

**Hampton Roads Transportation
Accountability Commission (HRTAC)
Summary Minutes of the September 15, 2022 Regular Meeting**

The Hampton Roads Transportation Accountability Commission (HRTAC) Regular Meeting was called to order at 12:31 p.m. with the following in attendance:

HRTAC Members in Attendance:

Mayor Donnie Tuck, Chair

Vice Mayor Leroy Bennet (in for Mayor Michael Duman), SU

Mayor Rick West, CH

Mayor Bobby Dyer, VB

Supervisor William McCarty, IW

Mayor Doug Pons, WM

Supervisor Michael Hipple, JC

Delegate Amanda Batten, VGA

Mayor McKinley Price, NN

Delegate Anne Ferrell Tata, VGA

Mayor Kenneth Alexander, NO

Senator Louise Lucas VGA*

Mayor Shannon Glover, PO*

Senator Monty Mason, VGA

Supervisor Christopher Cornwell, SH

HRTAC Executive Director

Kevin Page

HRTAC Ex-Officio Members in Attendance:

Commissioner Stephen Brich, VDOT

Director Chris Gullickson, VPA

Other Participants:

Chris Price, CH

Patrick Duhaney, VB

Scott Stevens, JC

Andrew Trivette, WM

J. Randall Wheeler, PQ

Wayne Coleman, CTB

Bob Baldwin, PO

District Engineer Chris Hall, VDOT

Brian Thrower, SH

Eric Ballou, Kaufman & Canoles

Al Moor, SU

Tom Inglima, Willcox & Savage

HRTAC Voting Members Absent:

Mayor Frank Rabil, FR

Supervisor Thomas G. Shepperd, YK

Councilman Herbert "Buddy" Green (in for Mayor Gordon Helsel), PQ

HRTAC Ex-Officio Members Absent:

Board Member Frederick T. Stant III, CTB
Director Jennifer Debruhl, DRPT

Delegate Barry Knight, VGA

* Denotes Late Arrival or Early Departure

Others Recorded Attending:

David Westcott, Jr. (CH); Stefani Strachan (HA); Jessica Dennis, Noell Sanders (NO); Sherri Neil (PO); Debra Bryan (VB); Mark Geduldig-Yatrofsky (CAC Chair); Noelle Pinkard (HRT);

Katie Allen, Jim Cook, Mary DiMartino (JP Morgan); Mike Garber (PB Mares); Drew Lumpkin (Senator Mark Warner's Office); Todd Halacy (VDOT); Ashley Mason Rhodes (Veterans Reporters); Danetta Jankosky, Andrew Margason, Tiffany Smith, Jaquil Tatum, Chris Vaigneur (HRPDC); Lynn Coen, Jennifer Hodnett (HRTAC); Bob Crum, Matthew Harrington, John Mihaly, Pavithra Parthasarathi, Dimitry Rekhter (HRTPO)

Call to Order and Roll Call

Chair Donnie Tuck called the meeting to order at 12:31 p.m. and a roll call vote of all Members was taken in order to confirm a quorum:

Mayor Rick West: Present
Mayor Frank Rabil: No Response
Chair Donnie Tuck: Present
Supervisor William McCarty: Present
Supervisor Michael Hipple: Present
Mayor McKinley Price: Present
Mayor Kenneth Alexander: Present
Councilman Buddy Green: No Response
Mayor Shannon Glover: Present
Supervisor Christopher Cornwell: Present
Vice Mayor Leroy Bennet: Present
Mayor Robert Dyer: Present
Mayor Doug Pons: Present
Supervisor Thomas Shepperd: No Response
Senator Louise Lucas: Present
Senator Monty Mason: Present
Delegate Barry Knight: No Response
Delegate Amanda Batten: Present
Delegate Anne Ferrell Tata: Present
Board Member Frederick Stant: No Response
Commissioner Stephen Brich: Present
Director Jennifer Debruhl: No Response
Director Chris Gullickson: Present

The quorum was confirmed by Mr. John Mihaly.

Approval of Agenda

Mayor Bobby Dyer Moved to approve the agenda, Seconded by Supervisor William McCarty. The Motion Carried.

Public Comment Period (limit 5 minutes per individual)

No one from the public requested to make a public comment.

Chair's Comments

Chair Tuck informed the Commission that Mayor Shannon Glover had been appointed to the HRTAC Finance Committee and welcomed Thelma Drake as the Governor's newly appointed member of the Virginia Passenger Rail Authority.

Chair Tuck also recognized and welcomed Commissioner Brich and Delegate Tata.

Consent Items

- A. Minutes of the June 16, 2022 Regular Meeting
- B. HRTAC FY2023-FY2028 Plan of Finance Update – Amendment to add I-464/I-64 Interchange Improvements – Full Interchange Access Report Development
- C. Fiscal Year 2022 Annual Report to the Joint Commission on Transportation Accountability Relating to the Hampton Roads Transportation Fund
- D. Amended and Restated Project Agreement for Funding and Administration for the I-64 Hampton Roads Bridge Tunnel Expansion Project – Amendment for Timing of Smart Scale Funding

Supervisor Michael Hipple Moved to approve the consent agenda items; Seconded by Mayor Dyer. The Motion Carried.

Action Items

A. FY2022 Audited Financial and Compliance Report

HRTAC Executive Director, Kevin Page, stated that the Finance Committee recommended the approval of the draft FY2022 Audited Financial and Compliance Report for HRTAC and authorized the Executive Director to work with the auditor of public accounts to finalize and provide for its distribution. He reminded the Commission that the Code of Virginia required that the auditor of public accounts (APA) provide an independent annual audit of HRTAC.

Michael Garber, PB Mares, informed the Commission that the final audit was due to the APA by September 30, 2022. He reviewed the financing activities of HRTAC, including HRTAC's issuance of \$1.2 Billion in new debt, \$100 Million in drawdowns from TIFIA loans and early payment of \$365 Million in select bonds.

He explained that a single audit was performed this year, as required in connection with the use of federal funds and the drawdown of the TIFIA loans. Mr. Garber stated that the results were clean and there were no findings of non-compliance.

Mr. Garber stated that a clean opinion on the single audit work would be issued and that a clean report on internal controls and processes of HRTAC financing activity would be issued. He indicated that an unmodified opinion with respect to HRTAC's financial statements would be issued. He highlighted the ease of working with HRTAC staff and that the audit went very smoothly.

Supervisor Hipple Moved that the Commission approves the HRTAC FY2022 Audited Financial and Compliance Report and authorizes the Executive Director to work with the Auditor of Public Accounts to finalize and provide for its distribution for public access and viewing; Seconded by Mayor Dyer. The Motion Carried.

B. Amended and Restated Project Agreement for Funding and Administration for the I-64 Hampton Roads Bridge-Tunnel Expansion Project – Project Completion Delay and Administration – Closed Session

Supervisor Hipple Moved that a closed session be held for discussions regarding the Hampton Roads Bridge Tunnel Expansion Project and the agreements related to the construction and funding of the project in accordance with 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 which communications with counsel would be covered by the attorney-client privilege and common interest doctrine; Seconded by Supervisor McCarty.

Chair Tuck invited HRTAC staff, counsel and professional consultants, VDOT's staff, counsel and professional consultants, and the chief administrative officers of HRTAC-member cities and counties to attend the closed session to reasonably aid HRTAC in its consideration of the agenda item.

Closed session began at 12:42 p.m.

Mayor Shannon Glover and Senator Louise Lucas depart.

Tom Inglima, HRTAC General Counsel, read the following certification: The Hampton Roads Transportation Accountability Commission hereby certifies that (1) to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting just concluded. Closed session ended at 1:55 p.m.

A roll call vote was taken:

Mayor Rick West: Aye
Mayor Frank Rabil: No Response
Chair Donnie Tuck: Aye
Supervisor William McCarty: Aye
Supervisor Michael Hipple: Aye
Mayor McKinley Price: Aye
Mayor Kenneth Alexander: Aye
Councilman Buddy Green: No Response
Mayor Shannon Glover: No Response
Supervisor Christopher Cornwell: Aye

Vice Mayor Leroy Bennet: Aye
Mayor Robert Dyer: Aye
Mayor Doug Pons: Aye
Supervisor Thomas Shepperd: No Response
Senator Louise Lucas: No Response
Senator Monty Mason: Aye
Delegate Barry Knight: No Response
Delegate Amanda Batten: Aye
Delegate Anne Ferrell Tata: Aye
Board Member Frederick Stant: No Response
Commissioner Stephen Brich: Aye
Director Jennifer DeBruhl: No Response
Director Chris Gullickson: Aye

Supervisor Hipple Moved to adopt HRTAC Resolution 2022-05 as presented to the members of the Commission, granting the Chair and Executive Director extended plenary authority with respect to the PAFA; Seconded by Mayor Dyer. The Motion Carried.

C. HRTAC Debt Management Plan, Status of Financing Activities, and Next Step for HRELN Financing – HRTF Backed TIFIA Letter of Interest Development

Executive Director Page indicated that the TIFIA letter of interest was the next step in obtaining additional federal funding for the construction of the HRELN and noted that it was discussed at length at the Finance Committee Meeting.

Supervisor Hipple, HRTAC Finance Committee Chair, stated that the Finance Committee took action and recommended the motion presented before the Commission.

Supervisor Hipple Moved that the Commission authorizes the Commission Chair and Staff to develop the Hampton Roads Transportation Fund backed TIFIA Letter of Interest for the Commission's Hampton Roads Express Lanes Network Project; Seconded by Mayor Rick West. The Motion Carried.

D. FY2023-FY2028 Plan of Finance Update – Independence Boulevard Interchange

Executive Director Page stated that this agenda item was also discussed at length at the Finance Committee Meeting.

Supervisor Hipple stated that the Finance Committee took action and recommended the motion presented before the Commission.

Mayor Dyer Moved that the Commission (1) endorses allocation of \$1,250,000.00 for the I-264 Independence Boulevard Interchange Improvements – Full Interchange Access Report Development and (2) authorizes the Executive Director to conduct a public hearing on the addition of the I-264 Independence Boulevard Interchange Improvements Interchange Access Report (IAR) to the approved FY2023-FY2028 Plan of Finance Update – Six Year

Operating and Capital Program of Projects; Seconded by Supervisor Hipple. The Motion Carried.

E. Consulting Engineer Services for Engagement for HRELN

Executive Director Page reminded the Commission that the monies for consulting engineer services were included in the approved project and administration budget, and stated that the consulting engineer services were thoroughly discussed at the HRTAC Finance Committee Meeting.

Supervisor Hipple stated that the Finance Committee took action and recommended the motion presented before the Commission.

Senator Monty Mason Moved that the Commission authorizes the Commission Chair and Staff to prepare for the engagement of Consulting Engineer Services for the Hampton Roads Express Lanes Network, which may include procurement of an independent third-party consultant; Seconded by Mayor Dyer. The Motion Carried.

Information Items

A. HRTAC Monthly Financial Report

Executive Director Page reviewed the Monthly Financial Report with the Commission.

B. VDOT Project Updates

Executive Director Page noted that the VDOT project updates were included in the agenda package.

C. HRTAC Regular Meeting – December 15, 2022

Adjournment

With no further business to come before the Hampton Roads Transportation Accountability Commission, the meeting adjourned at 2:04 p.m.



Donnie Tuck
HRTAC Chair