

**RICHMOND REGIONAL
TRANSPORTATION PLANNING ORGANIZATION**

**MINUTES OF MEETING
July 6, 2017**

MEMBERS PRESENT

Cynthia I. Newbille, **Chairman** City of Richmond
Patricia S. O'Bannon, **Vice Chairman** Henrico County
Kathy Abbott..... Town of Ashland
Andreas D. Addison..... City of Richmond
Parker C. Agelasto City of Richmond
Manuel Alvarez, Jr.....Goochland County
Joi Taylor Dean..... RMTA
Steve A. Elswick..... Chesterfield County
Kimberly B. Gray..... City of Richmond
David Green..... GRTC Transit System
James M. Holland Chesterfield County
Angela Kelly-Wiecek.....Hanover County
Amber B. Lancaster (Nonvoting)..... CTAC
Floyd H. Miles, Sr..... Charles City County
Larry J. Nordvig.....Powhatan County
W. Canova Peterson, IV.....Hanover County
Jitender Ramchandani (Nonvoting)DRPT
Frank J. Thornton..... Henrico County
Barton A. Thrasher..... Secretary of Transportation Designee, VDOT
Von S. Tisdale (Nonvoting)..... RideFinders
David T. Williams.....Powhatan County
Christopher Winslow Chesterfield County

MEMBERS ABSENT

Cliff Burnette (Nonvoting) VDA
Susan F. Lascolette Goochland County
Melissa McGill (Nonvoting)..... FTA
Brian Montgomery (Nonvoting)..... EDAC
Patricia A. Paige..... New Kent County
Ivan Rucker (Nonvoting) FHWA
John B. Rutledge..... CRAC
C. Thomas Tiller, Jr. New Kent County

ALTERNATE MEMBERS PRESENT, NOT VOTING

Wayne Hazzard (Alternate)Hanover County
Mark Riblett (Alternate) Secretary of Transportation Designee, VDOT

CALL TO ORDER

Richmond Regional Transportation Planning Organization (RRTPO) Chairman Cynthia I. Newbille called the July 6, 2017 RRTPO meeting to order at approximately 9:30 a.m. in the Richmond Regional Planning District Commission board room.

CERTIFICATION OF MEETING QUORUM

RRTPO Secretary Barbara S. Nelson reported that a quorum was present.

PLEDGE OF ALLEGIANCE

Chairman Newbille led the RRTPO in the Pledge of Allegiance to the flag.

INTRODUCTION

Chairman Newbille introduced and welcomed Joi Taylor Dean, Interim CEO of the Richmond Metropolitan Transportation Authority, as a new RRTPO member.

I. ADMINISTRATION

A. Approval of RRTPO Agenda

On motion by W. Canova Peterson, IV, seconded by Manuel Alvarez, Jr., the RRTPO voted unanimously to approve the May 4, 2017 RRTPO meeting agenda as presented.

B. Approval of May 4, 2017 RRTPO Meeting Minutes

Chairman Newbille called for changes to the minutes and Kathy Abbott noted a correction under the Secretary's Report, item four, on page four of the minutes to remove the Federal Railroad Administration as a member of the Ashland/Hanover Community Advisory Committee and adding CSX. There being no further corrections, and on motion of Patricia S. O'Bannon, seconded by James M. Holland, the RRTPO unanimously approved the minutes as corrected.

C. Open Public Comment Period

There were no requests to address the RRTPO.

D. Consent Action Items

Pat O'Bannon moved that Consent Action Item 3., FY15 – FY18 TIP Amendment: GRTC Sedan Purchase, be pulled for questions and the remainder of the consent agenda be approved as presented; Larry Nordvig seconded this motion.

On motion of Patricia S. O'Bannon, seconded by Larry J. Nordvig, the Richmond Regional Transportation Planning Organization unanimously approved the following resolutions:

1. FY15 – FY18 Transportation Improvement Program (TIP) Amendment: Ungroup Projects

RESOLVED, that the Richmond Regional Transportation Planning Organization amends the *FY15 – FY18 Transportation Improvement Program (TIP)* to ungroup the following projects:

- UPC 107536: Harrowgate Road Sidewalk; project is fully-obligated through construction – Chesterfield;
- UPC 109082: Bailey Bridge Sidewalk; preliminary engineering and right-of-way phases of this project have been obligated – Chesterfield;
- UPC 107531: Bellemeade Park Pedestrian Trail; project is fully-obligated through construction – Richmond; and
- UPC T1811: Richmond Employee Trip Reduction Program; all available project allocations have been obligated – Richmond.

2. FY15 – FY18 Transportation Improvement Program Amendment: FY18 Transportation Alternatives Set-Aside Projects

RESOLVED, that the Richmond Regional Transportation Planning Organization amends the *FY15 – FY18 Transportation Improvement Program (TIP)* adding the following new projects:

- UPC 111105: Stratton Park Bike and Pedestrian Improvements obligating \$150,000 in Transportation Alternatives funding and local match for the preliminary engineering phase – Chesterfield
- UPC 110968: Four Mile Creek Park Facilities Improvements obligating \$118,364 in Transportation Alternatives funding and local match, for the preliminary engineering phase – Henrico

4. Regionwide Allocation Request – CMAQ; Route 33 and Route 623 Intersection Improvements, Hanover County

RESOLVED, that the Richmond Regional Transportation Planning Organization authorizes the transfer of \$450,000 in CMAQ funds from UPC 90349 – Route 288, Interchange Modification at Route 145 in Chesterfield County to UPC 56181 – Route 33 and Route 623 Intersection Improvements in Hanover County.

3. FY15 – FY19 TIP Amendment: GRTC Sedan Purchase

Following action on the consent agenda, there was discussion of consent agenda item 3, with the following major points brought forward:

- The sedans could be used to transport most CARE clients since most CARE clients do not require Americans with Disabilities Act (ADA) accommodations.
- It is not illegal to inquire what kind of accommodation a CARE rider requires; GRTC gathers that information when the client registers for CARE services.
- The sedans would become a part of the CARE fleet and would be used to expand the fleet with fewer dollars than the purchase of one van.
- The state procurement process was used to purchase the sedans so that GRTC Transit System received the best available state contract price.
- These sedans will not be used for the taxi voucher program.

On motion of Patricia S. O’Bannon, seconded by Parker C. Agelasto, the Richmond Regional Transportation Planning Organization unanimously approved the following resolution:

RESOLVED, that the Richmond Regional Transportation Planning Organization amends the *FY15 – FY18 Transportation Improvement Program (TIP)* adding the following new project:

- STIP ID GRTC047: Purchase of eight (8) sedan vehicles for paratransit, obligating \$216,000 in FTA Section 5307 funds, FTA Section 5339 funds, state match and local match in fiscal year 2018.

E. RRTPO Chairman’s Report

1. Presentation to Outgoing TPO Chairman

Chairman Newbille presented outgoing RRTPO Chairman Steve A. Elswick with a clock, engraved with his name and dates of service as chairman and expressed the RRTPO’s appreciation for his service.

2. Appointments to the TPO Executive Committee

Chairman Newbille announced the FY18 Executive Committee membership as follows: Cynthia I. Newbille, City of Richmond, Chairman; Patricia S. O’Bannon, Henrico County, Vice Chairman; Kathy Abbott, Town of Ashland; Floyd H. Miles, Sr., Charles City County; Steve A. Elswick, Chesterfield County; Manuel Alvarez, Jr., Goochland County; W. Canova Peterson, IV, Hanover County; C. Thomas Tiller, Jr., New Kent County; and Larry J. Nordvig, Powhatan County.

3. Bylaws Update

Chairman Newbille called on Eric Gregory, RRPDC/RRTPO Attorney for a progress report. Mr. Gregory said they continue to work with staff on the development of the bylaws revisions. One of the concerns the attorneys are struggling with is that the Governor's designation from 1995 stipulates the membership for each respective jurisdiction. As it is now, the members that are present are casting those votes for members not present or as designated by the locality. Mr. Gregory said they are struggling with whether that is compliant with federal requirements and guidance on that issue. He said they are working in anticipation of the federal certification review coming up later this year, and they will continue to work with staff on that and hopefully have something for the RRTPO very soon. David Williams asked Mr. Gregory if they have checked with the federal authorities on this issue and Mr. Gregory responded that they would like to be able to do that and would also like to be able to discuss it with the respective legal counsel for each of the jurisdictions. Mr. Williams asked what would be the result if they receive many different opinions from the jurisdictions and one opinion from the federal authorities, and whose opinion rules. Mr. Gregory said they would have to reconcile that taking everything into account, develop a legal opinion and advise the RRTPO accordingly.

Parker Agelasto asked if his understanding is correct that the bylaws require City of Richmond representatives to be present for their vote to be cast and that one member cannot cast all four votes, whereas the bylaws allow the counties to have one member cast all votes. Ms. Nelson said the current bylaws do allow a vote to be cast on behalf of an absent member by a sitting city member. There was a question about the use of a proxy and Mr. Gregory said typically proxies are not permitted in the context of local government and that under state law, proxies and affidavits are not permitted. He does not believe they would be permissible under this context either.

Kimberly Gray asked if the RRTPO is ready to update that section of the bylaws known to be in conflict with the federal transportation requirements. Mr. Gregory responded that the update will be included in the recommended revisions. Ms. Gray asked if that piece of it could be moved forward while addressing the other questions and Mr. Gregory said that would be possible. Chairman Newbille said since the RRTPO federal review is in August, they would want to be compliant. Canova Peterson said he believes these bylaws were set up prior to the last review and the federal review team did not take any objection. Ms. Nelson confirmed that the Federal Highway Administration (FHWA) participated in the re-organizational review as a member of the RRTPO board and was involved in the review and discussion and no comment of dissent was offered at that time. Mr. Gregory said in documentation that was recently provided, there were discussions between RRTPO legal counsel at that time and federal officials in 2014 regarding bylaws issues. Counsel for the RRTPO asked whether weighted voting, as proposed, was permissible. Federal officials did not directly answer that question and said the RRTPO should look to forthcoming FHWA guidance documents that would address that issue. Mr. Gregory said they are looking at the 2014 correspondence and reviewing those FHWA guidance documents, and would like to discuss this with federal officials so they may properly advise the RRTPO.

Chairman Newbille returned to Ms. Gray's question regarding a noncompliant section of the bylaws asking if it could be accomplished prior to the certification review. Mr. Gregory was asked to review the process for a bylaws revision which he said requires

the RRTPO to read the revision at one meeting before taking action at the next meeting, which would take approximately 60 days.

Following additional discussion, Mr. Gregory said the attorneys will base their recommendations on what the federal requirements are, what the federal guidance is, what the Governor's designation stipulates and what they believe is possible and permissible under the law, while trying to accomplish the RRTPO policy goals and priorities as they may be reconciled with those legal requirements. Steve Elswick said when the RRTPO reviewed this [voting structure], all of the county attorneys, who are very versed in looking at these federal laws, agreed that the RRTPO could do this weighted voting and the previous attorney that was under contract agreed to that. Mr. Elswick said it is confusing that the RRTPO has a lot of attorneys saying it is legal while Mr. Gregory questions the legality and he suggested that Mr. Gregory touch base with the locality attorneys and get their rationale for why they agreed to this voting structure. Mr. Gregory said with RRTPO direction, he would like to do that. David Williams concurred with Mr. Elswick saying the RRTPO went through a protracted process to get to where it is today. He asked if he was correctly understanding that Mr. Gregory now has the guidance that was to be forthcoming, with no federal decision then on record. Mr. Gregory responded that the material he received in the last ten days is from 2014, prior to his engagement; they are reviewing that material and would like to further engage with federal officials and review their guidance documents on the weighted voting issue and any other issues. Mr. Williams said he hopes that while they are reviewing federal guidance documents, the attorneys will also get federal interpretation of the federal guidance documents and that they go on record noting past difficulty getting federal representatives to go on record.

Chairman Newbille noted that there would not be enough time prior to the certification review to consider the single bylaws revision and that it might best be considered in the total bylaws revision. Ms. Gray asked if it was possible to share draft bylaws with the reviewers to let them know the RRTPO is working to correct this issue. Mr. Gregory requested RRTPO permission to do that and further requested RRTPO authorization and direction to engage with the federal officials to discuss the proposed revisions and to consult with respective legal counsel for the member jurisdictions on bylaws revisions and what may need to be proposed. Ms. Nelson advised that as part of the preparation for the certification review, there are a number of significant responses that staff needs to provide and questions that must be addressed, and as part of that package that's being prepared for the Federal Highway and Federal Transit administrations in advance of the review, documentation will be included on efforts to address the bylaws issue. She said it would be unfortunate if the federal review team had the perception that the RRTPO is not moving forward; staff will be addressing this as part of the advance documentation to the federal team. Chairman Newbille said action was not required since it is staff's intent to include whatever draft is available relative to the bylaws revisions.

F. RRTPO Secretary's Report

Barbara Nelson, RRTPO Secretary, noted handouts distributed at the table and reported on the following items:

1. Federal Certification Review

The draft agenda handout included descriptions for two certification review events:
1) an August 10 public meeting which will combine a joint meeting of the RRTPO

Citizens Transportation Advisory Committee (CTAC) and the Elderly and Disability Advisory Committee (EDAC) with a public hearing to be conducted by the federal review team; and 2) certification review meetings August 16 and 17, involving the RRTPO and partners from the state and other agencies to review all aspects of the federal program. RRTPO members are invited to participate in the review events; more information will be distributed in mid-July.

2. Transportation Highlights

- a. DC2RVA DEIS Update – Release of the Draft Environmental Impact Statement (DEIS) by the Federal Railroad Administration (FRA) is expected in late July. The DEIS will closely align with December 2016 recommendations. Per a DEIS recommendation, a community action committee was formed to evaluate options regarding proposed system improvements impacting Ashland and Hanover; results will be incorporated into the final draft EIS. The RRTPO will receive a presentation on the DEIS on September 7.
- b. RRTPO Commuter Trip Reduction Program – An update is provided on progress on the RRTPO February request for staff to assess additional opportunities to reduce air pollution, encourage mode shifting from single-occupancy vehicles, and reduced costs for all commuters across the region.
- c. SMART SCALE: Round 2 Update and Round 3 Overview – A total of 147 projects received funding of \$1 billion in investments in SMART SCALE round 2; 22 of those projects were in the RRTPO totaling \$145 million with four of the six regional applications moving forward for funding. Recommended changes to the SMART SCALE process are included on page six of tab 3. One proposed change of concern is to limit the number of applications an applicant may submit. The number of applications is an expression of transportation needs; capping the needs artificially minimizes the need.

3. April and May RRTPO Work Status Reports

The work status reports on activities accomplished are included in tab three in the agenda package beginning on page seven.

In response to a question regarding RRTPO members attending the federal certification review sessions, Ms. Nelson indicated the federal team would enjoy meeting RRTPO members in addition to staff and suggested attending in the morning around 9:00 a.m.; any time would be fine, as schedules permit. Chairman Newbille also encouraged attendance at the public meeting on August 10.

II. NEW BUSINESS

A. Transit Capital

Ms. Nelson introduced Jennifer DeBruhl, Chief of Public Transportation for the Department of Rail and Public Transportation. Ms. DeBruhl provided a briefing on recommendations of the Transit Capital Project Revenue Advisory Board. Ms. DeBruhl reviewed establishment and composition of the Advisory Board and discussed key questions explored regarding funding needs and sources, project prioritization and selection, and funding allocation. Transit capital bonds represent 44 percent of the annual transit capital funding, around \$110 million; transit capital bonds will soon expire. Recommendations to the General Assembly encompass a variety of funding sources for program stability and include regionally determined options. Capital program prioritization would recognize three project types: State of Good Repair, minor enhancement and major expansion; both quantitative and qualitative measures

will be used by the CTB to prioritize transit capital projects in a manner similar to SMART SCALE according to established principles. Next steps are for CTB endorsement of the final report in July, submission of the report to the General Assembly by August 1, followed by development and implementation of CTB policy on transit capital prioritization. The report going to the General Assembly will help inform a discussion that will likely take place over the next couple of years.

- Capital Project Revenue bonds began with \$40 million set aside for transit and that amount has increased to \$110 million.
- Changes at the federal level have the potential for creating another \$100 million in unmet needs for Virginia.
- The burden of paying for transit will not be transferred to local government.
- The draft report is available for review on the DRPT website.

B. Commerce Corridor Study

Barbara Nelson introduced Paul Prideaux, consultant team lead for the Commerce Corridor Study. She said the study has provided an opportunity to work on connecting this region to the Mid-Atlantic international gateway through partnership with the Port of Virginia focusing on how the region can be a catalyst for new development, expansion of existing businesses and redevelopment of brownfields and underutilized sites to the economic benefit of the region.

Chris Wichman, RRTPO lead staff, provided an in-depth briefing on the study. The Secretary of Transportation's Office of Intermodal Planning and Investment provided the funding for this project and the work scope was developed with regional partners from localities and state agencies as well as the Port of Virginia. The study was guided by a technical and policy advisory committee with the goal of developing a comprehensive analysis of existing and future transportation needs and prioritization of infrastructure investments along the Commerce Corridor. Mr. Wichman defined the Commerce Corridor, described the processes for determining existing corridor needs, analyzing assets and deficiencies, obtaining additional stakeholder engagement, and discussed the process used to determine future needs. He discussed future needs, targeted development sites, impacts analysis, and 60 recommended solutions. Two draft documents, the technical report and the implementation plan, resulted from this planning effort and both are posted on the RRTPO website. Staff will report public comments and progress on developing statements of support from project champions to the RRTPO in September and will ask RRTPO approval of the study in October. Mr. Wichman responded to questions with the following major points made:

- The assumption built into the scenarios is that all the developable acreage in the four sites discussed in the study would be developed to 100 percent.
- Warehousing and storage would encompass changes in the wholesale trade industry for logistics and distribution needs from online retail sales.
- Many of the study-recommended projects will not only address the opportunity to create new opportunities in the region, but will also address existing deficiencies in the region's transportation system.
- Moving more people efficiently to central job sites, such as Amazon, will intensify the need for transit and the evolution of mass transportation models.
- The region needs to consider implementation of the study, making the study promotable for economic development, and developing work force skills.

- Technology and robotics may take many of the anticipated jobs, but may create a shift in necessary skills.

Ms. Nelson said staff is very interested in providing briefings to tell the story of this planning effort, the value of the port, port related industries, and the identified investments that are needed to achieve the possible economic benefits. These briefings could be individual board or council members, board or committee work sessions, civic groups, other regional partners and others. The RRTPO was asked to communicate who should receive additional information and providing input on the study implementation. Project champions have been identified and statements of support are forthcoming to promote the projects and help them compete for funds under SMART SCALE or funding opportunities. Chairman Newbille requested that RRTPO members follow up with Ms. Nelson on entities or partners that may appropriately receive a presentation on the Commerce Corridor study.

III. AGENCY AND COMMITTEE REPORTS

A. VDOT Richmond District Update

Bart Thrasher, Secretary of Transportation designee to the RRPTO, reported that the new Six-Year Improvement Plan was passed at the June Commonwealth Transportation Board meeting for \$18.6 billion in projects over the six years. The next meeting will be July 18 when the CTB will consider proposed changes to the SMART SCALE process; the proposed changes are available on the VDOT website. SMART SCALE round 2 includes \$150 million for 24 projects in the Richmond District area, about 16 percent of the total projects statewide. The I-64 widening project contract should be awarded in July and should proceed in the summer of 2017.

B. Citizens Transportation Advisory Committee Meeting Report

CTAC Chairman Amber Lancaster reported that CTAC convened in May and heard two presentations, one from Mr. Wichman on the Commerce Corridor study and another on the progress on the re-routing plans for GRTC bus routes to accommodate BRT when it begins service. The July 20 CTAC meeting is cancelled and CTAC will meet with EDAC and federal partners on August 10 for a certification review public hearing.

C. Elderly and Disability Advisory Committee Meeting Report

In the absence of the EDAC chairman, Barbara Nelson noted that the May EDAC meeting report is included in tab seven of the agenda package.

IV. OTHER BUSINESS

A. Future Meeting Topics

Chairman Newbille noted future meeting topics included agenda tab 8.

B. Upcoming Meetings

Chairman Newbille announced that the August 3 meeting is cancelled and requested that all who could attend the August certification review meetings August 10, 16 or 17.

VI. ADJOURNMENT

Chairman Newbille adjourned the meeting at 11:15 a.m.