

April 1, 2010

Memorandum #2010-51

TO: Hampton Roads Citizen Transportation Advisory Committee (CTAC)

BY: Chairman William W. Harrison, Jr.

RE: CTAC Meeting, April 8, 2010

Attached is the agenda and related materials for the next meeting of the **Hampton Roads Citizen Transportation Advisory Committee (CTAC)** scheduled for **Thursday, April 8, 2010 from 5:00 p.m. – 7:00 p.m. (dinner provided)**, in the **Regional Building Board Room, 723 Woodlake Drive, Chesapeake, Virginia.**

/kg

Citizen Transportation Advisory Committee:

William W. Harrison, Jr., Chairman, VB	Randy Lougee, NO
Richard Bowie, VB	John Malbon, VB
Ricky Clifton, NN	Howard Manly, NN
Kathy Corley, CH	Delceno Miles, VB
Roberta Edwards, CH	Philip Olekszyk, GL
Jerry Flowers, VB	James Openshaw, NO
Sharyn Fox, NN	Prescott Sherrod, VB
Richard Green, SU	Albert Stetz, HA
Yukari Hughes, NN	Ray Taylor, VB
Dewey Hurley, WM	Kirsten Tynch, PO
Michael Jones, IW	Shepelle Watkins-White, CH
Randy Lassiter, NO	Kristen Wells, PO
Henry Lewis, YK	Archie Whitehill, NO

Cc: Dwight Farmer (HRTPO)
Camelia Ravanbakht (HRTPO)
Carlos Gonzalez (HRTPO)
Rod Ingram (City of Virginia Beach Attorney)

Agenda
Hampton Roads
Citizen Transportation Advisory Committee (CTAC)
April 8, 2010

Call to Order: 5:00 p.m.

The Regional Board Room, 723 Woodlake Drive, Chesapeake, Virginia

5:00 p.m. **CALL TO ORDER**

PUBLIC COMMENT PERIOD

APPROVAL OF AGENDA

AGENDA

5:15 p.m. 1. Minutes of March 11, 2010 CTAC Meeting

5:20 p.m. 2. Revised Mission Statement

5:40 p.m. 3. Draft CTAC Bylaws

6:00 p.m. 4. Future Discussion Topics

6:30 p.m. 5. Next Meeting Date, Time, and Location

6:35 p.m. 6. Correspondence of Interest

7. For Your Information

8. Old/New Business

6:45 p.m. **ADJOURN**

AGENDA ITEM #1: MINUTES

SUBJECT:

Minutes of the previous CTAC meeting.

BACKGROUND:

Minutes of the CTAC meeting held on March 11, 2010.

Attachment 1 – Minutes

RECOMMENDED ACTION:

Approve the minutes.

**Summary Minutes of the
Hampton Roads Citizen Transportation
Advisory Committee (CTAC) Meeting
March 11, 2010**

The Hampton Roads Citizen Transportation Advisory Committee (CTAC) Meeting was called to order at 5:04 p.m. in the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

Hampton Roads CTAC Members:

William Harrison, Chairman (VB)	Kirsten Tynch (PO)
Kathy Corley (CH)	Kristen Wells (PO)
Roberta Edwards (CH)	Richard Green (SU)
Shepelle Watkins-White (CH)	Richard Bowie (VB)
Philip Olekszyk (GL)	Jerry Flowers (VB)
Michael Jones (IW)	John Malbon (VB)
Ricky Clifton (NN)	Delceno Miles (VB)
Sharyn Fox (NN)	Prescott Sherrod (VB) *
Howard Manly (NN) *	Ray Taylor (VB)
Randy Lassiter (NO)	Dewey Hurley (WM)
Randy Lougee (NO)	Henry Lewis (YK) *
Archie Whitehill (NO)	

Hampton Roads CTAC Members Absent:

Albert Stetz (HA)
James Openshaw (NO)

**Hampton Roads CTAC Members via
Teleconference:**

Yukari Hughes (NN)

HRTPO Staff:

Dwight Farmer
Carlos Gonzalez
Kathlene Grauberger
Jim Hummer
Camelia Ravanbakht

Other Participants:

Rod Ingram (VB City Attorney)
Eric Stringfield (VDOT) *

*Late arrival or early departure

Others Recorded Attending:

Terri Boothe (VB Citizen); John Gergely (NN Citizen); Betsy McBride, Todd Solomon (HRCCE); Amanda Christon (Norfolk Transportation Planner); Petey Browder (VB Tidewater Libertarian Party); Robert K. Dean (Virginia New Source); Reid Greenmun (VB Taxpayer's Alliance); Staff: Greg Grootendorst, Rob Jacobs, Keith Nichols, and Dale Stith.

Call to Order

Chairman Harrison welcomed everyone to the first meeting of the Hampton Roads Citizen Transportation Advisory Committee. He stated the formation of the Committee was a groundbreaking event for the region. He further stated CTAC had the opportunity to engage the public and inform the HRTPO Board of its concerns.

Chairman Harrison informed the group that CTAC member, Ms. Yakuri Hughes, was participating via teleconference, and due to the Virginia Freedom of Information Act (FOIA), it was required for the Committee to vote to allow her participation. FOIA provides that in the event of an emergency, a member may request to be allowed to participate by phone. Chairman Harrison asked Ms. Hughes to state for the record the emergency that prevented her from attending in person and also where she was currently located. Ms. Hughes indicated that she had surgery the previous day, and per her doctor's orders, she could not leave her house. She noted her physical location as 868 Brompton Court in Newport News, VA 23608.

Ms. Miles Moved to allow Ms. Hughes to participate in the CTAC meeting via teleconference; seconded by Mr. Whitehill. The Motion Carried.

Chairman Harrison reminded CTAC that it was a public body and as such, governed by FOIA and the Conflict of Interest Act (COIA). The meeting was being electronically recorded and was also open to the press. He introduced Mr. Rod Ingram, City Attorney for the City of Virginia Beach, who has volunteered his time to assist CTAC with its bylaws and to answer any questions regarding FOIA and COIA.

Public Comment Period

One person requested to address CTAC. Chairman Harrison asked him to limit his comments to three minutes which was customary at the HRTPO Board Meetings since the CTAC bylaws were not yet established.

Reid Greenmun

I am very glad to see this board finally convened. It is a long time coming and it's a good thing. My name is Reid Greenmun and I'm the Vice-Chairman of the Virginia Beach Taxpayer's Alliance and I am a long time advocate of better transportation in Hampton Roads. I've reviewed your mission statement. We have a suggested, recommended substitute mission statement for you to consider. The primary thing that we as citizens felt the quadrennial review that the FTA provided for the MPO pointed out, was that our MPO had an abysmal

track record of including citizens in the decision making process in our regional issues, particularly transportation. One of the get-well policies was to create this board, along with the Freight Advisory and a technical committee and some other changes that Dwight Farmer has made that are a step in the right direction. I'm also glad to see you are not meeting in the middle of the day like the MPO which makes it harder for working people like me to attend. My concern in reading the mission statement and my recommendation is that I think that this citizen transportation advisory committee should serve as a conduit of the voice of the citizens to the TPO, not a conduit from the TPO and out to the citizens as another form of public relations for the PDC and the MPO. I'm very concerned with the selection process and the nominating process that was used. I tried to work through Dwight Farmer and through the TPO, to get this process to include citizens in the nominating process and citizens to provide meaningful input to the nominating committee that was appointed. We, as the VBTA, expressed in written letters, that Mr. Farmer can attest to, immediately after learning about this, our objections to the appointment of Michael Townes as one of the five people on the nominating committee. We have a list of recommendations that has been provided to you, but I only have three minutes, so you will have to review them. Some of them should involve bylaws changes that opens up the nominating process to the citizens so the citizens can be involved in choosing who it is that sits at this table to represent us to talk to the MPO. Things were done in secret, things were done over the Christmas Holiday, and we were never provided, although we requested, the list of the nominees. I applied. I'm willing to make my information available but how can we provide input to the nominating committee if we don't know who's on the list – who's been considered to find out about, and I was glad to hear you mention it Mr. Chairman, organizational conflict of interest. We in the VBTA have deep reservations about some of the appointments of people on this committee, and in particular, Ms. Delceno Miles – in that she is currently working as a contract on light rail through HDR for the Hampton Roads Transit Authority and is supposed to be representing citizens of my town Virginia Beach. That's ridiculous. So one of things we are encouraging you to do in your bylaw changes and what you do is provide more stringent organizational conflict resolution rules to prevent people who do business for transportation in this region from being appointed to this citizen transportation body. There is a technical body, there is a freight, form something else.....three minutes is not enough.....but if you look over these recommendations simply put, we need to open up the process, we need to do a better assessment of the people who have been appointed to this board so they actually represent the viewpoints of the citizens and we need to investigate the professional jobs of the people who are on CTAC to determine if they do any business at all with transportation and consider looking for citizens of the 1.7 million that we have who do not have a vested interest in transportation contracts. And I thank you for your time.

Mr. Greenmun distributed copies of VBTA's recommended CTAC mission statement.

Approval of Agenda

Mr. Lassiter Moved to approve the agenda; seconded by Ms. Miles. The Motion Carried.

Welcome and Introductions of CTAC Members

Chairman Harrison stated he was looking forward to working with the CTAC members over the next few years. He introduced himself and then asked the other members to speak regarding their background and interest in transportation.

(Mr. Lewis, Mr. Manly, and Mr. Prescott arrive)

Orientation

Mr. Farmer introduced himself, and then asked Ms. Ravanbakht and Mr. Gonzalez of the HRTPO staff to do the same.

He directed CTAC members to their individualized packets in front of them and explained the contents, including a citizen guide to transportation decision making, the Public Participation Plan (PPP), and the latest TPO Crossings Newsletter.

Mr. Farmer indicated there was a list of frequently asked questions within the CTAC agenda and he reviewed them with the members.

Mr. Harrison introduced Mr. Rod Ingram, City Attorney for Virginia Beach, who has volunteered his time to assist with drafting the CTAC bylaws. Mr. Ingram stated that under State law, CTAC was a public body, and as such were subject to the FOIA. It has two primary components: meetings and documents. With respect to meetings, any time three or more CTAC members meet to discuss business that would constitute a meeting, and public notice must be given. HRTPO staff will give proper notice to the public for any CTAC meeting. With respect to documents, all documents regarding CTAC are public documents and as such, a citizen or member of the media can ask to see the document. If the document is not readily available, it would then be necessary to contact Mr. Farmer or his staff to obtain the document.

Mr. Ingram explained the State and Local Government Conflict of Interest Act (COIA) dealt with the financial interests of members of bodies. The COIA has two primary components of committee: member personal interests and contracts, and transactions. As an advisory committee, CTAC would give advice to the HRTPO Board; however, the Board was not obligated to take such advice. Mr. Ingram noted that since CTAC was only an advisory agency, the law stated that where the advisory committee was not the final decision maker, CTAC did not have a legal conflict under the COIA.

(Mr. Stringfield departs)

Citizen's Guide: Regional Transportation Planning (Video)

Mr. Gonzales stated the upcoming video would provide an overview of the regional transportation process. After the video, Mr. Gonzales indicated that HRTPO staff was developing a transportation guide that would incorporate much of the information contained in the video to serve as a tool to inform residents and to receive feedback from them.

Draft Mission Statement

Mr. Harrison stated HRTPO staff created a draft mission statement which he read to the Committee and indicated he would appreciate hearing comments from the members.

Mr. Lassiter asked Mr. Harrison if the HRTPO was enthusiastic regarding the start up of another advisory committee. Mr. Harrison stated he had not attended his first meeting yet; however, he had communicated with HRTPO Chairman Sessoms and Vice-Chair Ward, and both were excited to have CTAC's input.

Mr. Olekszyk commented the draft mission statement appeared to represent information flowing from the HRTPO Board to CTAC, rather than from the citizens and CTAC to the HRTPO Board. He stated he agreed with the public comments of Mr. Greenmun and in particular, the first sentence of his proposed mission statement.

Mr. Harrison agreed the information flow should be from CTAC to the HRTPO Board. He noted the Board had no control over the business discussed by CTAC. He noted CTAC must give the HRTPO Board valuable advice, that was well reasoned, resulted from community input, and was shared by the majority of the Committee.

Ms. Watkins-White stated she did not feel comfortable with the provided information to create the mission statement now; therefore, she felt more discussion was needed to better comprehend the goals of CTAC.

Mr. Whitehill commented he agreed with Mr. Greenmun's second to the last sentence in his proposed mission statement.

Mr. Harrison asked the Committee if Mr. Greenmun's second to the last sentence of his proposed mission statement should be included in the next draft mission statement prepared by HRTPO Staff.

Mr. Green asked in what manner CTAC members would obtain citizen viewpoints. Mr. Whitehill noted there could be many different ways, including communicating through blogs, business, and family members.

Mr. Taylor stated there should be more communication flow to the HRTPO Board in the draft mission statement more so than from the HRTPO Board. There also needed to be an account of regional interest in the statement because CTAC was a regional body.

Mr. Bowie commented it was important for CTAC to utilize the HRTPO's website to involve citizens and to make them aware of the importance of this Committee.

Mr. Lassiter stated the draft mission statement should be narrower in focus. He noted the HRTPO staff version approached the subject correctly; however, there did need to be some modifications.

Mr. Manly believed Mr. Greenmun's first two proposed mission statement sentences would be a good introduction of the CTAC mission statement.

Mr. Harrison expressed concern regarding Mr. Greenmun's second sentence because if CTAC served as a forum for citizens to discuss regional transportation there would be more public comment time than actual time for members of CTAC to confer on subjects and decide what issues needed to be communicated to the HRTPO Board. He stated public input was already built into the process when CTAC convened for its meetings.

Ms. Wells asked how the general public could communicate with CTAC members. Mr. Harrison stated that as the Committee evolved, discussions would narrow towards certain transportation issues. He further stated that as part of the agenda, he was asking for each CTAC member to email their top three transportation issues to him. Once he received the emails, the issues would be inputted into a matrix, and as a starting point, the Committee would tackle the top issues. He believed that as the Committee discussed the issues, it could inform the public of the issue or issues at hand and invite them to express their views at that time.

Mr. Harrison asked HRTPO staff to re-draft the mission statement and send it out to each CTAC member and to post it on the HRTPO website in order for both members and the public to comment on it. He stated that hopefully, by the next CTAC meeting, members could reach an agreement on the mission statement. He noted he agreed with Mr. Lassiter that the mission statement should be concise and there were aspects of Mr. Greenmun's work that were meritorious and should be considered by staff.

CTAC Roles and Responsibilities

Mr. Gonzales stated HRTPO staff has provided CTAC with six metropolitan areas – three nationwide and three in Virginia – that have citizen advisory committees and the different strategies they utilize to engage the public. He also stated there was a copy of the Public Participation Plan in each member's welcome packet. He directed their attention to Chapter 4 and asked them to read this section at their convenience.

Based on the public comments by Mr. Greenmun, Mr. Lassiter asked Mr. Farmer if the Public Participation Plan (PPP) should be revisited. Mr. Farmer stated the PPP was a brand new document and perhaps it should be revisited. However, he noted he would prefer it be reviewed from CTAC's perspective, rather than HRTPO staff. Mr. Harrison commented that could perhaps be one of the top three issues to be submitted by committee members to him to discuss.

Development of CTAC Bylaws

Mr. Harrison stated he asked Ms. Fox, Ms. Lougee, Mr. Stetz, and Ms. Watkins-White to work with him on a draft bylaws subcommittee. Mr. Ingram would craft the language for the bylaws based on information provided by the subcommittee. The draft bylaws would

be sent to CTAC members and would be discussed as an agenda item at the next CTAC meeting.

Mr. Taylor Moved for the approval of the CTAC subcommittee to draft the CTAC bylaws; seconded by Mr. Tuck. The Motion Carried.

Future Discussion Topics

Mr. Harrison reiterated that before the next CTAC meeting he would like each CTAC member to email him three transportation discussion topics.

Next Meeting Date, Time, and Location

The Committee decided to meet again on Thursday, April 8, 2010 at 5:00 p.m. in The Regional Boardroom. Mr. Harrison stated there would be an effort to hold future meetings on the Peninsula.

Adjournment

With no further business to come before the Citizen Transportation Advisory Committee, the meeting adjourned at 7:08 p.m.

AGENDA ITEM #2: REVISED MISSION STATEMENT

SUBJECT:

The mission statement is being developed by the CTAC to guide its actions and establish its overall goals.

BACKGROUND:

During the March 11, 2010 CTAC meeting, the CTAC members reviewed the draft version of the CTAC Mission Statement. Based on discussion during that meeting and public comments received, a revised version of the CTAC Mission Statement has been developed:

The mission of the Hampton Roads Citizen Transportation Advisory Committee (CTAC) is to provide the Hampton Roads Transportation Planning Organization (HRTPO) with a citizen's viewpoint on regional transportation issues, strategies, funding, priorities, and the decision-making process of the HRTPO. The CTAC will serve as a strong advocate on behalf of citizens by listening to their viewpoints and helping to have their voices heard by the HRTPO leadership and decision makers. The CTAC Chairman, as a non-voting member of the HRTPO Board, will have the responsibility of communicating the work of the CTAC back to the HRTPO Board.

The revised draft version of the CTAC Mission Statement has been made available for public review and comment from March 24, 2010 through April 7, 2010. To date, three public comments have been received and are available for discussion (Attachment 2). Upon approval by the CTAC, the CTAC Mission Statement will be considered for inclusion in the CTAC Bylaws.

Mr. William Harrison, CTAC Chair, will lead the discussion.

Attachment 2 – Mission Statement: Public Comments.

RECOMMENDED ACTION:

Approve the CTAC Mission Statement

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**HRTPO Comment**  
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Name: Randy Lassiter

Date: March 17, 2010

Subject: CTAC Mission Statement

Comments (Received via E-mail)

Possible language for Mission Statement for CTAC

Identify by interaction with citizens at large and recommend to the Regional Metropolitan Planning District Commission transportation improvements. Enhance the flow and safety of all modes of travel. Be responsible to residential and business communities by preserving the natural environment as much as possible.

~~~~~  
**HRTPO Comment**  
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Name: Michael Jones

Date: March 24, 2010

Subject: CTAC Mission Statement

Comments (Received via E-mail)

I concur with the drafted mission statement without comment.

Very respectfully.

~~~~~  
**HRTPO Comment**  
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Name: Phil Olekszyk
Date: March 25, 2010
Subject: CTAC Mission Statement

Comments (Received via E-mail)

Draft Mission Statement (March 23, 2010)

The mission of the Hampton Roads Citizen Transportation Advisory Committee (CTAC) is to provide the Hampton Roads Transportation Planning Organization (HRTPO) with a citizen's viewpoint on regional transportation issues, strategies, funding, priorities, and the decision-making process of the HRTPO. The CTAC will serve as a strong advocate on behalf of citizens, **within their communities**, by listening to their viewpoints and helping to have their voices heard by the HRTPO leadership and decision makers. The CTAC Chairman, as a non-voting member of the HRTPO Board, will have the responsibility of communicating the work of the CTAC back to the HRTPO Board.

AGENDA ITEM #3: DRAFT CTAC BYLAWS

SUBJECT:

As prescribed by the HRTPO Board Bylaws, the CTAC is tasked to develop its bylaws.

BACKGROUND:

Article VII of the HRTPO Board Bylaws states that *“each standing committee shall establish bylaws to guide its function and the functions of its subcommittees.”* As such, during the March 11, 2010 CTAC meeting, the CTAC Chair formed the CTAC Bylaws Subcommittee to develop the bylaws. Ms. Sharyn Fox, Ms. Randy Lougee, Mr. Albert Stetz, and Ms. Shepelle Watkins-White agreed to serve on the Subcommittee along with Chairman Harrison. Mr. Rod Ingram, Virginia Beach City Attorney, agreed to assist the group with this task.

The CTAC Bylaws Subcommittee has developed the draft CTAC Bylaws for preliminary review and comment by CTAC members. Once the final draft of the CTAC Bylaws are established, they will be available for a 14-day public review and comment period prior to anticipated approval during a future CTAC meeting. Upon approval by the CTAC, the final CTAC Bylaws will be recommended to the HRTPO Board for approval.

Mr. William Harrison, CTAC Chair, will lead the discussion.

Attachment 3 – Draft CTAC Bylaws

RECOMMENDED ACTION:

Approve the CTAC Bylaws

Bylaws of the Hampton Roads Citizen Transportation Advisory Committee

ARTICLE I

Preamble

1.01 The Citizen Transportation Advisory Committee (CTAC) serves as an advisory committee to the Hampton Roads Transportation Planning Organization (TPO). Its purpose is to provide public input to the TPO Board on transportation issues. These bylaws have been adopted in accordance with the bylaws of the TPO (see TPO Bylaws Section 7.01). Section 7.06 of the TPO bylaws defines the role of the CTAC and sets forth its composition. In the event of any conflict between these bylaws and those of the TPO, the TPO bylaws shall prevail.

ARTICLE II

Definitions

Citizen Transportation Advisory Committee (CTAC) – The advisory committee appointed by the Hampton Roads Transportation Planning Organization (TPO) to serve in an advisory capacity to the TPO. The CTAC’s purpose is to provide public input to the TPO Board on transportation issues.

Hampton Roads Transportation Planning Organization (TPO) – The MPO for the Hampton Roads MPA.

Metropolitan Planning Area (MPA) – The geographical area determined by agreement between the MPO for the area and the Governor and in which the metropolitan transportation planning and programming process is carried out.

Metropolitan Planning Organization (MPO) – The policy board of an organization created and designated to carry out the metropolitan transportation planning and programming process. The Hampton Roads TPO is the MPO for the Hampton Roads MPA.

Metropolitan Planning Agreement – A written agreement among the MPO, State, and public transportation operators serving the MPA that identifies the mutual responsibilities of those entities in carrying out the metropolitan transportation planning and programming process.

Metropolitan Transportation Planning and Programming Process – The federally-mandated continuing, cooperative, and comprehensive transportation planning and programming process that results in plans and programs that consider all surface transportation modes and supports metropolitan community goals.

Planning District Commission (PDC) – A political subdivision of the Commonwealth of Virginia chartered under the Regional Cooperation Act by the local governments of each planning district. The purpose of PDCs is to encourage and facilitate local government cooperation and state-local cooperation in addressing regional problems of greater than local significance.

Transportation Management Area (TMA) – An urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the U.S. Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the U.S. Secretary of Transportation.

Urbanized Area (UZA) – A geographical area with a population of 50,000 or more, as designated by the Bureau of the Census.

Unified Planning Work Program (UPWP) – A statement of work identifying the planning priorities and activities to be carried out within the metropolitan planning area. A UPWP includes a description of the planning work and resulting products, and specifies who will perform the work, time frames for completing the work, and the source(s) of funds.

ARTICLE III

Membership

3.01 **General.** In accordance with Section 7.06 of the TPO Bylaws, the CTAC shall consist of up to thirty members, each of whom shall be a resident of a TPO-member locality. The TPO member localities are: the Cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, as well as the Counties of Gloucester, Isle of Wight, James City, and York. Members shall be appointed by the TPO Board based on recommendations from the TPO Nominating Committee.

3.02. **Terms.** In accordance with Section 7.06 of the TPO Bylaws, initial terms shall be staggered: one-third of the members shall be appointed for one-year terms; one-third of the members shall be appointed for two-year terms; and one-third shall be appointed for three-year terms. In the event that an appointed member does not complete his or her term, then the TPO Nominating Committee shall recommend a replacement for appointment by the TPO Board to serve the unexpired portion of the term. No member shall serve more than two successive terms (even if one of the terms was for less than three years).

ARTICLE IV

Voting

4.01 **General.** A motion that has been made and seconded may be approved by a majority vote of the members present, provided, however, that a quorum of a majority of the appointed members is present for the vote. If a quorum is not present, then the vote must be

delayed until such time as a quorum is present, or the vote may be held at a subsequent meeting at which a quorum is present.

4.02 Reconsideration. Any member who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken. Such a member may make a motion to reconsider at the next regularly scheduled meeting, but only if the member informed the Chair and the Executive Director, in writing, within five business days of the original vote, of the member's intention to make the motion to reconsider. The Executive Director shall provide a copy of any such written notice to all CTAC members. A motion to reconsider cannot be renewed if it has been voted on and defeated, except by unanimous consent of those present at the meeting.

ARTICLE V

Meetings

5.01 Regular Meetings. Regular meetings of the CTAC shall be held at [REDACTED] on the [REDACTED] of each month at a place to be determined by the CTAC Chair. The CTAC may change the date and fix the time and place of any regular meeting at any prior meeting and may adjourn any meeting from time-to-time or to another place.

5.02 Special Meetings. Special meetings of the CTAC may be called by the Chair at the Chair's discretion upon five (5) business days notice to all members, of the time, place and purpose of the special meeting. In accordance with the provisions of the Virginia Freedom of Information Act, public notice of special meetings shall be given contemporaneously with the notice provided to CTAC members (ref.: Va. Code § 2.2-3707). The contents of the notice and the locations for notice placement shall be as set forth below in subsection 5.04.

5.03 Quorum. A majority of the appointed members of the CTAC shall constitute a quorum for the transaction of business.

5.04 Notices. In accordance with Section 5.04 of the TPO Bylaws, public notice of each regular CTAC or subcommittee meeting shall be given not less than three working days prior to the date of such meeting, in accordance with the provisions of the Virginia Freedom of Information Act (ref.: Va. Code § 2.2-3707). Such notice shall provide the date, time, and location of the meeting and shall be posted in both the reception area of the Regional Building in Chesapeake and the administrative offices of the Hampton Roads Planning District Commission. Notice also shall be posted on the TPO Web site and, if feasible, in TPO newsletters. Staff is also charged on an on-going basis with improving and further disseminating notice of meetings in order to encourage and facilitate public participation.

5.05 Meetings Open to the Public. In accordance with Section 5.05 of the TPO Bylaws and the provisions of the Virginia Freedom of Information Act, all meetings of the CTAC or any subcommittees established by the CTAC shall be open to the public unless lawfully convened into a closed session in accordance with the Act (ref.: Va. Code §§ 2.2-3707 and -

3712). No meeting during which CTAC or TPO business is discussed shall be conducted through telephonic or electronic means where the members are not physically assembled. In accordance with the Act, a “meeting” is any gathering of three or more members of the CTAC or any CTAC-appointed subcommittee (unless the subcommittee has only three members, in which case the gathering of two members shall constitute a “meeting”) (ref.: Va. Code § 2.2-3701). In accordance with the Act, any person may photograph, film, record or otherwise reproduce any portion of an open meeting (ref.: Va. Code § 2.2-3707(H)).

5.06 Public Comment. Time shall be allotted for public comment at CTAC meetings. Any person desiring to address the CTAC shall register with the staff of the TPO Executive Director prior to the opening of the meeting. The time limit for speakers is three minutes per person. The Executive Director of the TPO shall assign a staff member to keep time for each speaker. Time cannot be pooled or assigned to any person other than the person who registered to speak. A member of the public may submit written comments or other materials to the Executive Director for distribution to the CTAC.

5.07 Minutes and Materials Furnished to Members. In accordance with the provisions of the Virginia Freedom of Information Act, minutes shall be recorded at all open meetings, and at least one copy of all agenda packets and, unless exempt under the Act, all materials furnished to members of the CTAC shall be made available for public inspection at the same time such documents are furnished to members of the CTAC, and, when feasible, shall be posted on the TPO Web site prior to the meeting (ref.: Va. Code § 2.2-3707). Minutes shall include a record of any votes taken and shall be in conformance with the requirements of the Freedom of Information Act (ref.: Va. Code § 2.2-3707(I)).

ARTICLE VI

Officers and Duties

6.01 Officers. The officers of the CTAC shall consist of a Chair and Vice-Chair.

6.02 Chair. In accordance with Section 7.06 of the TPO Bylaws, the TPO Chair shall appoint one of the members of the CTAC as Chair of the CTAC for a three-year term. The Chair shall preside at all meetings of the CTAC at which the Chair is present, and shall vote as any other CTAC member. The Chair shall have all of the powers and duties customarily pertaining to the office of Chair and shall sign official documents of the CTAC and perform such further duties as may be assigned to the Chair by the TPO Board.

6.03 Vice-Chair. The Vice-Chair shall be a CTAC member and, in the event of the absence of the Chair, or of the Chair’s inability to perform any of the duties of the office of the Chair or to exercise any of the Chair’s powers, shall perform such duties and possess such powers as are conferred upon the Chair until such time as a new Chair is appointed by the TPO Chair. The Vice-Chair shall perform such other duties as may from time-to-time be assigned to the Vice-Chair by the CTAC Chair, the TPO Chair, or the TPO Board. The Vice-Chair shall be elected by the CTAC members, and the Vice-Chair’s term of office shall coincide with that of the current Chair. If, at the time of the election of the Vice-Chair, the

current Chair represents a Southside locality, then the Vice-Chair shall be a CTAC member who represents a Peninsula locality. Conversely, if the current Chair represents a Peninsula locality, then the Vice-Chair shall be a CTAC member who represents a Southside locality.

ARTICLE VII

Subcommittees

7.01 Subcommittees. The CTAC Chair may create standing or ad hoc subcommittees from time to time as circumstances warrant. Only CTAC members may serve on subcommittees, and the CTAC Chair shall appoint the members who serve on the subcommittees.

7.02 Subcommittee Meetings. The meetings of any standing or ad hoc subcommittee shall be open to the public as described in subsection 5.05, and public notice of such meetings shall be provided as described in subsection 5.04.

ARTICLE VIII

Staff

8.01 Executive Director/Secretary. In accordance with Section 8.01 of the TPO Bylaws, the Executive Director of the TPO shall be the Executive Director of the Hampton Roads Planning District Commission. The Executive Director shall provide staff support to the CTAC and shall plan, organize and direct the activities of the staff in support of the mission and the directions of the TPO Board. As needed, the Executive Director/Secretary shall work in coordination with the CTAC Chair to prepare the agendas for CTAC meetings.

ARTICLE IX

Procedures

9.01 Parliamentary Procedure. Except as otherwise provided in these rules, the most recent edition of *Roberts – Rules of Order*, shall be used to conduct all meetings of the TPO and its committees.

9.02 Governmental Agency and Public Body. The CTAC is an “advisory agency,” as that term is used in the State and Local Government Conflict of Interests Act, and it is a “public body,” as that term is used in both the Virginia Freedom of Information Act and the Virginia Public Procurement Act (ref.: Va. Code §§ 2.2-3101, -3701, and -4301). Accordingly, CTAC members shall be subject to the state laws and regulations that govern governmental advisory agencies and public bodies in Virginia, including the Virginia Freedom of Information Act, the State and Local Government Conflict of Interests Act, and the Virginia Public Procurement Act, except where specifically exempted by act of the

General Assembly.

ARTICLE X

Adoption of Bylaws and Subsequent Amendments

10.1 **Initial Adoption.** In accordance with Section 7.01 of the TPO Bylaws, the CTAC shall establish bylaws to guide its function and the functions of its subcommittees. The public shall be provided access to inspect the proposed bylaws. The bylaws must be submitted to the TPO Board and approved prior to the effective date thereof.

10.2 **Amendments.** Any CTAC member may propose amendments to these bylaws by placing such proposed amendments in writing before the CTAC at a CTAC meeting. No vote shall be taken on the proposed amendments until the meeting that follows the meeting at which the written amendments were provided to the CTAC. The public shall be provided access to inspect the proposed amendments. Approval of amendments shall require an affirmative vote of 2/3 of the members appointed to the CTAC, as well approval by the TPO Board prior to effective date thereof.

DRAFT

AGENDA ITEM #4: FUTURE DISCUSSION TOPICS

SUBJECT:

Identification of discussion topics to facilitate future CTAC meetings.

BACKGROUND:

During the March 11, 2010 CTAC meeting, the CTAC Chair requested each CTAC member send him and the HRTPO staff their top three discussion topics. This information has been summarized for review and discussion during the April 8, 2010 CTAC meeting.

Nineteen members responded and provided their top three discussion topics to be considered for future CTAC meetings. The following are the top four categories based on the responses received:

- Transportation Funding
- Mobility Constraints and Growth Opportunities
- Public Awareness/Involvement/Support
- Other (safety, military, and minority procurement opportunities)

Mr. William Harrison, CTAC Chair, will lead the discussion.

Attachment 4 – CTAC Discussion Topics Summary

RECOMMENDED ACTION:

Establish prioritized discussion topics to guide future CTAC meetings.

PROPOSED CTAC DISCUSSION TOPICS SUMMARY

TRANSPORTATION FUNDING

13 respondents (68%) identified “Transportation Funding” as a priority of discussion 19 times.

- Education of federal, state and local transportation funding sources, revenues and expenditures

MOBILITY CONSTRAINTS AND GROWTH OPPORTUNITIES

12 respondents (63%) identified “Mobility Constraints and Growth Opportunities” as a priority of discussion 24 times.

- Highways
- Bridges/Tunnels
- Multimodal
- Transit (bus, light-rail, high-speed and intercity passenger rail)
- Emergency management
- Bicycle and pedestrian
- Waterway transport
- Project prioritization
- Congestion, capacity and accessibility issues

PUBLIC AWARENESS/INVOLVEMENT/SUPPORT

4 respondents (21%) identified “Public Awareness/Involvement/Support” as a priority of discussion 7 times.

- Promote regionalism
- Increase public awareness

OTHER

3 respondents (16%) identified “Other” topics as a priority of discussion 5 times.

- Safety (Operational improvements, e.g. signage, ingress/egress, traffic signals, etc.)
- Establish a military subcommittee
- Minority procurement opportunities

AGENDA ITEM #5: NEXT MEETING DATE, TIME, AND LOCATION

SUBJECT:

Schedule the next and future CTAC meetings.

BACKGROUND:

During the March 11, 2010 CTAC meeting, the CTAC Chair tasked the HRTPO staff to research and evaluate potential meeting locations – particularly on the Peninsula – for future CTAC meetings.

Mr. Carlos Gonzalez, HRTPO Public Involvement and Community Outreach Administrator, will brief the CTAC of the potential sites for future meetings.

RECOMMENDED ACTIONS:

Determine the date, time, and location for the next and future CTAC meetings.

AGENDA ITEM #6: CORRESPONDENCE OF INTEREST

Correspondence received from CTAC members or interested parties.

Attachment 6

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**Correspondence of Interest**  
~~~~~

Name: Hank Lewis

Date: March 12, 2010

Subject: Public Involvement and Visioning Video

Correspondence (Received Via E-mail):

Carlos,

Here's a suggestion for a video that would be good for our group to see. I sent it to Kathlene previously. Perhaps it would be a good idea for our committee to set up protocols for submitting and reviewing this kind of information for the value it might have for our group -- maybe a sub committee focused on solutions in other regions that we can piggy back on, or strategies for educating our public. This is a pretty good video.

Hank

-----Original Message-----

From: Lewis, Hank

Sent: Thursday, March 04, 2010 2:47 PM

To: 'Kathlene GRAUBERGER'

Subject: RE: Hampton Roads CTAC Meeting - March 11, 2010

Kathlene,

Perhaps not for the coming meeting, but here's another good video to consider for CTAC members to see. I think it puts citizen involvement and visioning what we want for our region, along with the dilemma budgeting and prioritizing in pretty good perspective.
<http://www.youtube.com/watch?v=Q25jeffsHo&NR=1>

Respectfully,

Hank Lewis

Correspondence of Interest

Name: Dewey Hurley

Date: March 24, 2010

Subject: TIFIA

Correspondence (Received Via E-mail):

The information below was received from Mr. Hurley to supplement his proposed discussion topics.

North Tarrant Toll Road Financiers Take Traffic Risk

Cintra and its partners reached financial close on the \$2-billion North Tarrant Express project near Fort Worth, Tex., well ahead of schedule on Dec. 17, taking advantage of a rebounding credit market and an extremely flexible repayment plan for a TIFIA loan.

The financing includes the \$650-million federal loan, \$400 million in private activity bonds, \$570 million in public funds from the state of Texas, and equity of \$427 million. NTE Mobility Partners is owned 56.7% by Cintra, 33.3% by Meridium, and 10% by the Dallas Police and Fire Pension System. It is the first time a U.S. pension fund has participated as an equity member in a toll road project. Sponsors of the Meridium Infrastructure Fund are Credit Agricole and AECOM Technology Corp.

Nicolas Rubio, president of Austin-based Cintra US, says the successful financing of the managed-lanes project north of Fort Worth proves that the private sector is still willing and capable of taking on traffic risk. The partners will collect all toll revenues during the 52-year concession to cover its debt service and reward equity investors. The identical team is expected to close in 2010 on a similar 52-year concession for the I-635 managed lanes project in Dallas.

"When we were awarded these two contracts almost a year ago, there were many voices in the marketplace saying these would never be financed," Rubio says. "What we're seeing today is only proving that we deliver what we promise. This is an approach that is valid, that is workable, that is taking a lot of risk out of the public [sector] and it can be done."

Neither of the other two big P3 highway projects financed in 2009 in the U.S.—the Port of Miami Tunnel and the I-595 managed lanes in Florida—included traf-

fic risk. Both use availability payments subject to state appropriations to repay developers.

Cintra's track record of successful project completion and toll road operation around the world helped get North Tarrant financed. The bonds were rated investment grade by both Fitch and Moody's, but at BBB- and Baa2 respectively. Fitch points out that the corporate unsecured guarantee provided by Cintra for its equity share would be considered weak enough to preclude an investment-grade rating for most other projects. But Cintra's global record and the significance of this project to its U.S. business were mitigating factors.

ALL SPANISH TEAM

Ferrovial Group's Cintra has been working in the Dallas-Forth Worth region for years and has built a major presence there. Construction on North Tarrant is expected to begin in 2010 and be complete by July 2015. It will be built under a \$1.46-billion fixed-price contract with a joint venture of Ferrovial Agroman and W.W. Webbar, both part of the Spain-based Ferrovial Group. A joint merger between Cintra Concesiones de Infraestructuras de Transporte and Grupo Ferrovial was completed in December. Ferrovial had already owned 67% of Cintra before the merger.

The project will double the capacity on a 13-mile stretch of I-820 and SH 121/183, including direct connector managed lane ramps to I-35W. The corridor between Fort Worth and Dallas includes some of the worst bottlenecks in the region. The work includes building two new managed lanes with variable pricing in each direction to ensure traffic flows freely, reconstructing existing free or general-purpose lanes, and extending and reconstructing frontage roads. NTE Mobility Partners will operate and maintain the entire section—including tolled and non-

tolled lanes—during the 52-year concession.

The project has a very high leverage of \$20.75 million in total debt per lane-mile, but managed lanes can support more debt than other toll projects, according to Fitch Ratings in its analysis. "From our perspective, these projects are brownfield, not greenfield," said Fitch Managing Director Michael McDermott in a conference call with reporters.

NTE Mobility Partners expects that the ratio of revenue to debt payments will rise from 1.2 times the first year of operations to 3.5 times in the third. Debt payments are highly backloaded, but will be paid off in year 40 of the concession, allowing a 12-year "tail" with additional refinancing flexibility.

Still, the project has significant risks, including during construction when general purpose lanes must remain open during the day. Rush-hour tolls will be significantly higher than on other area roads. NTE Mobility Partners expects the top peak-hour rate to be 46 cents a mile initially.

Aggressive traffic forecasts are also based on the assumption that the entire 36-mile project planned by the Texas Department of Transportation (TxDOT) will be completed by 2025, according to Moody's rating report. NTE Mobility Partners has an additional contract with TxDOT to complete master planning for the rest of the project.

The final financing uses less debt and about \$57 million more equity than in the financing plan submitted to TxDOT in 2008. But Rubio says the end result is still in line with what was originally anticipated. The team was conditionally awarded the contract in January, but had until mid-2010 to complete the project financing. The details:

Bonds: Rubio says the team considered bonds, bank debt, and a combination of the two. "It wasn't clear until the very last minute which was most effective," he says.

The North Tarrant project is only the second U.S. toll road concession to use private activity bonds, and the first without credit enhancement. Bonds totaling \$589 million were sold in June 2008 for the Capital Beltway in Virginia, but they received A-range ratings because they were backed by a letter of credit from DEPFA Bank.

The North Tarrant bonds mature on either Dec. 31, 2031, or Dec. 31, 2039, and have an average interest rate of 6.98%. The issue was oversubscribed 2.4 times, and was underwritten by a bank syndicate headed by JPMorgan and Merrill Lynch.

Stephen Howard, head of Infrastructure Project Finance at Barclays Capital, says the tax-exempt PAB market for projects with BBB category ratings has significantly improved since summer. In December, investors

also oversubscribed an issue of \$511 million in tax-exempt bonds—also with a BBB- rating—for a new stadium in Brooklyn.

When the Florida I-595 project closed in March, the PAB market for a project of that size was very uncertain, Howard says. The Port of Miami Tunnel, though also initially targeted for PABs, ended up being better suited for bank debt because of the relatively short term of the financing.

Congress also helped boost interest in the North Tarrant bonds, by exempting private activity bonds sold in 2009 and 2010 from the alternative minimum tax (AMT) which adds 50 to 100 basis points to the cost of funds.

TIFIA loan: Interest and principal payments on the \$650-million TIFIA loan can be deferred for approximately the first 10 years—during project construction and the first five years of operation. The first repayments of principal will not be required until the 21st year of operations. The loan matures 35 years from substantial project completion. Without

TIFIA, the project "would not have been done," Rubio says.

The TIFIA loan for North Tarrant is the second largest to close so far, after \$917 million for the Central Texas Turnpike in 2002. TIFIA loans may exceed the amount of senior debt if both the senior debt and the TIFIA debt are rated at investment grade. The TIFIA loan received a rating of BBB- from Fitch and Baa3 from Moody's, which was one step below Moody's rating for the bonds.

NTE Mobility Partners was not required to pay for part of the federal cost to subsidize the loan because the subsidy was less than the amount reserved for the project.

Equity: The equity from the three partners will not be contributed upfront, but on a pro-rata basis along with bonds and then the TIFIA loan. Contingent equity will replenish a \$60-million reserve fund if any withdrawals are necessary because of cost overruns.

by Lori Sharn, PWF Washington

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## Correspondence of Interest

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Name: Hank Lewis

Date: March 24, 2010

Subject: ITS Webinar

Correspondence (Received Via E-mail):

Carlos,

Here is a Webinar that may be of interest to the members of CTAC.

http://www.pcb.its.dot.gov/t3/s100415_knowledge.asp

Webinar Overview

Experience from Others: How to Successfully Apply the ITS Knowledge Resources for Decision Making

Date: April 15, 2010

Time: 1:00-2:30 PM ET

Cost: All T3s are free of charge

PDH: 1.5. - Webinar participants are responsible for determining eligibility of these PDHs within their profession.

Register Online

<http://www.pcb.its.dot.gov/res_t3_register.asp?EventID=100415_knowledge>

Contact the T3 Administrator<<mailto:T3@dot.gov>>

T3 Webinars are brought to you by the ITS Professional Capacity Building Program (ITS PCB) at the U.S. Department of Transportation's (USDOT) ITS Joint Program Office, Research and Innovative Technology Administration (RITA). Reference in this webinar to any specific commercial products, processes, or services, or the use of any trade, firm or corporation name is for the information and convenience of the public, and does not constitute endorsement, recommendation, or favoring by U.S. Department of Transportation.

Webinar Description

The Intelligent Transportation Systems Joint Program Office (ITS JPO) of the U.S. Department of Transportation (USDOT) has developed online ITS Knowledge Resources for decision making support. The major objectives on these online tools are to:

- * Capture ITS costs, benefits and lessons learned from experiences of stakeholders in their planning, deployment, operations, maintenance, and evaluation of ITS.

- * Provide all ITS stakeholders with convenient access to costs, benefits and lessons learned knowledge so that they can make informed decisions in their future ITS actions.

AGENDA ITEM #7: FOR YOUR INFORMATION

A. HRTPO BOARD MEETING

The HRTPO Board is scheduled to meet on April 21, 2010 at 10:30 a.m. in the Regional Board Room, 723 Woodlake Drive, Chesapeake.

B. PUBLIC COMMENTS

Attachment 7B

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**HRTPO Comment**  
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Name: Delceno Miles

Date: April 1, 2010

Subject: Citizen Input Regarding CTAC Issues

Comments (Received via E-mail)

Here is another comment received for discussion.

Actually I currently participate in the TRAFFIX rideshare program sponsored by HRT.

I lease a 15 passenger van that takes that number of cars off the road each day for our daily commute to Newport News easing traffic congestion. This program should be promoted more locally with incentives for those that participate in the rideshare program.

One of my last research items @ Va Wesleyan was on the light rail system (2002). I would encourage your committee to explore the benefits of taking on this project for the Beach. I have experienced riding the light rail system in the Charlotte area. It was very economical and convenient. The Hampton Roads rail system plans should also one day include connecting the Naval Base commuters, to the surrounding cities.

AGENDA ITEM #8: OLD/NEW BUSINESS