either of these items pulled from the Consent Agenda for additional discussion.

As there were no requests for discussion, on motion made by Mr. Butler and seconded by Ms. Graziano, the Consent Agenda items were approved unanimously as presented.

III. OLD BUSINESS

A. Legislative Update

Chairman Donati asked Mr. Gates to provide this update. Chairman Donati thanked Mr. Gates for wearing the promotional button for Low Cost Carriers. He said the promotion for increased use of low cost carriers from Richmond International Airport is going very well.

Mr. Gates said he would concentrate on two specific issues. The first issue will be the Governor's Transportation Funding proposal.

The Governor has released a proposal for transportation funding under HB 2527 and SB 1446. Both bills are very similar and contain bonds for constructing new transportation projects. There are two kinds of bonds – GARVEE Bonds and CPR Bonds. GARVEE (Commonwealth of Virginia Transportation Grant Anticipation Revenue Notes) bonds are a new funding source and CPR (Capital

Project Revenue) bonds have already been passed. The Governor has asked the General Assembly to accelerate the schedule for the CPR bonds.

The proposal includes the creation of an infrastructure bank. Up to 20 percent of the fund will go to localities as grants and allocations by the Commonwealth Transportation Board (CTB) and the remainder will go to private or public sector entities for low interest loans.

Also created is the Intercity Passenger Rail Operating and Capital Fund. This expands revenue sharing by localities.

Both of these bills fulfill a legislative request in the 2011 RRPDC Legislative Agenda, specifically to establish a state mechanism to fund passenger rail capital improvements and operations. The bills partially conform to some of the priorities in the Legislative Agenda: the development of funding mechanisms to meet the state's current and future transportation funding needs (there is some debate as to the ability to meet future needs) and enhancements to intercity passenger rail service connecting through Richmond, especially those that increase reliability, on-time performance, and speeds of travel. The Governor has released an illustrative list of 900 projects that will be candidates to receive funding from the new package.

Not included in the bills is funding for maintenance, the impact of ABC privatization (SB 1417 – failed), or the redirection of a portion of sales tax to northern Virginia and Hampton Roads (HB 2402 and SB 1394 – both failed).

Both bills have passed their respective houses. The difference in the bills is that one funds the Infrastructure Bank with \$250 million from VDOT and the other provides \$150 million from the General Fund, which is what the Governor requested.

The Governor's illustrative list of 900+ projects is how the funds can be allocated. Of these projects, 91 are located in the VDOT Richmond District and 45 of those are in the Richmond Region. Under Tab 4 in the agenda book, there is more detailed information which was provided to members of the Capital Region Caucus last week. This includes a list of the 45 projects. Of these 45 projects, 22 are already fully funded. VDOT has been very forthcoming in saying that the list of 900 is more than what could have been funded. The list was created to show the types of projects that can be done and to have VDOT staff prepare projects for work.

When comparing the Richmond District to the rest of the state, Richmond is receiving 1.8 percent of the statewide total and the least amount of per capita funding of all the districts.

Staff has let the Capital Region Caucus know that the funding mechanisms are good mechanisms. However, when it comes to actual funding, the Richmond District is not getting a fair share. Secretary Connaughton has been very open to discussions regarding funding. He has said that projects can be added to the list. In working with the Caucus, Sen. Watkins and Sen. Stosch have met privately with Secretary Connaughton to discuss these concerns. They also provided a list of regional projects to the Secretary. Sen. McEachin and Sen. Marsh have both publically expressed their concern in committee and on the Senate floor. Del. Peace is hosting a meeting with the Deputy Secretary of Transportation and Delegate members of the Caucus tomorrow morning. Mr. Gates and John Easter (GRCC) will be attending.

The fact that the Richmond Region is presenting a united front on this issue is making others take notice. Mr. Gates said he thinks the way the RRPDC and MPO have handled legislative issues over the past year or so is one reason for this regional cooperation and the influence of the Capital Region Collaborative has also helped.

Mr. Gates suggested that members contact the Governor's administration to ask that more Richmond Region projects be added. Some of these local projects are included in the agenda book. Mr. Gates said he has heard from one of the Caucus senators that while the senator knew the funding would be disproportionate, he didn't think it would be as disproportionate as it is.

Mr. Gates said the other issue he would like to give an update on is HB 2364 – Joint Aid Agreements by Localities. The chief patron of this bill is Del. Peace, who is co-chair of the Caucus. The bill clarifies the Code of Virginia to allow localities to more freely aid one another, regardless of whether an emergency is formally declared, and it enables localities to contract with each other to help one another.

This bill is in direct response to a legislative action in the Legislative Agenda as recommended by Hanover County. The bill is a key piece of legislation that will benefit localities and it conforms to the request for regional cooperation. The bill is also co-sponsored by all 15 of the Caucus delegates. This is a first for the Caucus. This is a strong symbolic gesture for the Region. Sen. McEachin and Sen. Stosch signed on as co-patrons to show support for the Region even though the Senate co-sponsorship was not required.

The General Assembly has begun to listen to what the Richmond Region has to say because the Region is presenting a united front.

Mr. Fabricant said that he believes a lot of the legislative success being realized in the Richmond Region is a direct result of the enthusiasm shown by Mr. Gates and his willingness to hold Caucus members accountable. Members of the Commission applauded Mr. Gates for his work.

Mr. Silber asked about the differences between the local transportation priority lists and the regional transportation priority list. Mr. Gates said the process has been explained to the Caucus members – localities create their own priority lists and come to the table with those lists to create the regional list of priority projects. Mr. Gates said it was felt that members of the Caucus could choose projects from all of the lists to take to Secretary Connaughton. Sen. Watkins and Sen. Stosch presented a list to Secretary Connaughton of about two dozen projects that were taken from the priority lists.

The CTB can use any of the 900 projects it chooses; the list was created for a press release to be used by the Governor when he announced the transportation funding proposal. The Caucus now realizes that the MPO has its priority list ready and available to share with the Caucus.

Chairman Donati thanked Mr. Gates for his report.

IV. NEW BUSINESS

A. Selection of Consultant: Regional Hazard Mitigation Plan

Chairman Donati asked Ms. Stewart to make this presentation.

Ms. Stewart said the current regional hazard mitigation plan expires on December 31, of this year. The plan update will be funded through a grant from the Virginia Department of Emergency Management (VDEM). The grant application was submitted in cooperation with Crater PDC to offer a competitive edge by developing a multi-regional application. This also better aligns the combined plan with work being done as part of the UASI program.

Requests for Proposals were issued and two responses were received: one from Dewberry and Davis and one from a firm in Pennsylvania. Both proposals were vetted and Dewberry and Davis was interviewed by staff from both RRPDC and Crater PDCs.

The last hazard mitigation plan update was also performed with technical assistance from Dewberry and Davis. All local staffs previously have worked with this firm.

Staff is recommending that the Commission approve a contract to use \$115,000 in grant funds to hire Dewberry and Davis to provide specific technical work in the localities in order to update the hazard mitigation plan. Local staffs will be consulted throughout the process. It is anticipated the plan will be completed in August and will be submitted to VDEM and the federal government for approval by the end of the year.

Mr. Gulley asked if there was any recourse should the state determine an invoice was not acceptable for payment. Ms. Stewart said that a former VDEM employee now works for Dewberry and Davis and is familiar with the types of work required by VDEM. As chapters of the plan are completed, these will be submitted to VDEM for review and can be revised as necessary to meet their requirements.

Mr. Gulley asked if the reference to RRPDC in the contract referred to RRPDC staff or if it meant the RRPDC Board. Mr. Crum said the request for approval by the Board would authorize him to sign the contract on behalf of the body. The actual contract is with the RRPDC Board with Mr. Crum acting as the signatory and Ms. Stewart acting as the project manager.

Mr. Gulley asked if the scope of services is increased beyond the amount listed in the contract, would Mr. Crum be authorized to pay any amount over what is listed. Mr. Crum said if this occurs, he would bring the issue back before the Board for review and action. He said because this is fully grant funded, any overage would be an expenditure of agency funds. Mr. Crum said no agency funds would be spent without prior approval from the RRPDC Board.

Ms. O'Bannon asked who from the Crater PDC will sign the contract. Ms. Stewart said the RRPDC will be fiduciary agent for this project. RRPDC and Crater PDC staffs have been working very closely throughout this process. Mr. Crum said this will not create any additional work for RRPDC staff. If RRPDC was going to update the plan without Crater PDC, he would still need to sign the contract and Ms. Stewart would still be overseeing the project. Crater PDC staff will be working with its own committee to complete its part of the plan.

Ms. O'Bannon asked which jurisdictions are in the Crater PDC. Ms. Jaeckle said those are the cities of Colonial Heights, Emporia, Hopewell and Petersburg, and the counties of Charles City, Chesterfield, Dinwiddie, Greensville, Prince George, Surry, and Sussex. Ms. Stewart said there are about 25 total localities. Mr. Crum said Crater PDC will handle all responsibilities that deal with their portion of the plan update. RRPDC will have its own committee to work on the portion of the plan pertaining to the Richmond Region. The only thing RRPDC will be doing on behalf of Crater will be processing of invoices for payment, which RRPDC staff would do anyway.

Mr. Ayers asked what the financial responsibilities are between the two PDCs. Ms. Stewart said the total amount of the grant received is \$160,000. It is an 80/20 split. RRPDC will hold \$25,000 for staff time to assist the consultant and the steering committee. Crater PDC will hold \$20,000 for like services with their staff and localities. The additional \$5,000 that RRPDC is receiving is to pay for time used to execute the contract. The consultant will receive \$115,000. Ms. Stewart said she will be working closely with Crater PDC staff to ensure they are comfortable with anything done that will infer their name.

Mr. Ayers asked if the PDCs were contributing any other funds to the project. Ms. Stewart said all work is being paid for completely with grant funds and no agency funds will be spent.

Ms. Durfee said this plan update is required before the current plan expires in December. She made a motion that the recommendation of staff, that the RRPDC enter into a contract with Dewberry and Davis, LLC in an amount not to exceed \$114,934 for the update of the Richmond and Crater Planning District Commissions Multi-Regional All-Hazards Mitigation Plan, be approved. The motion was seconded by Ms. Graziano.

There was no additional discussion and the motion carried unanimously.

B. Contract for Auditing Services

Chairman Donati asked Mr. Crum to make this presentation.

Mr. Crum said he will be requesting action to approve a contract for auditing services. As reported during the December meeting, the contract with the agency's current auditor, Dunham, Aukamp and Rhodes, expired last year. Staff determined it would be prudent to advertise a Requests for Proposals to see if there were any other auditing firms in the community which would be interested in providing auditing services. Five responses were received.

The RRPDC staff and Audit Committee (Prichard, chairman; Cosby, Gordon, Holland, and Trout) members reviewed each of the proposals. Following these reviews, the Audit Committee is recommending that the RRPDC enter into a three-year contract with Dunham, Aukamp and Rhodes to provide auditing services. The amounts of the contract during the next three fiscal years will be: FY 11 - \$9,000; FY 12 - \$9,200; and FY 13 - \$9,400.

Ms. Prichard noted during the Executive Committee meeting that some of the cost proposals from the other firms were double what is being offered by Dunham, Aukamp and Rhodes. Mr. Crum reported that many other PDCs in the state pay a lot more for similar services.

Mr. Crum said he believes Dunham, Aukamp and Rhodes provides a competitive advantage in the fact that the firm audits other PDCs throughout the state. The firm has a clear understanding of revenue resources and how the programs operate.

Mr. Butler made a motion that the final contract for auditing services with Dunham, Aukamp and Rhodes be approved as recommended by the Executive Committee and RRPDC Audit Committee. The motion was duly seconded and carried unanimously.

C. Regional Water and Sewer Study

Chairman Donati asked Ms. Jacocks to make this presentation. Mr. Crum noted that Ms. Jacocks is a Principal Planner in the Planning Division.

Ms. Jacocks said this project was begun a couple of years ago at the request of the Small and Large Jurisdictions Committees. The committees asked for a broad overview and inventory of water and sewer services across the Region. A summary brochure was provided to each member in the agenda packet. All of the jurisdictions' utility departments, deputy directors, and GIS staffs were involved in the data collection for this study. The Virginia Department of Health also provided assistance. Ms. Jacocks said Bob Steidel with the City of Richmond helped arrange the initial meeting with all deputy directors.

Ms. Jacocks said it is hoped that this project will offer a good base of information that can be used as a planning tool for localities and as a snapshot to attract new businesses to the Region.

Information was provided on a general public water service coverage area as it relates to current development patterns. The James River is the dominant source of water in the Region. Key findings of the study include:

- By source – 97% of the Region's water is from surface water; 68% from the James River
- Nine separate water systems with inter-connectibility in times of need
- Average household use of 185 gallons per day translates to 76 MGD of demand if all households were connected
- 135 MGD regional average daily use, or about 50% of hydraulic capacity
- 50% of public water treatment resources shared through wholesale purchase or reserve agreements among Region's localities
- Regional water supply plan prepared by 6 of the 9 localities

The public sewer service footprint is somewhat smaller, especially on the eastern side of the Region. Key findings include:

- 15 public wastewater treatment facilities with a permitted hydraulic capacity of 192.7 MGD
- Richmond Region uses about 60% of its hydraulic capacity based on dry weather flow
- Wastewater capacity constrained primarily by maximum allowable discharge of phosphorous, nitrogen, and sediment into the Region's waterways

Ms. Jacocks noted that the Regional Water Supply Plans must be submitted by November 2011 to the Virginia Department of Environmental Quality:

- Appomattox River Water Authority (including Chesterfield County)
- Henrico/Cumberland/Powhatan/Goochland Counties
- Hanover County and Town of Ashland

Discussions are continuing on the Chesapeake Bay Total Maximum Daily Load (TMDL) allocations for point sources (wastewater treatment plants) and nonpoint sources (stormwater runoff from many sources) as part of Phase II of the Watershed Improvement Plan.

Ms. Jacocks said RRPDC staff will be glad to work with any of the localities on development of their plans.

Mr. Kaechele asked if the map shows where sewer capacity is available regardless of whether it is hooked up. Mr. Crum said the report is intended to be a regional snapshot. He said staff was surprised at the amount of regional cooperation with regard to water and sewer issues. Mr. Crum said the map does show where service is currently provided and the available capacity of the systems. He said he believes this shows the Region is in good shape with regard to hydraulic capacity.

Mr. Cotman said Charles City County would like to be more active in any additional studies done in this area.

Mr. Crum said a good network of the utility directors has been established, and he hopes to be able to continue the dialogue with additional meetings of the directors. He will make sure Charles City County is invited to future meetings.

Chairman Donati asked if other regions should be studied to see about overlapping capacities. Ms. Jacocks said this could be included in a phase two approach.

V. OTHER BUSINESS

A. Committee Reports

There were no other committee reports.

B. Announcements

There were no announcements.

V. **ADJOURNMENT**

There being no further business to come before the Commission, Chairman Donati adjourned the meeting at approximately 2:05 p.m.

Robert A. Crum, Jr.
Executive Director

James B. Donati, Jr.
Chairman