

ITEM #15: FRANKLIN AND SOUTHAMPTON MPA EXPANSION – PROPOSED CONCEPT: *Bob Crum and Camelia Ravanbakht, HRTPO*

SUMMARY:

The HRTPO will be requested to take action on two amended and restated Memorandum of Agreements (MOAs) between the HRTPO and each of the two localities of Franklin and Southampton County. These amended and restated MOAs include a proposed concept to add portions of the City of Franklin and Southampton County to the HRTPO Metropolitan Planning Area (MPA) and establish a one-time “fund set-asides” equivalent to revenues paid into the HRTF by Franklin and Southampton County in FY 2014.

Mr. Bob Crum, Executive Director, and Dr. Camelia Ravanbakht, Deputy Executive Director, HRTPO, will brief the HRTPO Board on this item.

BACKGROUND:

Chapter 766 of the 2013 Virginia Acts of Assembly codified the enactment of House Bill (HB) 2313, which established new revenues for transportation projects throughout the state via the collection of certain new and increased taxes and fees. The new legislation also imposed certain new and increased taxes to be specifically collected in the cities, towns, and counties that comprise Planning District (PD) 23. These regional revenues were to be deposited into the Hampton Roads Transportation Fund (HRTF), which was to be used solely for new construction projects on new or existing roads, bridges, and tunnels in the member localities within PD 23. All candidate projects are first identified and recommended by the Hampton Roads Transportation Planning Organization (HRTPO) before they can be considered for funding with revenues from the HRTF. The legislation went into effect on July 1, 2013.

When HB2313 went into effect, the HRTPO was the responsible entity for the allocation of HRTF monies. Because the City of Franklin and Southampton County were not members of the HRTPO, a Memorandum of Agreement (MOA) was signed between each of the localities and the HRTPO to establish a mechanism by which the localities would be entitled to vote on the allocation of HRTF monies on projects within the region. The MOAs also established HRTF set-asides for each of the two localities based on the revenues collected within each and reserved sums equivalent to those portions to be expended on projects in those localities.

Chapter 678 of the 2014 Virginia Acts of Assembly created the Hampton Roads Transportation Accountability Commission (HRTAC) and made this new organization the responsible entity for the allocation of HRTF monies, effective July 1, 2014. With the passage of this legislation, the HRTPO no longer has the ability to control the HRTF funds and create the “fund set-asides”.

Over the past several months, the HRTPO staff worked diligently with the Chief Administrative Officers of the City of Franklin and Southampton County to develop a concept that will remedy this issue. The collaborative concept, with input from state and federal officials, includes the following elements:

- Portions of the City of Franklin and Southampton County that are situated east of Route 258 can 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 would then be eligible to compete for funding with other

regional projects. Transportation projects in the City and County that remain outside the MPA (west of Route 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 SMART SCALE;

- This approach would provide Southampton County and the City of Franklin 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).
- Amend the current MOAs to provide for a one-time fund set-aside of RSTP funds equivalent to revenues paid into the HRTF by Franklin and Southampton County in FY 2014, plus interest, (\$2,028,866), which can be made exclusively available (no competition) to the City and County for a project or project(s) along the Route 258 corridor; and
- Amend the current MOAs to provide a commitment by the HRTPO to conduct a Route 58 Corridor Feasibility Study to the Greensville County line sometime over the next four years. The HRTPO will closely collaborate and coordinate with VDOT to initiate and complete this feasibility study.

Attachment 15-A

Attachment 15-B

RECOMMENDED ACTION (Action to be taken under Meeting Agenda Item #21-D):

Approve the amended and restated MOAs to be executed with each of the two localities of Franklin and Southampton.

**AMENDED AND RESTATED MEMORANDUM OF AGREEMENT
BETWEEN
THE HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION
AND
THE CITY OF FRANKLIN**

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 City of Franklin (“Franklin”).

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 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: _____
Chair

City of Franklin

By: _____
Title: _____

**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.

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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.
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Hampton Roads Transportation
Planning Organization

By: _____
Chair

County of Southampton

By: _____
Title: _____