

**Summary Minutes of the
HRTPO Transportation Programming Subcommittee (TPS) Meeting
April 23, 2021**

The HRTPO Transportation Programming Subcommittee (TPS) Meeting was called to order at 1:30 p.m. via WebEx.

Mr. John Mihaly, HRTPO Principal Transportation Planner, read the following statement:

Pursuant to the declared state of emergency in the Commonwealth of Virginia in response to the COVID-19 pandemic and to protect the public health and safety of Transportation Programming Subcommittee members, staff, and the general public, today's meeting is being held electronically. This electronic meeting is required to complete essential business on behalf of the region.

Per the requirements of the Code of Virginia, the agenda and all supporting documentation were posted on the HRTPO website for public review, and electronic copies of this information were provided to TPS members and other interested parties.

The general public was provided an opportunity to comment on today's agenda in advance of the meeting via two options:

- 1. Members of the public were invited to email comments to the TPS.*
- 2. Members of the public were invited to call into a dedicated phone line where comments could be recorded for the TPS.*

No comments were received via either option as of 48 hours before the meeting

Before we begin today's remote meeting, I need to remind members of a few important housekeeping rules:

Everyone is asked to keep their phones and computers muted except for when you are providing input.

Please identify yourself by name and the locality or agency you represent when you provide input. Do the same should you provide a motion or a second.

All votes taken today must be made by roll call vote and recorded in the minutes.

In order to vote, TPS members must be members of TTAC. For attendance and voting purposes, if your name is not called during roll call and you are a member of TTAC, please let us know as we want to:

- Make sure that each locality and agency is correctly represented in the voting record, and*
- Make sure that the minutes are accurately reflected.*

Thank you for your cooperation and patience. Attendance will now be recorded by roll call.

A roll call vote was conducted and the following represents the attendance of the meeting.

TPS Members Present:

Bryan Stilley (Chair, NN)
Earl Sorey (CH)
Carol Rizzio (GL)
Lynne Keenan (HA)
Jamie Oliver (IW)
Paul Holt (JC)
Angela Rico (NN)
Rob Brown (NO)
Deborah Mangiaracina (NO)
Carl Jackson (PO)
Darryll Lewis (SU)
Robert Lewis (SU)
Katie Shannon (VB)

Carolyn Murphy (WM)
Tim Cross (YK)
Tiffany Dubinsky (DRPT)
Keisha Branch (HRT)
Sam Sink (HRT)
Todd Halacy (VDOT)
Sonya Hallums-Ponton (VDOT)
Heather Patel (VDOT)
Eric Stringfield (VDOT)
Barbara Nelson (VPA)
Barbara Creel (WATA)
Josh Moore (WATA)

TPS Members Absent:

Troy Eisenberger (CH)
Anne Ducey-Ortiz (GL)
Jason Mitchell (HA)
Sandon Rogers (HA)
James Wright (PO)
Dannan O'Connell (PQ)
Ellen Roberts (PQ)

Michael Johnson (SH)
Beth Lewis (SH)
LJ Hansen (SU)
David Jarman (VB)
Phil Pullen (VB)
Ivan Rucker (FHWA)

HRTPO Staff:

Kathlene Grauberger
Steve Lambert
John Mihaly

Pavithra Parthasarathi
Jeff Raliski

Others Recorded Attending:

Lisa Simpson (NN); Stanley Smith (VB); Zach Trogdon (WATA); Karen McPherson (McPherson Consulting); Logan Grimm (HRPDC)

Public Comment Period

There were no public comments.

Approval of Agenda

Chair Bryan Stilley asked for additions or deletions to the agenda. Hearing none, Ms. Jamie Oliver Moved to approve the agenda as written; seconded by Ms. Angela Rico. The Motion Carried by Affirmation.

Minutes

Chair Stilley indicated the TPS Summary Minutes of March 12, 2021 were included in the April 23, 2021 TPS Agenda. He asked for corrections or changes to the minutes. Mr. Tim Cross Moved to approve the minutes as written; seconded by Ms. Carolyn Murphy. The Motion Carried by Affirmation.

Congestion Mitigation and Air Quality (CMAQ) Improvement Program Reconciliation: Requests for Transfers from the HRTPO CMAQ Reserve Account

Mr. John Mihaly, HRTPO Principal Transportation Planner, reported that the Appropriation Act requires Congestion Mitigation and Air Quality Improvement (CMAQ) funds to be federally obligated within 12 months of their allocation by the Commonwealth Transportation Board (CTB) and expended within 36 months of such obligation. If these requirements are not met, then the CTB shall use the funds for any other project eligible under 23 USC 149

Discussions within VDOT's Executive staff have focused on unexpended balances on projects, poor burn rates, the financial health of VDOT's funding programs, and maximizing the use of limited funding resources. Based on a review of projects within the HRTPO 46 projects were federal final vouchered before 2017 and had a deficit or unexpended CMAQ funds remaining beyond the 36-month timeframe set out in the Appropriation Act.

Mr. Mihaly noted that letters were mailed to localities the week of March 8, 2021 outlining the final vouchered project balances and deficits. All transfers to the HRTPO CMAQ Reserve Account were approved by the TTAC at its April 7, 2021 meeting and by the HRTPO Board at its April 15, 2021 meeting.

Mr. Mihaly stated that after HRTPO staff followed up with the localities for requests to transfer HRTPO CMAQ Reserve Account funds to active CMAQ projects, VDOT identified \$827,132 in available region-wide CMAQ funds to be allocated before June 2021.

Discussion ensued with TPS members agreeing to table this item until they were briefed on the next agenda item.

FAST Act Reductions: FY 2022-2027 CMAQ and RSTP Allocations

Mr. Todd Halacy, VDOT ADA/Planning and Investment Manager, stated that prior to the FAST Act expiring and to keep the highway program functioning and funded, Congress adopted a one-year extension of the FAST Act. The original Act provided for annual growth in the programs; however, the extension and federal appropriations funded FY 2021 at FY 2020 levels with no growth provisions.

Mr. Halacy indicated that as part of the Six-Year Financial Plan (SYFP) and budget development processes, VDOT estimates included growth assumptions consistent with FAST Act funding expectations. However, since federal FY 2021 funding was held at federal FY 2020 levels, adjustments were made in the Department's estimates to reflect no growth. This change in growth assumptions applies to all FAST Act programs and, due to timing, these adjustments are reflected beginning in FY 2022.

He noted that for Hampton Roads, the growth rate accounted for approximately \$38 million for CMAQ and RSTP combined over the six-year period of FY 2022 – FY 2027, which results in the reduction of \$11.4 million in CMAQ funding and \$26.7 million in RSTP funding.

In order to balance the Draft FY 2022-2027 Six-Year Improvement Program (SYIP), VDOT worked with HRTPO Staff to make “penciled-in” changes to the program in advance of the May 5, 2021 Spring SYIP Public Hearing.

Mr. Halacy stated that VDOT contacted the affected localities and requested them to review VDOT’s changes. He noted that there is time before the final SYIP is approved in June to make adjustments to the initial changes.

After discussion, the Subcommittee decided to:

- Make the impacted projects whole if able to at a later date
- Bypass the TTAC in order to have the reductions in the May HRTPO Board meeting
- Have VDOT and HRTPO staff reach out to concerned localities

2021 CMAQ and RSTP Project Selection Process “Penciled-in” Requests for FY 2028 Funding

Mr. John Mihaly, HRTPO Principal Transportation Planner, reported that the selection process for projects proposed to be funded under the Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) is conducted annually. The current deadline for project applications for the FY 2028 funding cycle will be August 16, 2021.

Mr. Mihaly stated that the “penciled-in” amounts for previously approved RSTP projects exceed the anticipated available funding in FY 2028 by more than \$12.6 million. The “penciled-in” amounts for previously approved CMAQ projects result in available funding in FY 2028 of \$2.9 million.

After discussion ensued, TPS members agreed to distribute the district-wide surplus of CMAQ Federal funds from the reconciliation process under Agenda item #5. A local match, rather than a CMAQ match, is required since the surplus funds are pre-2006. The following localities requested to utilize the \$827,132 surplus district-wide CMAQ funds:

- Isle of Wight County – UPC 102951 – \$69,000
- James City County – UPC 102980 – \$438,132
- Norfolk UPC – 109572 – \$120,000
- Virginia Beach – UPC 110802– \$200,000

Ms. Jamie Oliver Moved to recommend TTAC approval of the \$827,132 surplus district-wide CMAQ Federal funds to the above four projects; seconded by Mr. Josh Moore.

A roll call vote was conducted:

Earl Sorey (CH)	Did not respond
Carol Rizzio (GL)	Yes
Lynne Keenan (HA)	Yes
Jamie Oliver (IW)	Yes
Paul Holt (JC))	Yes
Angela Rico (NN)	Yes
Bryan Stilley (NN)	Yes
Robert Brown (NO)	Yes
Debbie Mangiaracina (NO)	Yes
Carl Jackson (PO)	Yes
LJ Hansen (SU)	Yes
Darryll Lewis (SU)	Yes
Robert Lewis (SU)	Yes
David Jarman (VB)	Yes
Katie Shannon (VB)	Yes
Carolyn Murphy (WM)	Yes
Timothy Cross (YK)	Yes
Tiffany Dubinsky (VDOT)	Yes
Keisha Branch (HRT)	Yes
Sam Sink (HRT)	Yes
Todd Halacy (VDOT)	Yes
Sonya Hallums-Ponton (VDOT)	Yes
Heather Patel (VDOT)	Yes
Eric Stringfield (VDOT)	Yes
Barbara Nelson (VPA)	Did not respond
Barbara Creel (WATA)	Yes
Josh Moore (WATA)	Yes

Regarding the Motion on the floor, the Motion Carried.

TPS members then directed their attention back to Agenda Item #8 pertaining to the 2021 CMAQ and RSTP Project Selection Process. Mr. Robert Lewis Moved to suspend the 2021 CMAQ and RSTP Project Selection Process; seconded by Mr. Rob Brown.

A roll call vote was conducted:

Earl Sorey (CH)	Did not respond
Carol Rizzio (GL)	Yes
Lynne Keenan (HA)	Yes
Jamie Oliver (IW)	Yes
Paul Holt (JC))	Yes
Angela Rico (NN)	Yes
Bryan Stilley (NN)	Yes
Robert Brown (NO)	Yes
Debbie Mangiaracina (NO)	Yes

Carl Jackson (PO)	Yes
LJ Hansen (SU)	Yes
Darryll Lewis (SU)	Yes
Robert Lewis (SU)	Yes
David Jarman (VB)	Yes
Katie Shannon (VB)	Yes
Carolyn Murphy (WM)	Yes
Timothy Cross (YK)	Yes
Tiffany Dubinsky (DRPT)	Yes
Keisha Branch (HRT)	Yes
Sam Sink (HRT)	Yes
Todd Halacy (VDOT)	Yes
Sonya Hallums-Ponton (VDOT)	Yes
Heather Patel (VDOT)	Yes
Eric Stringfield (VDOT)	Yes
Barbara Nelson (VPA)	Did not respond
Barbara Creel (WATA)	Yes
Josh Moore (WATA)	Yes

Regarding the Motion on the floor, the Motion Carried.

Mr. Robert Lewis inquired about the \$500,000 in RSTP funds that was allocated to the SPSA Flyover Phase 1 project. Mr. Todd Halacy stated that the project will be locally funded and the RSTP funds will not be needed by SPSA. VDOT plans to coordinate with SPSA to request that the funds be returned to the HRTPO RSTP Reserve Account.

Old/New Business

There was no old/new business.

Adjournment

There being no more business before the Hampton Roads Transportation Programming Subcommittee, the meeting was adjourned at 3:13 p.m.