

**AMENDED AND RESTATED MEMORANDUM OF AGREEMENT
BETWEEN
THE HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION
AND
THE COUNTY OF SOUTHAMPTON**

This Memorandum of Agreement (Amended MOA) Amends and Restates the MOA dated and executed July 18, 2013, by and between the Hampton Roads Transportation Planning Organization ("HRTPO") and the County of Southampton ("Southampton County").

WHEREAS, the Signatories executed a Memorandum of Agreement (MOA) effective as of July 18, 2013, to establish a mechanism by which the City of Franklin and Southampton County ("Localities") will be entitled to vote on the allocation of funds for projects supported by HB2313 revenues deposited into the Hampton Roads Transportation Fund (HRTF). The MOA included the following:

1. Effective July 1, 2013, the HRTPO would establish "**Fund set-asides**" for the City of Franklin and Southampton County, comprised of those portions of HB2313 revenues collected in their respective localities, and reserve them for projects in Franklin and Southampton County;
2. Effective July 1, 2013, the City of Franklin and Southampton County would be entitled to one vote on actions of the HRTPO involving the allocation of funds for any project to be funded in whole or in part with HB2313 Revenues from the Fund set-asides;
3. The representatives from the City of Franklin and Southampton County would be invited to attend all meetings of the HRTPO in which any allocation of HB2313 Funds were to be discussed or otherwise considered and would be provided with all information and communications relating to the allocations that are provided to HRTPO members; and
4. For those meetings in which allocations of funds from the "Fund set-asides" are to be discussed or subjected to a vote, the representatives of the City of Franklin and Southampton County would be provided with all information and communications relating to the projects that are provided to the HRTPO members, and would be allowed to participate in discussions relating to the projects.

WHEREAS, the 2014 Transportation Legislation created the Hampton Roads Accountability Commission (HRTAC) and transferred the authority for the allocation of HRTF monies from the HRTPO to HRTAC, and the HRTAC is now responsible for allocating the HRTF to transportation projects prioritized and selected by the HRTPO.

WHEREAS, transfer of authority for allocation of HRTF monies prevents the HRTPO from addressing the fund set-aside provisions of the July 2013 MOA.

WHEREAS, although the 2014 legislation provided the City of Franklin and Southampton County with full voting rights on the HRTAC, neither locality is a member of the HRTPO.

WHEREAS, the HRTPO is responsible for identifying and prioritizing regional transportation priority projects that will be funded with HRTF monies.

WHEREAS, the residents of the City of Franklin and Southampton County contribute to the HRTF; however, these jurisdictions currently have no vote on the HRTPO Board on regional transportation planning and prioritization matters.

WHEREAS, the HRTPO staff worked diligently with the Chief Administrative Officers of the City of Franklin and Southampton County, and representatives from VDOT and FHWA Virginia Division, to develop a concept that will address this situation.

NOW, THEREFORE, the parties hereby agree as follows:

1. Portions of the City of Franklin and Southampton County that are situated east of Rt. 258 shall be added to the Hampton Roads Metropolitan Planning Area (MPA), providing the City and County with full voting rights on the HRTPO. Transportation projects located within the expanded MPA will be eligible to compete for funding through the HRTPO with other regional projects. Transportation projects in the City and County that remain outside the MPA (west of Rt. 258) will retain access to other traditional state revenue streams, including rural transportation funds, and remain in scoring Category D (safety/economic development) for projects submitted for funding under the SMART SCALE Program (formerly HB2);
2. Southampton County and the City of Franklin shall be provided with full voting rights on the HRTPO Board on all HRTPO matters, along with voting rights on the Transportation Technical Advisory Committee (TTAC) and Citizen Transportation Advisory Committee (CTAC). In addition, these localities may decide to participate on other committees created by the HRTPO.
3. To reflect the one-year period when the HRTPO had allocation authority for the HRTF, and to honor the set-aside commitment for this one year period, the HRTPO will establish a one-time RSTP fund set-aside equivalent to revenues paid into the HRTF by Franklin and Southampton County in FY 2014, plus interest, (\$2,028,866), which will be made exclusively available to the City and County for an eligible RSTP project(s) located within the MPA; and

4. The HRTPO will commit to the completion of a Rt. 58 Corridor Study extending to the Greenville County line within four years of the approval of this amended and restated MOA. The HRTPO will closely collaborate and coordinate with VDOT and the HRPDC to initiate and complete this feasibility study.

In Witness Whereof, the parties have caused this amended and restated Memorandum of Agreement to be executed by their duly authorized officers as of the date first set forth as shown on page 1.

Hampton Roads Transportation
Planning Organization

By: Linda Johnson
Chair

County of Southampton
By: Jim D. Johnson
Title: COUNTY ADMINISTRATOR