



*Chair*, LINDA T. JOHNSON • *Vice-Chair*, DONNIE R. TUCK

*Executive Director*, KEVIN B. PAGE

## AGENDA

### Hampton Roads Transportation Accountability Commission

#### Regional Transit Committee Meeting

##### Meeting by Conference Call\*

December 1, 2020  
9:00 a.m.

Dial Toll Free Telephone Number to Attend: (855) 735-2639

*\*In light of the Governor's Declared State of Emergency due to COVID-19, it is impracticable and unsafe for the Committee to assemble in a single location, so the meeting will be held electronically, by telephone, pursuant to the 2020 Appropriation Act; the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the Commission and the Committee and the discharge of their lawful purposes, duties, and responsibilities. The public is welcome to use the number above to attend the meeting electronically. The Commission will make available a recording or transcript of the meeting on its website in accordance with the timeframes established in Sections 2.2-3707 and 2.2-3707.1 of the Code of Virginia.*

#### 1. Call to Order, Declaration re: Purpose of Meeting, and Roll Call

#### 2. Approval of Agenda

#### 3. Public Comment Period

*- Limit 5 minutes per individual*

#### 4. Action Items

*Recommended Action: Discussion/Endorsement/Recommendation/Direction/Approval*

- A. Overview of the HRRTF and Regional Transit Committee - (Attachment 4A)** - Executive Director Page and Counselor Inglima
- B. HRRTF Policy and Procedures - (Attachment 4B)** - Executive Director Page and Counselor Inglima
- C. HRTAC/HRT MOU - (Attachment 4C)** - Executive Director Page and Counselor Inglima
- D. HRT Application for HRRTF Funding - (Attachment 4D)** - Executive Director Page and Counselor Inglima (HRT President CEO William Harrell will be available as needed)

#### 5. Adjournment

\*\*Anyone wishing to make a public comment should contact Executive Director Page at [kpage@hrtac.org](mailto:kpage@hrtac.org) 24 hours in advance of the meeting to register. Please do so by 9:00 a.m. on Monday, November 30, 2020.

**Agenda Item 4A**  
**Discussion Item**

**To: Chair West and the other members of the HRTAC Regional Transit Committee**

**From: Kevin B. Page, Executive Director**

**Date: December 1, 2020**

**Re: Overview of the HRRTF and Regional Transit Committee**

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**Recommendation:**

As a discussion item, the Commissioners will be provided an Overview of the HRRTF and the establishment and role of the Regional Transit Committee established in the Commission's Third Amended and Restated Bylaws. There is no Action recommended.

**Background:**

During the 2020 Acts of Assembly, the legislature passed House Bill 1726 and Senate Bill 1038 which created the Hampton Roads Regional Transit Fund (HRRTF) and designated the Commission as the manager of the HRRTF. The new legislation amended the Commission's governing statutes (the "HRTAC Act") by providing that the decisions of the Commission with respect to the disbursement of the HRRTF shall be made by the affirmative vote of two-thirds of the members of the Commission whose jurisdictions are subject to the Transient Occupancy Tax and Grantors Tax that fund the HRRTF (*i.e.*, the Commission's traditional voting rules will not apply to these decisions because non-contributing members are not permitted to vote). The Commission has amended its bylaws to ensure that the voting rules set forth in the bylaws conform to the amended HRTAC Act. In addition, the Third Amended and Restated Bylaws includes a Regional Transit Committee to advise the Commission on matters regarding the HRRTF. This committee, like other HRTAC committees, is advisory. The members of this Committee are the members of the Commission that are authorized to vote on HRRTF decisions.





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## Overview re: Hampton Roads Regional Transit Program and Fund – HRTAC Role

December 1, 2020

# Background re: New Legislation

- In 2020, the General Assembly created:
  - a special transportation program, known as the Hampton Roads Regional Transit Program (the “Regional Transit Program” or “Program”), “to provide for the costs of developing, maintaining, and improving a core regional network of transit routes and related infrastructure, rolling stock, and support facilities that have the greatest positive impacts on economic development potential, employment opportunities, mobility, environmental sustainability, and quality of life.” (Va. Code § 33.2-2600.1.A ); and
  - a special nonreverting fund for Planning District 23, known as the Hampton Roads Regional Transit Fund (the “Regional Transit Fund” or “Fund”) (Va. Code § 33.2-2600.1.B), which is credited with revenues dedicated from:
    - Regional transportation improvement fee assessed in the 6 District Cities
    - Transportation district transient occupancy tax assessed in 6 District Cities
    - Dedicated portion of state recordation tax
- The District Cities are the 6 cities in the transportation district of Hampton Roads: Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Virginia Beach

# Background re: New Legislation (cont.)

- HRTAC is required to manage the Fund and approve disbursements from it.
  - Under the Act, decisions regarding disbursements are made by two-thirds affirmative vote of the members subject to the regional transportation improvement fee and occupancy tax – the 6 District Cities
- Disbursements must be approved by HRTAC consistent with the regional transit planning process developed pursuant to subsection D of Va. Code § 33.2-286, and the Fund must be used solely for:
  - (i) the development, maintenance, improvement, and operation of a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities, to include the operation of a regional system of interjurisdictional, high-frequency bus service, in a transportation district in Hampton Roads created pursuant to Va. Code § 33.2-1903 as included in the strategic plans and regional transit planning process developed pursuant to Va. Code § 33.2-286 (“Permitted Purposes”);
  - (ii) administrative and operating expenses of the Commission as specified in subsection B of Va. Code § 33.2-2605. (Va. Code § 33.2-2600.1.C )

## Background re: New Legislation (cont.)

- Under Va. Code § 33.2-286, transit agencies must develop and update at least once every five years a strategic plan using guidelines approved by the Commonwealth Transportation Board.
- Under subsection D of Va. Code § 33.2-286, in all planning districts with transit systems collectively serving population areas of not less than 1.5 million nor more than 2 million (*i.e.*, Planning District 23), the applicable transit systems also shall develop a regional transit planning process coordinated by the federally designated MPO (in Hampton Roads, “HRTPO” or “TPO”) which planning process shall, among other things, include the identification and prioritization of projects, the establishment of performance benchmarks that incorporate state and federal requirements, and the development and implementation of a regional subsidy allocation model.
- Three transit entities participate in the Regional Transit Planning Process: the Transportation District Commission of Hampton Roads, d/b/a as Hampton Roads Transit (“HRT”), which was created pursuant to the Transportation District Act of 1964, Va. Code §§ 33.2-1900; Suffolk Transit; and Williamsburg Area Transit Authority.
- However, as noted previously, the Act restricts the use of the Fund to the development, maintenance, improvement, and operation of a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities ... *in a transportation district in Hampton Roads created pursuant to Va. Code § 33.2-1903*, and HRT is the only transportation district created pursuant to this Code section.

## Current Status

- HRTAC amended its Bylaws to ensure that disbursements of the Regional Transit Fund would be approved in conformity with the Act by the 6 District Cities, and established a Regional Transit Committee consisting of the members from the 6 District Cities
- In order to (i) approve disbursements consistent with the regional transit planning process developed pursuant to subsection D of Va. Code § 33.2-286 and (ii) ensure that the Fund is used solely for Permitted Purposes, HRTAC staff recommends that HRTAC adopt Policies and Procedures relating to the management and disbursement of the Regional Transit Fund (the Policies and Procedures will also provide useful direction to HRT/third parties) – *draft Policies and Procedures are in Agenda Package*
- HRTAC has been advised that HRT, Suffolk Transit and WATA will have presented their transit strategic plans (or development plans) to the TPO and the TPO will have made efforts to commence coordinating a regional transit planning process
- HRT presented a draft MOU, and HRTAC has responded with comments to align the MOU with the proposed Policies and Procedures
- HRT also has presented an initial application for disbursements

# Purpose and Content of Policies and Procedures

- To establish a framework for managing the Fund and approving disbursements
- Section I provides background/context concerning the Act and the Regional Planning Process
- Section II outlines that HRTAC will manage the Fund in accordance with its Accounting Policies and Procedures and the Investment Policy incorporated therein
- Section III describes a process for the submission of applications for disbursements, HRTAC's review and approval thereof, and the manner for delivering funding, including the potential use of a funding agreement to ensure that the funds will be used in accordance with the restrictions of the Act
  - Because HRT's Strategic Plan is expected to be central to the Program, the policies and procedures describe the collaboration with HRT that is anticipated
  - Importantly, applications must be approved by the HRT Board
- Section IV addresses the manner in which disbursements may be made for administrative expenses

## Next Steps

- Consider Policies and Procedures and MOU and, if acceptable, endorse for adoption and execution, as applicable
- Under the Policies and Procedures, HRT will be required to make good faith certifications regarding the development of its transit strategic plan in accordance with the regional transit planning process contemplated by Va. Code § 33.2-286
  - HRTAC will need to consider whether any certifications or endorsements by the TPO also will be required
- HRTAC evaluation of and action on the HRT application for disbursements
- HRTAC action at 12/10/20 Commission Regular Meeting



**Agenda Item 4B**  
**Action Item**

**To: Chair West and the other members of the HRTAC Regional Transit Committee**

**From: Kevin B. Page, Executive Director**

**Date: December 1, 2020**

**Re: HRRTF Policies and Procedures**

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**Recommendation:**

The Executive Director requests that the Commissioners (i) consider recommending the proposed Hampton Roads Regional Transit Fund (HRRTF) Policies and Procedures to the Commission for approval, which are set forth in the attached, and (ii) authorize the Regional Transit Committee Chair to communicate such action at the December 10, 2020 Regular Meeting.

**Background:**

During the 2020 Acts of Assembly, the legislature passed House Bill 1726 and Senate Bill 1038 which created the HRRTF and designated the Commission as the manager of the HRRTF. Commission Staff and Counsel have developed draft Policies and procedures to establish a framework for managing the HRRTF and approving disbursements. Highlights of the proposed Policies and procedures are as follows:

- Section I provides background/context concerning the Act and the Regional Planning Process
- Section II outlines that HRTAC will manage the Fund in accordance with its Accounting Policies and Procedures and the Investment Policies incorporated therein
- Section III describes a process for the submission of applications for disbursements, HRTAC's review and approval thereof, and the manner for delivering funding, including the potential use of a funding agreement to ensure that the funds will be used in accordance with the restrictions of the Act
- Because HRT's Strategic Plan is expected to be central to the Program, the policies and procedures describe the collaboration with HRT that is anticipated
- Section IV addresses the manner in which disbursements may be made for administrative expenses

**Fiscal Impact:**

There is no fiscal impact relating to this action item.



**Suggested Motion:**

**Motion:** The Regional Transit Committee recommends the proposed HRRTF Policies and Procedures and authorizes the Regional Transit Committee Chair to communicate the HRRTF Policies and Procedures recommendation to the Commission at its December 10, 2020 Regular Meeting.



**HRTAC Policies and Procedures relating to the Management and Disbursement  
of the Hampton Roads Regional Transit Fund**

**I. Background**

- A. The Hampton Roads Regional Transit Program (the “Program”) was created by the General Assembly of Virginia, and is now codified at Va. Code § 33.2-2600.1 *et seq.* (the “HRRTF Act”), for the stated purpose of providing for the costs of “developing, maintaining, and improving a core regional network of transit routes and related infrastructure, rolling stock, and support facilities that have the greatest positive impacts on economic development potential, employment opportunities, mobility, environmental sustainability, and quality of life.” Va. Code § 33.2-2600.1(A).
- B. The goal of the Program is to provide a modern, safe, and efficient core network of transit services across the Hampton Roads region. The Program is to be incorporated into strategic plans developed pursuant to Va. Code § 33.2-286 and adopted by the governing board of each transit entity and shall form the basis for the regional transit planning process coordinated by the federally designated Metropolitan Planning Organization, known in Planning District 23 as the Hampton Roads Transportation Planning Organization (the “HRTPO”).
- C. The Program will be supported by a special nonreverting fund for Planning District 23 to be known as the Hampton Roads Regional Transit Fund (the “Regional Transit Fund”). Va. Code § 33.2-2600.1(B).
- D. Under the HRRTF Act, the Regional Transit Fund shall be managed by the Hampton Roads Transportation Accountability Commission (“HRTAC”), and disbursements from the Regional Transit Fund shall be approved by HRTAC consistent with the regional transit planning process developed pursuant to subsection D of Va. Code § 33.2-286.
- E. Under subsection D of Va. Code § 33.2-286, in all planning districts with transit systems collectively serving population areas of not less than 1.5 million nor more than 2 million (which presently includes Planning District 23), the applicable transit systems shall, in addition to developing a strategic plan under § 33.2-286 (a “Transit Strategic Plan” or “TSP”), develop a regional transit planning process coordinated by the federally designated Metropolitan Planning Organization (the “Regional Transit Planning Process”), which planning process shall, *inter alia*, include the identification and prioritization of projects, the establishment of performance benchmarks that incorporate state and federal requirements, and the development and implementation of a regional subsidy allocation model.
- F. Under the HRRTF Act, the moneys deposited in the Regional Transit Fund shall be used solely for (i) the development, maintenance, improvement, and operation of a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities, to include the operation of a

regional system of interjurisdictional, high-frequency bus service, in a transportation district in Hampton Roads created pursuant to Va. Code § 33.2-1903 as included in the strategic plans and regional transit planning process developed pursuant to Va. Code § 33.2-286 (such uses, “Transit Network Funding”), and (ii) administrative and operating expenses of the Commission as specified in subsection B of Va. Code § 33.2-2605 (such uses, “HRTAC Administrative Expenses”). Va. Code § 33.2-2600.1(C).

- G. Presently, there are: (i) three transit entities that participate in the Regional Transit Planning Process: the Transportation District Commission of Hampton Roads, d/b/a as Hampton Roads Transit (“HRT”), a regional transportation corporate and political body created pursuant to the Transportation District Act of 1964, Va. Code §§ 33.2-1900, *et seq.*; Suffolk Transit; and Williamsburg Area Transit Authority; however, HRT is the only one of such three transit entities with operations in a transportation district in Hampton Roads created pursuant to Va. Code § 33.2-1903; and (ii) six (6) cities (Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Virginia Beach) (the “District Cities”) in such transportation district.
- H. The following provisions set forth the policies and procedures that HRTAC intends to follow with respect to (i) the management of the Regional Transit Fund, and (ii) disbursements from the Regional Transit Fund.

II. Management of the Regional Transit Fund

- A. HRTAC will manage the Regional Transit Fund in accordance with HRTAC’s Accounting Policies and Procedures, including, without limitation, the Investment Policy incorporated therein, and applicable law, but as a separate fund under HRTAC’s control.
- B. In connection with such management, HRTAC will:
  1. to the extent practical, maintain separate books and records with respect to HRTAC’s management of the Regional Transit Fund and disbursements for Transit Network Funding;
  2. segregate the banking and investment accounts used for moneys received by HRTAC with respect to the Regional Transit Fund from the banking and investment accounts used for moneys received by HRTAC with respect to non-Regional Transit Fund sources (by way of example and not limitation, the Hampton Roads Transportation Fund (the “HRTF”), toll revenues, and proceeds of debt supported by the HRTF or toll revenues);
  3. consider in connection with its investment activities the timing of approved (scheduled) disbursements and related liquidity requirements; and

4. maintain books and records relating to disbursements made in respect of HRTAC Administrative Expenses, including the calculation thereof.

**III. Disbursements from the Regional Transit Fund for Transit Network Funding**

- A. HRT may apply to receive disbursements from the Regional Transit Fund for Transit Network Funding annually in accordance with a mutually determined schedule. The foregoing shall not be deemed to preclude other potential applicants (such as a District City working in conjunction with HRT) if distributions to such applicant would be permitted under applicable law.
- B. Each application should be in such format as HRT and HRTAC may mutually agree from time to time (or in the case of any other applicant, submitted on a form prescribed by HRTAC's Executive Director) and shall include the following information and any other information that the HRTAC Regional Transit Committee determines is necessary for Statutory Compliance (defined below):
  1. a description of each project for which Transit Network Funding is requested and how such project is programmed into the Transit Strategic Plan (the applicant shall identify whether such project is expected to be "immediate" (anticipated implementation of 0-3 years), "intermediate" (anticipated implementation of 3-7 years), or "extended" (anticipated implementation of 7+ years));
  2. the amount needed by the applicant for such project, which shall include, without limitation, estimates of continuing or discrete future capital, operating, and maintenance costs that are expected to be incurred during the planned duration of the project and the useful life of the related assets (if such amount is only a portion of a broader funding plan, the application should further address how the additional funding has been secured or committed ("Other Committed Funding"));
  3. the planned schedule for making expenditures in respect of the project, and the proposed timing for receiving Transit Network Funding in respect of those expenditures (in order to ensure that HRTAC is able to effectively manage the investment of the Regional Transit Fund and the flow of funds, disbursements shall, unless otherwise agreed in writing, be made on a reimbursement basis against invoices submitted no more than once every thirty (30) calendar days);
  4. a certification that the applicant's governing board has approved the application and any Other Committed Funding, together with a copy of each applicable resolution;
  5. a good faith certification from the applicant that: (A) the applicable [Transit Strategic Plan has been developed in accordance with the Regional Transit Planning Process and the requirements of subsection D of Va. Code § 33.2-286], (B) the applicant will use the requested funding

solely to develop, maintain, improve, or operate a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities in a transportation district in Hampton Roads (the “Permitted Uses”), and (C) the applicant has included such uses in the Transit Strategic Plan(s) and Regional Transit Planning Process developed pursuant to Va. Code § 33.2-286. If a District City is the applicant, HRTAC may require that the applicant also provide a certification from HRT that validates the applicant’s certifications under the preceding clauses (A) and (C).

- C. When possible, before submitting an application, the applicant should use reasonable efforts to obtain from HRTAC a draft, prepopulated Funding Agreement (defined below) that may be used to administer the disbursement(s) that the applicant would receive in respect of the application.
- D. On receipt of an application that is complete and contains the information outlined above, HRTAC will review it and determine whether HRTAC’s fulfillment of the requested disbursements will comply with the HRRTF Act (“Statutory Compliance”).
- E. In the event HRTAC determines a funding application satisfies Statutory Compliance and there are sufficient funds in the Regional Transit Fund to fulfill the disbursement requests in the funding application as presented or, in the case of any amounts that would be disbursed on an installment basis, sufficient funds are reasonably anticipated to be available in the Regional Transit Fund when each such disbursement is scheduled to be paid, HRTAC will promptly approve the funding application in writing and as submitted.
- F. In the event HRTAC determines that a funding application, in whole or in part, does not satisfy Statutory Compliance or that there are not sufficient funds in the Regional Transit Fund to fulfill the disbursement requests in the funding application as presented or, in the case of any amounts that would be disbursed on an installment basis, sufficient funds are not reasonably anticipated to be available in the Regional Transit Fund when each such disbursement is scheduled to be paid, HRTAC will issue a written rejection which explains the reason(s) that the funding application was rejected.
- G. In order to provide HRTAC assurances that the funding will be applied solely to Permitted Uses, HRTAC may require the applicant to enter into a funding agreement with HRTAC, on a form approved by HRTAC, (which agreement may, *inter alia*, include (i) an acknowledgement that HRTAC’s obligations with respect to any funds that have not been deposited into Regional Transit Fund and transferred to HRTAC are subject to funds being appropriated by the General Assembly and then transferred by the state treasury to HRTAC, (ii) audit provisions, and (iii) commitments from the applicant to operate the project for the planned project period and the useful life of the related assets).

H. Because HRT's Transit Strategic Plan is expected to be central to the Program and HRT is expected to make annual applications to support HRT's implementation of its Transit Strategic Plan, HRTAC's Executive Director and HRT's President and staff are expected to work collaboratively to develop an efficient and effective system for (i) HRT to present information to HRTAC regarding its plans, including any updates to its adopted Transit Strategic Plan, (ii) HRT and HRTAC to collaborate, as needed, on funding strategies, (iii) HRT to submit applications, (iv) HRTAC to process applications, and (v) HRT and HRTAC to implement and administer any funding agreements relating to approved disbursements. The mutual understandings with respect to such matters may be set forth in a Memorandum of Understanding.

**IV. Disbursements from the Regional Transit Fund for HRTAC Administrative Expenses**

A. On a periodic basis (monthly, quarterly or other), HRTAC's Executive Director may cause funds to be disbursed from the Regional Transit Fund to pay, or reimburse HRTAC for, HRTAC Administrative Expenses. The amounts payable from the Regional Transit Fund with respect to HRTAC Administrative Expenses shall be determined in accordance with Va. Code § 33.2-2605, which presently provides that administrative and operating expenses of the Commission shall be paid from the HRTF and the Regional Transit Fund on an approximately pro rata basis of the programs supported by the HRTF and the Regional Transit Fund (the share payable from the Regional Transit Fund is the "RTF Share"). In connection with the foregoing, HRTAC anticipates that expenses directly attributed to the HRTF or the Regional Transit Fund, including but not limited to direct labor, program specific legal, and program specific professional services, will be charged the respective fund, while general expenses of HRTAC, including but not limited to non-program specific labor, general legal, and other general services activities of HRTAC will be charged based on the program share of revenues collected. The budget for administrative and operating expenses of HRTAC does not include any funds for the construction or acquisition of transportation facilities or the performance of any transportation service.

B. HRTAC's Executive Director shall report administrative expenses charged to the RTF Share as a part of HRTAC's monthly financial reporting process.

**Agenda Item 4C**  
**Action Item**

**To: Chair West and the other members of the HRTAC Regional Transit Committee**

**From: Kevin B. Page, Executive Director**

**Date: December 1, 2020**

**Re: HRTAC/HRT MOU**

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**Recommendation:**

The Executive Director requests that the Commissioners (i) consider recommending the proposed Hampton Roads Regional Transit Fund (HRRTF) HRTAC/Transportation District Commission of Hampton Roads (d/b/a Hampton Roads Transit, "HRT") Memorandum of Understanding (MOU) to the Commission for approval, which is set forth in the attached, and (ii) authorize the Regional Transit Committee Chair to communicate such action at the December 10, 2020 Regular Meeting.

**Background:**

During the 2020 Acts of Assembly, the legislature passed House Bill 1726 and Senate Bill 1038 which created the HRRTF and designated the Commission as the manager of the HRRTF. Commission Staff and Counsel have worked with HRT Staff and Counsel to develop a draft MOU to enhance the coordination of their efforts with respect to the HRRTF Program. The proposed draft MOU includes the role of HRTAC in the administration of the HRRTF program as outlined in the Commission's HRRTF Policies and Procedures, and the role of HRT in the development of its strategic plan and application for funding. HRTAC Staff and Counsel will provide an overview of the draft MOU at the meeting.

**Fiscal Impact:**

There is no fiscal impact relating to this action item.

**Suggested Motion:**

**Motion:** The Regional Transit Committee recommends the proposed Hampton Roads Regional Transit Fund Memorandum of Understanding between the Hampton Roads Transportation Accountability Commission and the Transportation District Commission of Hampton Roads (d/b/a Hampton Roads Transit "HRT") and authorizes the Regional Transit Committee Chair to communicate the Memorandum of Understanding with recommendation to the Commission at its December 10, 2020 Regular Meeting.



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE TRANSPORTATION DISTRICT COMMISSION  
OF HAMPTON ROADS AND THE HAMPTON ROADS TRANSPORTATION  
ACCOUNTABILITY COMMISSION**

This Memorandum of Understanding (“MOU”) is made and effectively entered into on \_\_\_\_\_, 2020, by and between the **TRANSPORTATION DISTRICT COMMISSION OF HAMPTON ROADS**, d/b/a as Hampton Roads Transit (“HRT”), a regional transportation corporate and political body created pursuant to the Transportation District Act of 1964, Virginia. Code §§ 33.2-1900, *et. seq.*; and the **HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION** (“HRTAC”), (collectively, the “Parties”).

**RECITALS**

A. The Hampton Roads Regional Transit Program (the “Program”) was authorized by the General Assembly of Virginia, and is now codified at Va. Code § 33.2-2600.1 *et seq.* (the “HRRTF Act”), for the stated purpose of providing for the costs of “developing, maintaining, and improving a core regional network of transit routes and related infrastructure, rolling stock, and support facilities that have the greatest positive impacts on economic development potential, employment opportunities, mobility, environmental sustainability, and quality of life.” Va. Code § 33.2-2600.1(A).

B. The goal of the Program is to provide a modern, safe, and efficient core network of transit services across the Hampton Roads region. The Program is to be incorporated into strategic plans developed pursuant to Va. Code § 33.2-286, including the Transit Strategic Plan (“Transit Strategic Plan” or “TSP”) developed by HRT pursuant to Va. Code § 33.2-286 and adopted by its governing board, which shall form the basis for the regional transit planning process coordinated by the federally designated Metropolitan Planning Organization, known in Planning District 23 as the Hampton Roads Transportation Planning Organization (the “HRTPO”).

C. The Program will be supported by a special nonreverting fund for Planning District 23 to be known as the Hampton Roads Regional Transit Fund (the “Regional Transit Fund”). Va. Code § 33.2-2600.1(B).

D. Under the HRRTF Act, the Regional Transit Fund shall be managed by HRTAC, and disbursements from the Regional Transit Fund shall be approved by HRTAC consistent with the regional transit planning process developed pursuant to subsection D of Va. Code § 33.2-286.

E. HRT shall, in addition to developing its statutorily mandated Transit Strategic Plan or TSP, fulfill the obligation that it shares with other transit agencies in Planning District to develop a regional transit planning process coordinated by the HRTPO (the “Regional Transit Planning Process”) pursuant to subsection D of Va. Code § 33.2-286. This Regional Transit Planning Process shall include, *inter alia*, the identification and prioritization of projects, the establishment of performance benchmarks that incorporate state and federal requirements, and the development and implementation of a regional subsidy allocation model.

F. Under the HRRTF Act, the moneys deposited in the Regional Transit Fund shall be used solely for (i) the development, maintenance, improvement, and operation of a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities, to include the operation of a regional system of interjurisdictional, high-frequency bus service, in a transportation district in Hampton Roads created pursuant to Va. Code § 33.2-1903 as included in the strategic plans and regional transit planning process developed pursuant to Va. Code § 33.2-286 (the region covered by such district, the “Transportation District Region,” and such uses, “Transit Network Funding”), and (ii) administrative and operating expenses of the Commission as specified in subsection B of Va. Code § 33.2-2605 (such uses, “HRTAC Administrative Expenses”). Va. Code § 33.2-2600.1(C).

G. HRTAC has adopted and intends to review and update annually Policies and Procedures relating to the Management and Disbursement of the Hampton Roads Regional Transit Fund (the “HRTAC HRRTF Policies and Procedures”).

H. HRT is the only transit entity in Planning District 23 with operations in a transportation district in Hampton Roads created pursuant to Va. Code § 33.2-1903 and, as such, the Parties desire to enter into this MOU to enhance the coordination of their efforts with respect to the Program.

**NOW, THEREFORE**, the Parties agree as follows:

1. **SCOPE.** The recitals set forth above are incorporated by this reference and made a part hereof.
2. **TERM.** The term of this MOU will be from the date hereof to July 30, 2025. Thereafter, this MOU will automatically renew and extend itself for additional terms of five (5) years each, extending from July 1 through June 30, on the same terms and conditions (without the need to execute any other instrument or document), unless terminated in the manner provided below. This MOU may be amended by a writing signed by all Parties.
3. **TERMINATION.** Either Party may terminate this MOU, effective at the end of the then-current initial term or renewal term, by giving written notice of intent to terminate to the other Party on or before January 15 of the year in which the then-current initial term or renewal term is (absent the auto-renewal) set to expire.
4. **PROGRAM CREATION AND DESIGNATION OF APPLICABLE PROGRAM PROJECTS.**

A. HRT represents that (i) it has developed an initial and comprehensive core transit program in accordance with Virginia Code §§ 33.2-286 (including subsection D thereof) and 33.2-2600.1(C) (the “HRT Program”), which, *inter alia*, identifies discrete projects that support the implementation, execution and operation of the HRT Program and provides for the costs of developing, maintaining, improving, and operating a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities that have the greatest positive impacts on economic development, potential, employment opportunities, mobility, environmental sustainability, and quality of life, and (ii) in connection with the foregoing, on June 25, 2020, the HRT governing Board of Commissioners adopted the FY21 TSP (effective

July 1, 2020-June 30, 2021), which was the first Adopted TSP, defined *infra*, to include the HRT Program and related projects.

B. Beginning on July 1, 2020 and continuing each year thereafter for the duration of this MOU, HRT will exclusively monitor, review and, if appropriate, revise the HRT Program to ensure that it continues to provide, in accordance with Virginia Code §§ 33.2-286 (including subsection D thereof) and 33.2-2600.1, a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities that have the greatest positive impacts on economic development, potential, employment opportunities, mobility, environmental sustainability, and quality of life (the “Annual Review”).

C. As part of the Annual Review, HRT will identify HRT Program projects that continue to support the successful implementation of the entire HRT Program. HRT will designate such HRT Program projects as “immediate” (anticipated implementation of 0-3 years), “intermediate” (anticipated implementation in 3-7 years), or “extended” (anticipated implementation in 7+ years).

D. As part of the Annual Review, HRT will incorporate the then-current HRT Program and related projects into its TSP as required by Virginia Code § 33.2-286.

E. On or before December 31 of each year, subject to any extensions granted by the Commonwealth of Virginia and/or the Virginia Department of Rail and Public Transportation, and continuing each year thereafter for the duration of this MOU, HRT will present a TSP, inclusive of any revisions and/or modifications as a result of the Annual Review, to its governing Board of Commissioners (the “HRT Board”) for review and adoption (as adopted, the “Adopted TSP”).

## **5. MANAGEMENT OF THE REGIONAL TRANSIT FUND.**

A. HRTAC will manage the Regional Transit Fund in accordance with HRTAC’s policies and procedures as in effect from time to time, including, without limitation, the HRTAC HRRTF Policies and Procedures, the HRTAC’s Accounting Policies and Procedures (and the Investment Policy incorporated therein), and applicable law, but as a separate fund under HRTAC’s control.

B. In connection with such management, HRTAC will:

- (i) to the extent practical, maintain separate books and records with respect to HRTAC’s management of the Regional Transit Fund and disbursements for Transit Network Funding;
- (ii) segregate the banking and investment accounts used for moneys received by HRTAC with respect to the Regional Transit Fund from the banking and investment accounts used for moneys received by HRTAC with respect to non-Regional Transit Fund sources (by way of example and not limitation, the Hampton Roads Transportation Fund (the “HRTF”), toll revenues, and proceeds of debt supported by the HRTF or toll revenues);

- (iii) consider in connection with its investment activities the timing of approved (scheduled) disbursements and related liquidity requirements; and
- (iv) maintain books and records relating to disbursements made in respect of HRTAC Administrative Expenses, including the calculation thereof.

## **6. PROGRAM PRESENTATION AND APPLICATION FOR PROJECT FUNDING.**

A. HRT has sole responsibility and authority with regard to the design, prioritization of projects, and operation of the HRT Transit Strategic Plan and any refinement thereof as part of the Regional Transit Planning Process. However, because the Regional Transit Fund will support the HRT Transit Strategic Plan and HRT Program and HRT is expected to make annual applications to HRTAC for disbursements from the Regional Transit Fund, HRTAC's Executive Director and HRT's President and staff are expected to work collaboratively to develop an efficient and effective system for (i) HRT to present information to HRTAC regarding its plans for the HRT Program, (ii) HRT and HRTAC to collaborate, as needed, on funding strategies, (iii) HRT to submit applications, (iv) HRTAC to process applications, and (v) HRT and HRTAC to implement and administer any funding agreements relating to approved disbursements.

B. In that connection, unless the parties otherwise agree, (i) annually, HRT will provide HRTAC with the Adopted TSP, inclusive of the HRT Program and related projects, and submit in writing its funding application for the applicable year, which shall identify the HRT Program projects being submitted for approval for funding from the Fund and contain the information described below (the "Funding Application"), and (ii) HRTAC will review, approve, or reject all such Funding Applications, in each case with respect to clauses (i) and (ii), in accordance with the schedule described on Annex I (the "Processing Schedule").

C. The Parties acknowledge that, in order to implement the Program in a timely manner, it is essential that each Party fulfills its responsibilities in accordance with the Processing Schedule.

D. The Funding Application shall be in such format as the Parties may mutually agree from time to time and shall include the following information and any other information that the HRTAC Regional Transit Committee determines is necessary for Statutory Compliance (defined below):

- (i) a description of each HRT Program project for which HRT is requesting Transit Network Funding and how such project is programmed into the Transit Strategic Plan for HRT (HRT shall identify whether such project is expected to be "immediate" (anticipated implementation of 0-3 years), "intermediate" (anticipated implementation in 3-7 years), or "extended" (anticipated implementation in 7+ years));
- (ii) the amount needed by HRT for such project, which shall include, without limitation, estimates of continuing or discrete future capital, operating, and maintenance costs that are expected to be incurred during the planned duration of the project and the useful life of the related assets (if such

amount is only a portion of a broader funding plan, the application should further address how the additional funding has been secured or committed (“Other Committed Funding”));

- (iii) the planned schedule for making expenditures in respect of the project, and the proposed timing for receiving Transit Network Funding in respect of those expenditures (in order to ensure that HRTAC is able to effectively manage the investment of the Regional Transit Fund and the flow of funds, disbursements shall, unless otherwise agreed in writing, be made on a reimbursement basis against invoices submitted no more than once every thirty (30) calendar days);
- (iv) a certification that the HRT Board has approved the Application and any Other Committed Funding, together with a copy of each applicable resolution;
- (v) a good faith certification from HRT that:
  - (a) the applicable HRT Transit Strategic Plan has been developed in accordance with the Regional Transit Planning Process and the requirements of subsection D of Va. Code § 33.2-286;
  - (b) HRT will use the requested funding solely to develop, maintain, improve, or operate a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities in the Transportation District Region (the “Permitted Uses”); and
  - (c) HRT has included such uses in its Transit Strategic Plan(s) and its Regional Transit Planning Process developed pursuant to Va. Code § 33.2-286.

E. When possible, before submitting an Application, HRT will use reasonable efforts to obtain from HRTAC a draft, pre-populated Funding Agreement (defined below) that may be used to administer the disbursement(s) that HRT would receive in respect of the Application.

F. On receipt of a Funding Application that is complete and contains the information required above, HRTAC will review the Funding Application and determine whether HRTAC’s fulfillment of the requested disbursements will comply with the HRRTF Act (“Statutory Compliance”).

G. In the event HRTAC determines a Funding Application satisfies Statutory Compliance and there are sufficient funds in the Regional Transit Fund to fulfill the disbursement requests in the Funding Application as presented or, in the case of any amounts that would be disbursed on an installment basis, sufficient funds are reasonably anticipated to be available in the Regional Transit Fund when each such disbursement is scheduled to be paid, HRTAC will promptly approve the Funding Application in writing and as submitted.

H. In the event HRTAC determines that a Funding Application, in whole or in part, does not satisfy Statutory Compliance or that there are not sufficient funds in the Regional Transit Fund to fulfill the disbursement requests in the Funding Application as presented or, in the case of any amounts that would be disbursed on an installment basis, sufficient funds are not reasonably anticipated to be available in the Regional Transit Fund when each such disbursement is scheduled to be paid, HRTAC will issue a written rejection which explains the reason(s) that the Funding Application was rejected. Thereafter, HRTAC's Executive Director and HRT's President will meet and confer in order to, if reasonably possible, promptly reform and amend the Application so it will satisfy Statutory Compliance and be capable of being fulfilled out of the Regional Transit Fund.

I. On receipt of a written Funding Application rejection, HRT may revise and resubmit the Funding Application within thirty (30) days for reconsideration ("Revised Funding Application"). HRTAC shall review a Revised Funding Application at its next regularly scheduled meeting or, if no meeting is scheduled within ninety (90) days from the date of receipt of the Revised Funding Schedule, HRTAC will within such ninety (90) day period endeavor to call a special meeting.

J. In order to provide HRTAC assurances that the funding will be applied solely to Permitted Uses, HRTAC may require HRT to enter into a separate funding agreement with HRTAC, on a form approved by HRTAC, which agreement may, *inter alia*, include (i) an acknowledgement that HRTAC's obligations with respect to any funds that have not been deposited into Regional Transit Fund and transferred to HRTAC are subject to funds being appropriated by the General Assembly and then transferred by the state treasury to HRTAC, (ii) audit provisions, and (iii) commitments from HRT to operate the project for the planned project period and the useful life of the related assets.

7. **NOTICES.** Any notices or communications required to be given to any Party pursuant to this MOU must be in writing and delivered (a) in person, (b) by certified mail, postage prepaid, return receipt requested, or (c) by a commercial overnight courier that guarantees next day delivery and provides a receipt. Notice will be addressed as follows:

**If to HRT:**

**William E. Harrell**  
**President and Chief Executive Officer**  
Hampton Roads Transit  
509 East 18<sup>th</sup> Street  
Norfolk, Virginia 32504

**Conner F. Burns**  
**Treasurer and Chief Financial Officer**  
Hampton Roads Transit  
509 East 18<sup>th</sup> Street  
Norfolk, Virginia 32504

**If to HRTAC:**

**Kevin B. Page**  
**Executive Director**  
Hampton Roads Transportation Accountability Commission  
The Regional Building  
723 Woodlake Drive  
Chesapeake, Virginia 23320

The Parties may modify the names and/or addresses of their respective designated recipients by giving written notice to the other Party of any change. Notice will be effective and deemed given as of the date of actual delivery.

8. **AUTHORITY.** By signing below, each Party acknowledges and agrees that it has the authority to enter into this MOU and to perform their proposed respective obligations hereunder, and that by entering into this MOU it will not be in violation of any separate agreement with a third party. This Agreement shall not be construed as creating any personal liability on the part of any officer, member, employee, or agent of any party.

9. **ASSIGNMENT.** No Party may assign or transfer any rights herein without the written consent of the other.

10. **DISPUTE RESOLUTION.** In the event of a dispute arising out of or related to the performance, interpretation, application, or enforcement of this MOU, the Parties shall consult in good faith in an attempt to come to an agreement. If the dispute cannot be resolved through such consultation, then, upon the request of either Party, the Chair of the HRT Board and the Chair of HRTAC shall meet as soon as possible, but in no event later than thirty (30) days after such request is made, to attempt to resolve such dispute. Prior to any meeting(s) among such principals, the Parties will exchange relevant information that will assist the Parties in resolving the dispute or disagreement. If the Chair of the HRT Board and the Chair of HRTAC are unable to resolve the dispute to the Parties' mutual satisfaction within sixty (60) days of the initiation of the consultation process, a Party may file a legal action or suit in accordance with Section 11 below.

11. **APPLICABLE LAW; VENUE; WAIVER OF JURY TRIAL.** Notwithstanding any conflict of law provisions to the contrary, the Parties agree that this MOU shall be governed by the laws of the Commonwealth of Virginia. The Parties agree that, subject to the dispute resolution procedures contained in this MOU, the venue for any litigation arising out of or related to this MOU shall be the Circuit Court for the City of Norfolk, Virginia. **EACH PARTY HEREBY KNOWINGLY, IRREVOCABLY, VOLUNTARILY AND INTENTIONALLY WAIVES ANY RIGHTS THAT IT MAY HAVE TO A TRIAL BY JURY WITH RESPECT TO ANY ACTION, PROCEEDING, COUNTERCLAIM OR DEFENSE BASED ON THIS AGREEMENT, OR ARISING OUT OF, UNDER OR IN ANY CONNECTION WITH THIS AGREEMENT, OR WITH RESPECT TO ANY COURSE OF CONDUCT, COURSE OF DEALING, STATEMENTS (WHETHER ORAL OR WRITTEN) OR ACTIONS OF ANY PARTY HERETO RELATING TO THIS AGREEMENT. THIS PROVISION IS A MATERIAL INDUCEMENT FOR ALL PARTIES ENTERING INTO THIS AGREEMENT. THIS PROVISION APPLIES ONLY TO CLAIMS, ACTIONS AND SUITS BETWEEN OR AMONG THE PARTIES ARISING OUT OF OR RELATED TO THE AGREEMENT AND DOES NOT APPLY TO THIRD-PARTY CLAIMS, ACTIONS OR SUITS.** Each of the Parties (i) certifies that no representative, agent, attorney or any other person has represented, expressly or otherwise, that such other person would not, in the event of any suit, action or proceedings relating to this Agreement, seek to enforce the foregoing waiver and (ii) acknowledges that it has been induced to enter into this Agreement by, among other things, the mutual waivers and certifications in this Section.

12. **ENTIRE MOU.** This MOU shall constitute the entire agreement between the Parties with respect to the subject matter hereof, and supersedes any prior understanding, agreement, or representation by or between the Parties, written or oral, to the extent that they relate in any way to the subject matter hereof. To the extent that anything in this MOU contradicts the express provisions of Virginia Code § 33.2-2600.1 or the HRTAC HRRTF Policies and Procedures, then the order of precedence will be as follows, from highest to lowest: (i) the statute, (ii) the HRTAC HRRTF Policies and Procedures, and (iii) this MOU.

13. **NO THIRD-PARTY BENEFICIARIES.** This MOU is for the exclusive benefit of, and may only be enforced by, the Parties and their respective successors and assigns. It is not intended to benefit or confer any rights on any other person, organization, or entity.

14. **NO AGENCY.** Nothing in this Agreement shall be construed as making any Party a partner or agent of any other Party.

15. **SOVEREIGN IMMUNITY; SUBJECT TO APPROPRIATION.** This Agreement shall not be construed as a waiver of any Party's sovereign immunity rights. HRTAC's obligations with respect to any funds that have been approved for disbursement shall not in any event exceed the amounts that have been actually received from and are then held by HRTAC in respect of the Regional Transit Fund, and, without limiting the foregoing, HRT acknowledges and agrees that deposits into the Regional Transit Fund and transfers to HRTAC are subject to funds being appropriated by the General Assembly and then transferred by the state treasury to HRTAC.

16. **SEVERABILITY.** If any provision in this Agreement is rendered void or invalid, the Parties agree to negotiate in good faith appropriate amendments to, or replacement of such provisions, to restore and carry out the original purposes to the extent practicable. If any provision is rendered void or invalid, all remaining provisions shall survive.

17. **COUNTERPARTS.** This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

*(the remainder of this page is intentionally left blank)*

**IN WITNESS WHEREOF**, each Party has caused this MOU to be executed by its duly authorized representative.

**TRANSPORTATION DISTRICT COMMISSION OF HAMPTON ROADS  
D/B/A HAMPTON ROADS TRANSIT**

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION**

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**ANNEX I**

**Annual Schedule for Submission, Review and Approval (or Rejection) of Funding Applications**

**First Year of MOU**

October 30 – Application Submission Due from HRT with Adopted TSP and Authorizing Resolution(s)\*

December 10 – Application Approval or Rejection Notice Due from HRTAC, if applicable

December 30 – Revised Funding Application (Response to Any Rejection Notice) Due from HRT\*\*

Before January 31, 2021 – Revised Funding Application Approval or Rejection Notice Due from HRTAC, if applicable

**Following Years of MOU**

November 30 – Application Submission Due from HRT with Adopted TSP and Authorizing Resolution(s)\*

HRTAC Regular December Meeting – Application Approval or Rejection Notice Due from HRTAC, if applicable

January 31 – Revised Funding Application (Response to Any Rejection Notice) Due from HRT\*\*

Revised Application Award (HRTAC Regular Meeting 3rd Thursday of March Short Session of the General Assembly and 3rd Thursday of April following a Long Session of the General Assembly)

\*In the event HRTAC determines a Funding Application satisfies Statutory Compliance and there are sufficient funds in the Regional Transit Fund to fulfill the disbursement requests in the Funding Application as presented or, in the case of any amounts that would be disbursed on an installment basis, sufficient funds are reasonably anticipated to be available in the Regional Transit Fund when each such disbursement is scheduled to be paid, HRTAC will promptly approve the Funding Application at its next Regular Meeting.

\*\*HRTAC shall review a Revised Funding Application at its next regularly scheduled meeting or, if no meeting is scheduled within ninety (90) days from the date of receipt of the Revised Funding Schedule, HRTAC will within such ninety (90) day period endeavor to call a special meeting.

**Agenda Item 4D**  
**Action Item**

**To: Chair West and the other members of the HRTAC Regional Transit Committee**

**From: Kevin B. Page, Executive Director**

**Date: December 1, 2020**

**Re: HRT Application for HRRTF Funding**

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**Recommendation:**

The Executive Director requests that the Commissioners, in a workshop like setting, (i) hear the detailed presentation from Hampton Roads Transit (HRT) of its application submission for Hampton Roads Regional Transit Funds, (ii) discuss the application, and (iii) authorize the Regional Transit Committee Chair to communicate the application with comments for consideration or recommendation for approval at the December 10, 2020 Regular Meeting.

**Background:**

During the 2020 Acts of Assembly, the legislature passed House Bill 1726 and Senate Bill 1038 which created the HRRTF and designated the Commission as the manager of the HRRTF. HRT President and CEO has submitted HRT's first HRRTF application for funds. In a workshop like setting, HRT will provide a detailed presentation of the application for funding. The HRTAC Staff and Counsel will participate in dialogue with HRT and the Commissioners. Following the presentation and discussion, Commissioners will be asked to consider its position on the application and authorize the Chair to communicate the application with comments for consideration or recommendation for approval at the Regular Meeting on December 10, 2020.

**Fiscal Impact:**

There is no fiscal impact relating to this action item.

**Suggested Motion:**

**Motion:** The Regional Transit Committee authorizes the Regional Transit Committee Chair to communicate to the Commission the Hampton Roads Transit application for Hampton Roads Regional Transit Fund funding with comments for consideration or recommendation for approval at its December 10, 2020 Regular Meeting.





# HAMPTON ROADS TRANSIT

November 13, 2020

Kevin B. Page  
Executive Director  
HRTAC  
723 Woodlake Drive  
Chesapeake, VA 23320

Subject: Application for Hampton Roads Regional Transit Fund (HRRTF) FY2021 disbursements

*Kevin*  
Mr. Page,

In accordance with the provisions of Virginia Code § 33.2-2600.1, I have enclosed the Transportation District of Hampton Roads' (d/b/a Hampton Roads Transit, "HRT") first application to the Hampton Roads Transportation Accountability Commission ("HRTAC") for funding from the Hampton Roads Regional Transit Fund. HRT expects to make additional funding requests in the near future.

This application is in the amount of \$13,713,000. This includes funding an initial capital investment to implement the Hampton Roads Regional Transit Program approved on June 25, 2020, as part of the Transportation District's 10-year Transit Strategic Plan. This program of investments is referred to as the Regional Transit System ("RTS") or 757 Express.

I certify that the projects comprising this application are direct component parts to the approved Program as documented in the Transit Strategic Plan and fully meet all eligibility requirements for the disbursement and use of HRRTF funds as prescribed by law, including subsection D of Virginia Code § 33.2-286.

While work continues to finalize a Memorandum of Understanding between our agencies, it is critical at this juncture to provide this initial application. As you know, HRT intends to begin operating Group A bus service improvements in Hampton and Newport News in 2022 (Fiscal Year 2023). Capital projects like bus purchases have long lead times and must be initiated with FY2021 funding obligations to avoid delays in implementing the 757 Express. It is noteworthy that several projects will rely on partial funding from HRRTF, with HRT leveraging other funds to satisfy total project costs.



## HAMPTON ROADS TRANSIT

HRT would appreciate a prompt review and approval of this application by HRTAC. To deliver the approved 757 Express as currently programmed, it would be ideal for distributions of the funds to be approved within 30 days of the date of this application, but no later than January 13, 2021.

I would also appreciate the opportunity to present an overview of the 757 Express and details of this funding application to HRTAC at the meeting on December 10, 2020. We look forward to hearing from you soon and to begin delivering transformational improvements for the region that HRRTF funding will help accomplish.

Sincerely,

William E. Harrell  
President and CEO

Enclosure/ HRRTF Application #202001 (five pages)

**Project Name: Transit Bus Expansion (Group A)**

Project ID: 202101A

Programmed into Transit Strategic Plan: Yes

Type of Project: Major Expansion

**Summary****Total FY2021 HRRTF Request:** \$9,306,000**Total Project Cost:** \$13,246,000 (Group A)**Asset Type:** Revenue Vehicles

**Description:** Procure twenty-four (24) new 40' diesel buses for system expansion. This project supports the implementation of HRT's Regional Transit System (RTS) 757Express. Expansion bus need is split between three groups: Group A requires 24 buses (20 for operation, 4 spares), Group B requires 12 buses (10 for operation, 2 spares), and Group C requires 12 buses (10 for operation, 2 spares). Project 202101A includes fleet requirements for Group A. Estimated useful life for each unit is 12 years or 500,000 miles, whichever comes first.

**Costs and Funding (\$1,000s)**

Source	FY2021	Amount \$	Source	FY2022	Amount \$	Source	FY2023	Amount \$	Source	FY2024	Amount \$
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Group A		Group B		Group C					
HRRTF (FY2021)	\$9,306	HRRTF (FY2022)	\$4,469	HRRTF (FY2023)	\$4,543				
Federal 5307 (FY2020)	\$3,940	State (FY2022)	\$1,915	State (FY2023)	\$1,947				
<b>Total</b>	<b>\$13,246</b>	<b>Total</b>	<b>\$6,385</b>	<b>Total</b>		<b>\$6,490</b>	<b>Total</b>		<b>\$0</b>

Source	FY2025	Amount \$	Source	FY2026	Amount \$
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**HRRTF FY21 Disbursement Schedule**

<b>Total</b>	<b>\$0</b>	<b>Total</b>	<b>\$0</b>

Date	Amount \$
01/01/2021	\$2,327
04/01/2021	\$2,326
07/01/2021	\$2,327
10/01/2021	\$2,326
<b>Total</b>	<b>\$9,306</b>

Notes: Capital funding will need to be identified to maintain assets in a State of Good Repair (beyond the current six-year programming horizon).

**Project Name: Bus Stop Amenity Program**

Project ID: 202101B

Programmed into Transit Strategic Plan: Yes

Type of Project: Major Expansion

**Summary****Total FY2021 HRRTF Request:** \$3,265,000**Total Project Cost:** \$24,721,000**Asset Type:** Passenger Amenities

**Description:** Supports delivery of bus stop amenities throughout the RTS network, including approximately 623 new shelters, benches, trash cans, and lighting. Project is critical to meet the goals of RTS and deliver an enhanced experience for HRT riders. The expected useful life of a sheltered bus stop is approximately 20 years.

**Costs and Funding (\$1,000s)**

Source	FY2021	Amount \$	Source	FY2022	Amount \$	Source	FY2023	Amount \$	Source	FY2024	Amount \$
HRRTF (FY2021)	\$3,265		HRRTF (FY2022)	\$5,326		HRRTF (FY2023)	\$5,505		HRRTF (FY2024)	\$7,045	
<b>Total</b>	<b>\$3,265</b>		<b>Total</b>	<b>\$5,326</b>		<b>Total</b>	<b>\$5,505</b>		<b>Total</b>	<b>\$7,045</b>	

Source	FY2025	Amount \$	Source	FY2026	Amount \$
HRRTF (FY2025)	\$3,580				
<b>Total</b>	<b>\$3, 580</b>		<b>Total</b>	<b>\$0</b>	

**HRRTF FY21 Disbursement Schedule**

Date	Amount \$
01/01/2021	\$1,633
04/01/2021	\$1,632
<b>Total</b>	<b>\$3,265</b>

Notes:

**Project Name: Regional Transit System Technology**

Project ID: 202101C

Programmed into Transit Strategic Plan: Yes

Type of Project: Minor Enhancement

**Summary****Total FY2021 HRRTF Request:** \$80,000**Total Project Cost:** \$651,000**Asset Type:** Technology

**Description:** Current technology infrastructure and tools must be enhanced, expanded and deployed to areas not adequately covered in order to support the expanded Regional Transit System (RTS) 757 Express. RTS technology needs cover a range of assets, from hardware at transit centers to necessary back-office technology systems and customer tools. Project 202101C focuses on acquisition and installation of real time digital displays for bus arrival information and system alerts (Hampton Transit Center, Newport News Transit Center, Downtown Norfolk Transit Center) for which estimated useful life before state of good repair maintenance is 5 years. Future projects will cover assets including: fare system enhancements, WAN, Wi-Fi, cabling, firewalls, switches, cameras, access control, CCTV server, security station, UPS system, PBX gateway, phones, courtesy phones, computers, printers, TVMs, endpoint protection, network security, and a vehicle surveillance wayside server.

**Costs and Funding (\$1,000s)**

Source	FY2021	Amount \$	Source	FY2022	Amount \$	Source	FY2023	Amount \$	Source	FY2024	Amount \$
HRRTF (FY2021)	\$80		HRRTF (FY2022)		\$518				HRRTF (FY2024)		\$53
<b>Total</b>	<b>\$80</b>		<b>Total</b>		<b>\$518</b>		<b>Total</b>		<b>\$0</b>	<b>Total</b>	<b>\$53</b>

Source FY2025 Amount \$ Source

FY2026 Amount \$

**HRRTF FY21 Disbursement Schedule**

<b>Total</b>	<b>\$0</b>	<b>Total</b>	<b>\$0</b>

Date	Amount \$
01/01/2021	\$80
<b>Total</b>	<b>\$80</b>

Notes:

**Project Name: Net Center Replacement**

Project ID: 202101D

Programmed in Transit Strategic Plan: Yes

Type of Project: Minor Enhancement

**Summary****Total FY2021 HRRTF Request:** \$62,000**Total Project Cost:** \$696,000**Asset Type:** Passenger Facility

**Description:** Project 202101D covers design and engineering to relocate the Net Center bus transfer hub (Hampton) to a new location. This facility is part of the RTS. The relocated bus transfer hub will include construction of a multi-bay, on-street transfer facility to replace the existing operation that is in an inadequate location. The transfer facility will include new concrete bus pull-offs and passenger amenities, including shelters, benches, trash cans, and solar lighting. The estimated useful life of the facility is approximately 40 years.

**Costs and Funding (\$1,000s)**

Source	FY2021	Amount \$	Source	FY2022	Amount \$	Source	FY2023	Amount \$	Source	FY2024	Amount \$
HRRTF (FY2021)	\$62		HRRTF (FY2022)		\$442						
			Federal 5307 (FY2021)		\$192						
<b>Total</b>	<b>\$62</b>		<b>Total</b>		<b>\$634</b>		<b>Total</b>		<b>\$0</b>	<b>Total</b>	<b>\$0</b>

Source FY2025 Amount \$ Source

FY2026 Amount \$

**HRRTF FY21 Disbursement Schedule**

<b>Total</b>	<b>\$0</b>	<b>Total</b>	<b>\$0</b>

Date	Amount \$
01/01/2021	\$62
<b>Total</b>	<b>\$62</b>

Notes:

**Project Name:** New Bus Operating Division – Southside

Project ID: 202101E

Programmed in Transit Strategic Plan: Yes

Type of Project: Major Expansion

**Summary****Total FY2021 HRRTF Request:** \$1,000,000**Total Project Cost:** \$2,000,000 (Planning)**Asset Type:** Operations and Maintenance Facility

**Description:** Project 202101E covers preliminary planning for a new Bus Operating Division on the Southside to replace the Virginia Beach Parks Avenue operating base. In total this major investment will include preliminary planning, environmental review, design, property acquisition, and construction. The expected useful life of the new facility is 50 years. The existing facility suffers from numerous deficiencies: it is well past its useful life, too small to accommodate any additional vehicles, unable to accommodate anything but the most basic bus maintenance functions and lacks the facilities to operate outside the peak summer season. A new facility will allow for all-year operations and be large enough to support the storage, maintenance, and operation of the Regional Transit System. The schedule and fund programming targets delivery in time to serve RTS Group B & C service as documented in HRT's Transit Strategic Plan.

**Costs and Funding (\$1,000s)**

Source	FY2021	Amount \$	Source	FY2022	Amount \$	Source	FY2023	Amount \$	Source	FY2024	Amount \$
HRRTF (FY2021)	\$1,000		HRRTF (FY2022)	\$5,281		HRRTF (FY2023)	\$2,714				
Federal 5307 (FY2020)	\$900		Federal 5307 (FY2020)	\$1,108		Federal 5307 (FY2021)	\$1,854				
State	\$100		Federal 5307 (FY2021)	\$2,425		Federal 5307 (FY2022)	\$860				
			Federal 5339 (FY2019)	\$11		State (FY2023)	\$5,428				
			Federal 5339 (FY2020)	\$1,737							
			State (FY2022)	\$10,562							
<b>Total</b>	<b>\$2,000</b>		<b>Total</b>	<b>\$21,125</b>		<b>Total</b>		<b>\$10,855</b>	<b>Total</b>		<b>\$0</b>

Source	FY2025	Amount \$	Source	FY2026	Amount \$
<b>Total</b>	<b>\$0</b>		<b>Total</b>	<b>\$0</b>	

**HRRTF FY21 Disbursement Schedule**

Date	Amount \$
01/01/2021	\$1,000
<b>Total</b>	<b>\$1,000</b>

Notes: Pending completion of planning activities HRT anticipates additional FY21 HRRTF funding requests.