

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
EXECUTIVE COMMITTEE MEETING
March 20, 2014

1. Call to Order
2. Approval/Modification of Agenda

WORKSHOP AGENDA

3. Sewer Special Order by Consent
4. Retail Sales Analysis from the Economic Quarterly
5. Establishment of a Committee to Address Recurrent Flooding
6. HRPDC/HRTPO/HRTAC Organizational Structure and Succession Plan

REGULAR AGENDA

7. Submitted Public Comments
8. Public Comment Period
9. Approval of Consent Items
 - A. Minutes of January 16, 2014 Meeting and February 20, 2014 Retreat
 - B. Treasurer's Reports of December 2013 and January 2014
 - C. Regional Reviews
 - D. Budget Amendment-Coastal Zone Awards
 - E. Budget Amendment-LiDAR
 - F. Budget Amendment-Stormwater Management Program
 - G. 2014 Community Development Block Grant (CDBG) Regional Priorities
 - H. Letter of support for Beaches to Bluegrass Trail
 - I. Coastal Zone Management Program – FY15 Grant
 - J. Coastal Zone Management Program – Public Access Projects
10. HRPDC/HRTPO/HRTAC Organizational Structure and Succession Plan
11. Establishment of a Committee to Address Recurrent Flooding
12. HRPDC Three-Month Tentative Schedule
13. Project Status Reports and Advisory Committee Summaries
14. Correspondence of Interest
15. For Your Information
16. Old/New Business

ADJOURNMENT

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #1: CALL TO ORDER

The meeting will be called to order by the Chair at 9:30 a.m.

ITEM #2: APPROVAL/MODIFICATION OF AGENDA

Members are provided an opportunity to add or delete items from the agenda. Any item for which a member desires consideration from the Hampton Roads Planning District Commission should be submitted at this time, as opposed to under “Old/New Business.”

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #3: SEWER SPECIAL ORDER BY CONSENT

SUBJECT:

The HRPDC Staff will review the next steps related to the regional Special Order by Consent issued by DEQ for wet weather sewer overflows. The Memorandum of Agreement (MOA) defining HRSD and Locality roles and responsibilities under the hybrid plan for partial regionalization of the sewer system has been approved, and the EPA and Virginia DEQ have been notified.

BACKGROUND:

The Cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; the Town of Smithfield; and the Counties of Gloucester, Isle of Wight, and York; and the James City Service Authority signed the hybrid MOA that defined how the Regional Wet Weather Management Plan will be developed and financed.

The executed MOA and a letter from HRSD notifying the EPA and DEQ of the region's decision to implement the hybrid approach is attached.

Under the hybrid regionalization plan, HRSD will take sole responsibility for financing and implementing the approved Regional Wet Weather Management Plan across the entire regional sewer system. Localities will retain ownership and operation of their sewer collection systems. The hybrid approach still allows regional ratepayers to benefit from the majority of the savings identified in the regionalization study but does not require complete consolidation of sewer assets.

Attachment 3-A

Attachment 3-B

Ms. Whitney S. Katchmark, Principal Water Resources Engineer, will present next steps in the regulatory process.

NOTE: This item is for information purposes only.

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (“Agreement”) is entered into on this ___ day of February, 2014, by and among the Hampton Roads Sanitation District (“HRSD”); and the cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; the Town of Smithfield; and the counties of Gloucester, Isle of Wight, and York; and the James City Service Authority (each a “Locality” and collectively, the “Localities”).

WHEREAS, HRSD provides wastewater transmission and treatment services for the Localities;

WHEREAS, the Localities individually own and operate sanitary sewer collection systems, which collect sewage within their individual jurisdictional boundaries and deliver it to the HRSD sewer system for conveyance and treatment;

WHEREAS, to address regional wet weather sewer capacity requirements, on February 23, 2010, HRSD, the Virginia Department of Environmental Quality and the United States Environmental Protection Agency entered into a Federal Consent Decree;

WHEREAS, the Federal Consent Decree requires, among other things, that HRSD work in consultation with the Localities to develop a Regional Wet Weather Management Plan (“RWWMP”) that will ensure adequate wet weather sewer capacity in HRSD’s portion of the regional sewer system;

WHEREAS, on June 25, 2012, HRSD, the Localities (excluding Norfolk), and the Commonwealth of Virginia executed an Amendment to the September 26, 2007 Special Order By Consent that requires the Localities (excluding Norfolk) and HRSD to, among other things, develop a RWWMP identical to the plan called for in the Federal Consent Decree;

WHEREAS, on March 17, 2005, HRSD, Norfolk and the Commonwealth of Virginia executed a second phase to the December 17, 2001 Special Order by Consent (collectively, the “Norfolk/HRSD Consent Orders”) that required HRSD and Norfolk, to among other things, address wet weather issues in the City of Norfolk with a Long Term Control Plan requiring a minimum annual investment in sewer infrastructure;

WHEREAS, pursuant to the Norfolk/HRSD Consent Orders, the City of Norfolk has made significant financial investments of over \$100 million, though additional capacity-related investments in the Norfolk sewer system are expected as part of further implementation of the Norfolk/HRSD Consent Order (the “Norfolk/HRSD Consent Order Capacity Projects”);

WHEREAS, substantial additional wet weather capacity-related investments in the Norfolk sewer system will still be required to achieve the regional wet weather management capacity requirements in the approved RWWMP (the “Norfolk System RWWMP Projects”);

WHEREAS, during the ongoing planning for the RWWMP, HRSD and the Localities conducted a study to determine if HRSD ownership of the Localities’ sewer systems would provide significant capital and operational cost savings to the region’s ratepayers under the RWWMP;

WHEREAS, the regional study was completed in the summer of 2013 and estimated that HRSD ownership of the regional sewers could potentially save the overall region’s ratepayers more than one billion dollars over a 30-year period in capital and operation/maintenance costs as compared to a scenario where HRSD and the Localities independently seek to address wet weather capacity needs, although the amount of savings varied significantly among the Localities;

WHEREAS, full regionalization of the Localities' sewer systems is unlikely at this time for a variety of reasons;

WHEREAS, a significant portion of the estimated savings from full regionalization can still be obtained for the benefit of the region's ratepayers if HRSD agrees to take sole responsibility for financing and implementing the approved RWWMP across the entire regional sewer system; and

WHEREAS, if HRSD assumes sole responsibility for funding and implementing the approved RWWMP, HRSD will have to raise its regional rates in order to fund the cost of the approved RWWMP, and each Locality which is a party hereto acknowledges that such rate increases will be necessary in order to achieve the more affordable and cost-effective RWWMP (which each Locality will have the opportunity to provide input into and to challenge if it believes the RWWMP is not an affordable and cost-effective approach);

NOW, THEREFORE, in consideration of the premises, mutual covenants and obligations contained herein, HRSD and the Localities do hereby enter into this Agreement for the purpose of defining the roles, responsibilities, and obligations of HRSD and the Localities for the development, financing, and implementation of the RWWMP and the assurance of adequate wet weather sewer capacity in the Regional Sanitary Sewer System in the future.

A. DEFINITIONS

"2007 MOA" means the Memorandum of Agreement dated June 28, 2007, by and among HRSD; the cities of Chesapeake, Hampton, Newport News, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; the Town of Smithfield; the counties of Gloucester, Isle of Wight, and York; and the James City Service Authority.

"Board" means the State Water Control Board, a permanent citizens body of the Commonwealth of Virginia as described in Virginia Code §§ 62.1-44.7 and 10.1-1184.

"DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia as described in Virginia Code §10.1-1183.

"EPA" means the United States Environmental Protection Agency.

"Federal Consent Decree" means the Amended Consent Decree filed in the United States District Court for the Eastern District of Virginia on February 23, 2010 (Civil Action No. 2:09cv-481), and any subsequent amendments thereto.

"Party" or "Parties" means one or more signatories to this Agreement.

"Regional Sanitary Sewer System" means the collective sanitary sewer systems owned and operated by HRSD and the Localities, including gravity sewer lines, manholes, pump stations, lift stations, pressure reducing stations, force mains, wastewater treatment plants, and all associated appurtenances.

"Special Order By Consent" means the special order by consent dated September 26, 2007, and any subsequent amendments thereto, by and among the Board and HRSD; the cities of Chesapeake, Hampton, Newport News, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; the Town of Smithfield; the counties of Gloucester, Isle of Wight, and York; and the James City Service Authority.

"Significant Defect" means a physical condition in the sanitary sewer system owned or

operated by a Locality, including: (i) existing or imminent structural failures, cave-ins, and similar defects and (ii) significant sources of inflow and infiltration (including but not limited to missing and/or damaged public clean-outs, missing manhole inserts, direct storm water connections, and unsealed manhole pipe penetrations).

“Warranties” means any warranties and/or rights under bonds or similar instruments securing or assuring the quality, adequacy or timeliness of the design, materials, installation or construction of any improvements conveyed by HRSD to a Locality as contemplated in this Agreement.

B. ROLES AND RESPONSIBILITIES

1. HRSD agrees to:

a. In consultation with the Localities: Develop a reasonably affordable and cost-effective RWWMP, including the Norfolk System RWWMP Projects, in accordance with this Agreement and Paragraph 10 of the Federal Consent Decree, to achieve the wet weather capacity requirements of the Federal Consent Decree for the affected portions of the Regional Sanitary Sewer System including the Norfolk sewer system.

b. Implement the approved RWWMP in accordance with the approved RWWMP long-term schedule;

c. Design and construct all RWWMP projects in accordance with HRSD Standards and Preferences, the applicable portions of the Hampton Roads Planning District Commission Regional Construction Standards, and Locality preferences, policies, or guidelines with respect to operation and maintenance issues where such preferences, policies, or guidelines have been established and are broadly applied by the Locality;

d. Fully fund implementation of the RWWMP regardless of asset ownership through a regional HRSD rate applied equally across all HRSD accounts in the Localities;

e. Upon full implementation of the applicable RWWMP facilities for each HRSD treatment plant service area and the successful completion of the Post-RWWMP Performance Assessment for that service area, HRSD shall be responsible for ensuring and maintaining adequate wet weather capacity for those portions of the Regional Sanitary Sewer System in that service area, whether owned or operated by HRSD or a Locality, up to the applicable capacity level defined in the approved RWWMP;

f. Maintain a flow monitoring program in accordance with the Federal Consent Decree;

g. Investigate, in cooperation with affected Localities, any sanitary sewer overflow where system capacity is reasonably suspected of being a contributing cause or the sole cause of such overflow to determine the actual cause or causes (in support of such inquiry, HRSD shall make available to Localities in a timely manner, upon request, any potentially relevant information it may have) and the appropriate response;

h. Provide to the applicable Locality complete copies of record drawings of improvements constructed by HRSD within that Locality pursuant to the RWWMP within thirty (30) days of completion or amendment of such drawings;

i. Convey to each Locality improvements which HRSD may install or construct pursuant to the approved RWWMP, for addition or modification to the Locality’s sewer system;

j. Negotiate and obtain customary commercial Warranties for pavement and other project improvements in Locality systems and enforce such Warranties during warranty periods as necessary, provided that following such warranty period, any assets conveyed to a Locality are the sole responsibility of such Locality;

k. Make available to the Localities information HRSD uses in the development and implementation of the RWWMP and any other relevant information HRSD may have;

l. Comply with applicable Locality ordinances and other laws and regulations in the planning, design, and implementation of the RWWMP;

m. Assume regulatory liability for wet weather overflows occurring upon completion of the RWWMP implementation (including the Post RWWMP Implementation Performance Assessment) and which are determined to result from lack of adequate capacity as defined in the RWWMP for such sanitary sewer overflows;

n. Reimburse, to the extent permitted by law, any Locality for reasonable claims paid to any third-party resulting from wet weather overflows occurring upon completion of the RWWMP implementation (including the Post RWWMP Implementation Performance Assessment) and which are determined to result from lack of adequate capacity as defined in the RWWMP for such sanitary sewer overflows, provided that HRSD retains the right to assert governmental immunity as allowed by law if HRSD determines a claim is unreasonable or due to causes beyond HRSD's control;

o. Provide staff and/or consultant resources to coordinate development and implementation of the approved RWWMP as it applies to each Locality in accordance with the approved RWWMP schedule;

p. Issue in a timely manner and in accordance with established processes any approvals, and timely execute any documents, necessary for implementation by a Locality of improvements or management, operations or maintenance measures as required by the RWWMP or contemplated by the Special Order by Consent, and not unreasonably withhold, condition or delay such approvals or execution of documents;

q. Support the modification of the Special Order by Consent between DEQ, HRSD and the Localities consistent with the changes to the Federal Consent Decree;

r. Consult with the Localities as necessary to facilitate the timely implementation of the approved RWWMP; and

s. Cooperate with Localities when requested to incorporate other locally funded infrastructure improvements as part of any RWWMP project, provided that HRSD can do so consistent with the approved RWWMP schedule and HRSD's project-related costs do not increase by more than ten percent (10%) (a Locality may pay any amount of additional HRSD cost above the 10% threshold in order to satisfy this condition).

2. Each Locality agrees to:

a. Maintain and operate Locality-owned collection system assets and any improvements constructed by HRSD in Locality-owned assets as part of the RWWMP. This obligation shall be performed in accordance with any approved Management, Operations, and Maintenance program and industry accepted practices relating to sewer inspection, Sewer System Evaluation Survey work and repair of Significant Defects (not scheduled to be addressed by the

RWWMP within a reasonable period of time but excluding those for which HRSD is responsible under Section B.1.j above);

b. Provide full access to data, information and Locality-owned assets necessary for timely and cost-effective development of the RWWMP. This includes, but is not limited to, flow monitoring data, calibrated hydrologic models, long-term simulations, SSES data and results, Rehabilitation Plans and Preliminary Capacity Assessments including hydraulic models and related calculations;

c. Maintain and calibrate the existing locality-owned flow monitoring equipment (previously required by the Regional Technical Standards) and provide data at regular intervals in a mutually acceptable form, throughout the development of the RWWMP;

d. Provide staff and/or consultant resources to coordinate development and implementation of the approved RWWMP as it applies to each Locality in accordance with the approved RWWMP schedule, subject to appropriation, provided that in the event adequate resources are not appropriated, HRSD shall be relieved of its obligations under Section B.1.a with respect to consultation with the Localities and Section B.1.q of this Agreement;

e. Timely issue any Locality administrative permits in accordance with established processes and, subject to applicable law, timely execute any documents, as necessary for implementation of RWWMP-related improvements in that Locality, and not unreasonably withhold, condition or delay such permits or execution of documents;

f. Accommodate reasonable contractor requests for standard work hours and maintenance of traffic in accordance with existing Locality policies during implementation of RWWMP improvements within the Locality;

g. Support the modification of the September 26, 2007 Special Order by Consent, as amended, between DEQ, HRSD and the Localities consistent with the changes to the Federal Consent Decree;

h. Upon HRSD's request, provide a written letter of support for a modification of HRSD's Federal Consent Decree to establish HRSD's responsibilities consistent with this Agreement;

i. Cooperate with HRSD and the other Localities as necessary to facilitate the timely implementation of the approved RWWMP; and

j. Provide timely notice of and investigate, in cooperation with HRSD, all capacity-related sanitary sewer overflows.

C. REMEDIES AND RESERVATIONS OF RIGHTS

1. If any Party shall fail to perform or observe any of the material terms, conditions, or provisions of this Agreement applicable to it, and said failure is not rectified or cured within thirty (30) days after receipt of written notice thereof from another Party, then the defaulting Party shall be deemed in breach of this Agreement; provided, however, that no Party shall have a right to issue a notice of default pursuant to this Section C.1 until the dispute resolution procedures set forth in Section C.2 below have been exhausted. The Parties agree that, in the event of a material breach of this Agreement, a non-defaulting Party, which is or would be harmed by the breach, may seek injunctive relief or specific performance of the defaulting Party's obligations without the requirement to post a bond. The Parties acknowledge that each Party's performance of its material

obligations is valuable and unique and that, for purposes of allowing the non-defaulting Party to seek injunctive relief, the failure of a Party to perform its material obligations hereunder may result in irreparable injury to the other Parties. Nothing in this Agreement shall be deemed to modify, alter, or otherwise affect such other rights and remedies as may be available to the Parties under applicable law or equity.

2. If any dispute arises with respect to the alleged failure of any Party to perform or observe any of the material terms, conditions, or provisions of this Agreement applicable to it, as a condition precedent to instituting a formal action in a court with competent jurisdiction, the parties shall first attempt to resolve the dispute through the dispute resolution procedures contained in this Section C.2. A Party may initiate the dispute resolution procedures of this Section C.2 by providing to the other Parties to the dispute written notice of the existence and nature of the dispute. Within thirty (30) days of such notice, the Parties to the dispute shall meet and attempt in good faith to resolve the dispute. Upon the request of any Party to the dispute, the Parties to the dispute shall participate in non-binding mediation. The mediator shall be selected by mutual agreement of the Parties to the dispute, and the cost of the mediator shall be shared equally by those Parties engaged in the mediation. If the dispute cannot be resolved within sixty (60) days after receipt of written notice of the dispute or any reasonable extension as may be mutually agreed upon by the Parties, then any Party to the dispute may elect to end dispute resolution by providing written notice of such election to the other Parties to the dispute, in which case the dispute resolution procedures shall be deemed to have been exhausted. The dispute resolution procedures may also be deemed exhausted by written agreement of all the Parties to the dispute.

3. Nothing herein shall be construed as or otherwise constitute a waiver or release by any Party of any right, power, immunity, or standing of that Party that may exist pursuant to applicable law or regulation, including, without limitation, such right or standing to appeal or seek review of any case decision or other reviewable determination of the Board, DEQ, EPA, a Court having jurisdiction over the dispute, or any other agency or governmental body related to the matters addressed in this Agreement, the Federal Consent Decree, or the Special Order By Consent.

D. MISCELLANEOUS

1. Amendments to Agreement. Amendments to this Agreement must be in writing and signed by all the Parties.

2. Entire Agreement. This Agreement contains the entire agreement among the Parties with respect to the subject matter hereof and supersedes all prior agreements, written or oral, with respect thereto, including the 2007 MOA.

3. Severability. If any provision of this Agreement is found to be unenforceable, the remainder of this Agreement shall remain in full force and effect.

4. Authority. The Parties represent that they have the authority to enter into this Agreement and that the individuals signing this Agreement on their behalf have the requisite power and authority to bind the Parties to its terms and conditions. This Agreement shall apply to, and be binding upon the Parties, their elected officials, officers, agents, employees, successors, and assigns.

5. Reservation. Except as expressly provided herein, nothing in this Agreement shall be construed to limit or otherwise affect the authority, rights, or responsibilities of the Parties.

6. Notices and Written Communications. All notices and written communication pursuant to this Agreement shall be submitted to the recipients listed in Attachment A. A Party may change its designated notice recipient by so informing all other Parties in writing.

7. Effective Date. This Agreement shall be effective and binding upon its execution by all Parties and shall continue in effect until terminated in accordance with Section D.11.

8. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the Commonwealth of Virginia, without regard to the conflict of laws and rules thereof.

9. Force Majeure. No Party shall be responsible for its failure to fulfill an obligation pursuant to this Agreement to the extent that such failure is due to acts of God; strikes; war or terrorism; the actions of a third party; the actions of another Party; lockouts; or other events not reasonably within the control of the Party claiming force majeure. A Party experiencing a force majeure event that prevents fulfillment of a material obligation hereunder shall (a) give the other Parties prompt written notice describing the particulars of the event; (b) suspend performance only to the extent and for the duration that is reasonably required by the force majeure event; (c) use reasonable efforts to overcome or mitigate the effects of such occurrence; and (d) promptly resume performance of the affected obligation if and when such Party is able to do so.

10. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any Party whose signature appears thereon, and all of which shall together constitute one and the same instrument.

11. Termination. This Agreement shall terminate (a) if the Motion to Amend the Federal Consent Decree contemplated herein is either not filed with the Court by May 31, 2014 or is filed but denied by the Court; (b) if the Federal Consent Decree is not amended as contemplated herein by August 31, 2014; (c) if the State Special Order by Consent is not, by December 31, 2014, either (1) rescinded in its entirety or (2) amended to relieve the Localities of any obligation to develop, fund, and implement the Regional Wet Weather Management Plan; or (d) upon the written agreement of all Parties. If this Agreement is terminated for any reason, except upon the agreement of HRSD, then HRSD reserves the right to assert a force majeure under the Federal Consent Decree.

12. Not for Benefit of Third Parties. This Agreement and each and every provision hereof is for the exclusive benefit of the Parties and not for the benefit of any third party.

13. Binding Effect. This Agreement shall inure to the benefit of the Parties and shall, to the maximum extent permitted by law, be binding on the Parties and their successors and assigns.

[REST OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized officials as of the dates next to their respective signatures as shown below.

(ELECTRONIC SIGNATURES OF ALL PARTIES TO THE AGREEMENT WILL BE CONSOLIDATED ON THIS PAGE IN THE FINAL DOCUMENT)

LIST OF SIGNATORIES

CITY OF CHESAPEAKE

GLOUCESTER COUNTY

CITY OF HAMPTON

ISLE OF WIGHT COUNTY

JAMES CITY COUNTY

CITY OF NEWPORT NEWS

CITY OF NORFOLK

CITY OF POQUOSON

CITY OF PORTSMOUTH

CITY OF SUFFOLK

CITY OF VIRGINIA BEACH

CITY OF WILLIAMSBURG

YORK COUNTY

TOWN OF SMITHFIELD

HAMPTON ROADS SANITATION DISTRICT

This listing of participants is followed by the signature page to be completed by each party.

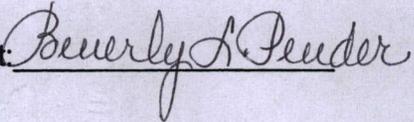
IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: 

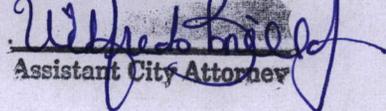
Date: 2-27-2014

Locality: City of Chesapeake

Date: 2-27-2014

Attest: 

Approved as to Form


Assistant City Attorney

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: Brenda H. Garton

Date: February 25, 2014

Locality: Gloucester County

Date: February 25, 2014

Attest: Patricia L. Conner

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: Mary B. Bunting
Mary B. Bunting, City Manager

Date: 2/18/2014

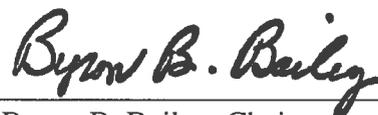
Locality: City of Hampton

Date: 2/19/14

Attest: Katherine K. Glass
Katherine K. Glass
Clerk of Council

CITY OF HAMPTON
OFFICE OF THE CITY ATTORNEY
Approved as to legal form and sufficiency
Date: 02.18.2014
[Signature]
Attorney

Approved by the Isle of Wight County Board of Supervisors at a regular meeting by motion duly adopted the 20th day of February, 2014.



Byron B. Bailey, Chairman
Isle of Wight County
Board of Supervisors

Attested:



Carey Mills Storm, Clerk

Approved as to form:



Mark C. Popovich, County Attorney

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: M. D. P. P. P.

Date: 2 / 26 / 2014

Locality: JAMES CITY COUNTY

Date: 2 / 26 / 2014

Attest: June Sellorff

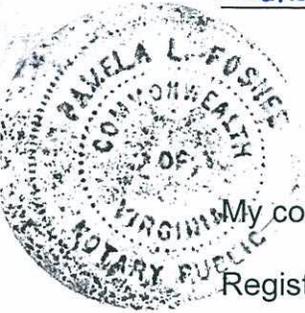
IN WITNESS WHEREOF, the City of Newport News has caused this Agreement to be executed by their duly authorized official as shown below:

Date: 2/14/14

By: James M. Bourey
City Manager

Commonwealth of Virginia
City of Newport News

The foregoing instrument was acknowledged before me this 20th day of February ²⁰¹⁴ by James M. Bourey, City Manager, on behalf of the City of Newport News.



Pamela L. Foshee
Notary Public

My commission expires: 8-31-2014

Registration No: 299515

APPROVED AS TO FORM:

[Signature]
Deputy City Attorney

ATTEST:

[Signature]
City Clerk

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: 
City Manager

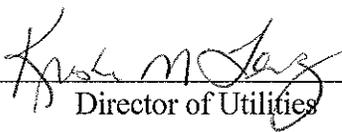
Date: 3/10/14

Locality: City of Norfolk

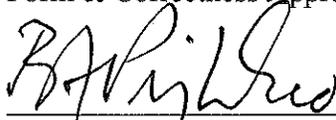
Date: 3/11/14

Attest: 
City Clerk

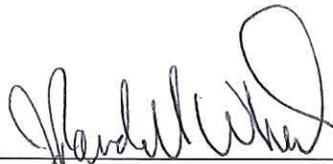
Contents Approved:


Director of Utilities

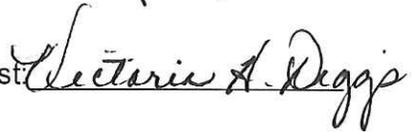
Form & Correctness Approved:


City Attorney

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: 
J. Randall Wheeler
Poquoson City Manager
Date: 2/26/13
Locality: City of Poquoson

Date: 2/26/2014

Attest: 

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: John L. Rowe

John L. Rowe, Jr., City Manager

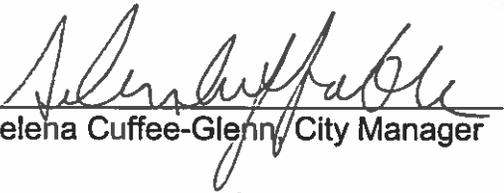
Date: FEB 26, 2014

Locality: City Of Portsmouth

Date: Feb 26, 2014

Attest: Debra Y. White

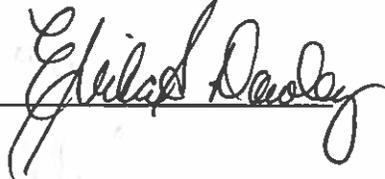
IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: 
Selena Cuffee-Glenn, City Manager

Date: 2/27/14

Locality: City of Suffolk, Virginia

Date: _____

Attest: 

IN WITNESS WHEREOF, the City of Virginia Beach has caused this Agreement to be executed by their duly authorized official as shown below.

Date: 2.12.14

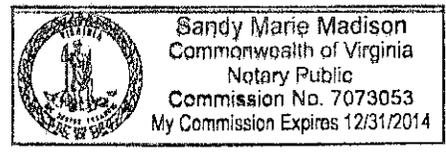
By: [Signature] DCM
City Manager

Commonwealth of Virginia *Attest: [Signature]*
City of Virginia Beach: *City Clerk*

The foregoing instrument was acknowledged before me this 14th day of February, 2014 by ~~James K. Spore, City Manager~~, on behalf of the City of Virginia Beach..
David L. Hansen, Deputy City Manager

[Signature]
Notary Public

My commission expires: 12-31-14



Approved as to Content:

Approved as to Legal Sufficiency:

[Signature]
Dept. of Public Utilities

[Signature]
City Attorney's Office

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: 

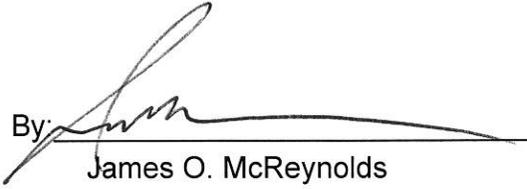
Date: 2/14/2014

Locality: City of Williamsburg

Date: 2/14/14

Attest: Dan Clayton, DIRPW

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.

By: 
James O. McReynolds
County Administrator

Date: 2-24-2014

Locality: County of York

Date: 2-24-2014

Attest: 

IN WITNESS WHEREOF, the Party has caused this Agreement to be executed by their duly authorized officials as shown below.



By: *Peter M. Stephenson*
Peter M. Stephenson
Town Manager
Date: 02/04/2014
Locality: Town of Smithfield

Date: 2-4-14

Attest: *Lesley A. King*

IN WITNESS WHEREOF, HRSD has caused this Agreement to be executed by their duly authorized official as shown below.

Date: 2/26/2014

By: 
General Manager

Commonwealth of Virginia
City/County of Virginia Beach

The foregoing instrument was acknowledged before me this 26th day of February, 2014 by Ted Henifin, General Manager of HRSD, on behalf of HRSD.


Notary Public

My commission expires: August 30, 2017



ATTACHMENT A

List of Individuals to Receive Notices Pursuant to Paragraph D.6:

Mr. James E. Baker
City Manager
City of Chesapeake
306 Cedar Road, 6th Floor
Chesapeake, VA 23328

Ms. Brenda G. Garton
County Administrator
Gloucester County
6467 Main Street
Gloucester, VA 23061-0329

Ms. Mary Bunting
City Manager
City of Hampton
22 Lincoln Street
Hampton, VA 23669

Ms. Anne Seward
County Administrator
Isle of Wight County
17090 Monument Crescent, Suite 138
Isle of Wight, VA 23397

Mr. Douglas Powell
Interim County Administrator
James City County
101C Mounts Bay Rd
Williamsburg, VA 23187-8784

Mr. Jim Bourey
City Manager
City of Newport News
2400 Washington Avenue
Newport News, VA 23607

Mr. Marcus Jones
City Manager
City of Norfolk
1101 City Hall Building
810 Union Street
Norfolk, VA 23510

Mr. J. Randall Wheeler
City Manager
City of Poquoson
500 City Hall Avenue
Poquoson, VA 23662

Mr. John L. Rowe Jr.
City Manager
City of Portsmouth
801 Crawford Street
Portsmouth, VA 23704

Ms. Selena Cuffee-Glenn
City Manager
City of Suffolk
PO Box 1858
Suffolk, VA 23439

Mr. James K. Spore
City Manager
City of Virginia Beach
2401 Courthouse Drive, Suite 243
Virginia Beach, VA 23456

Mr. Jackson C. Tuttle II
City Manager
City of Williamsburg
401 Lafayette Street, Suite 202
Williamsburg, VA 23185

Mr. James O. McReynolds
County Administrator
York County
224 Ballard Street
Yorktown, VA 23690

Mr. Peter M. Stephenson AICP
Town Manager
Town of Smithfield
315 Main Street
Smithfield, VA 23431

Mr. Edward G. Henifin
Hampton Roads Sanitation District
PO Box 5911
Virginia Beach, VA 23471

February 28, 2014

Ms. Judith Hykel, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency
Region III
1650 Arch Street (3RC20)
Philadelphia, PA 19103

Ms. Maria Nold
Regional Director
Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, VA 23462

(additional addressees at end of letter)

RE: United States of America and the Commonwealth of Virginia v. Hampton Roads Sanitation District
Civil Action No. 2:09-cv-481
Notification of Regionalization Implementation

Dear Ms. Hykel and Ms. Nold:

As required by the Second Amendment to the Consent Decree, Paragraph 40, the Hampton Roads Sanitation District (HRSD) is providing notification to the United States Environmental Protection Agency (EPA) and the Virginia Department of Environmental Quality (DEQ) regarding the decision to implement regionalization.

Following completion of the Regionalization Study, submitted to the EPA and DEQ in August 2013, the Localities and HRSD considered the proposal to consolidate the region's wastewater infrastructure into one utility. The HRSD Commission voted to support the consolidation on September 24, 2013, but HRSD received notification from several Localities that the regionalization of their systems could not be approved within the required timeframe for a variety of reasons.

Instead, the localities approached HRSD through letters seeking HRSD's support for an alternate regionalization approach whereby HRSD would take responsibility for regional wet weather capacity. The locality letters to HRSD seeking HRSD's support for this approach were provided to you by email from Paul Calamita dated September 26, 2013. After consulting with the agencies on several occasions, HRSD and the localities have pursued the alternative approach for regionalized wet weather capacity management. Under this approach, HRSD would assume sole responsibility for drafting, funding, and implementing the Regional Wet Weather Management Plan. This will likely include rehabilitation efforts in the Locality systems (without HRSD assuming ownership of Locality assets). We are pleased to report that this approach has been formally adopted by all of the Localities (those party to the Special Order by Consent as well as the City of Norfolk) and HRSD through a regional Memorandum of Agreement (MOA). A table reflecting the dates each Locality's governing body and the HRSD Commissioners voted to approve the MOA is attached to this letter. The fully executed MOA will be transmitted to you separately.

February 28, 2014

We believe this MOA and the regional approach it allows is unprecedented nationally. This is yet another example of the commitment to regional cooperation among the local governments serving the Hampton Roads area. While it will present HRSD with enormous challenges, it is a "win-win" for EPA, DEQ, the localities and the citizens we all endeavor to serve in the most affordable and cost-effective manner possible.

Consistent with our discussions and the provisions of the MOA, HRSD will contact you shortly to develop a mutually acceptable modification to the Consent Decree to allow the regionalization of wet weather capacity concept to be implemented. We also look forward to discussing an appropriate approach to the modification of the Special Order by Consent, which will be necessary once the consent decree is modified.

We greatly appreciate the agencies' willingness to facilitate a regional approach to managing wet weather capacity issues in the HRSD and locality systems. We will be in touch shortly. In the meantime, please contact me if you have any questions regarding this matter.

Sincerely,



Phil Hubbard, P.E.
Special Assistant for Compliance Assurance

Enclosure

Copy:

Nancy Flickinger
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
601 D Street NW
Washington, D.C. 20044
Re: DOJ No.90-5-1-1-09125

Ben Bahk
Office of Enf. and Compliance Assurance
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Ariel Rios South, Room 4109A
Washington, DC 20460

Michelle Price-Fay
NPDES Enforcement Branch
Water Protection Division
U.S. Environmental Protection Agency, Region III
1650 Arch Street (3WP42)
Philadelphia, PA 19103-2029

Mark Zolandz
NPDES Enforcement Branch
Office of NPDES Permits and Enforcement
Water Protection Division
U.S. Environmental Protection Agency
Region III
1650 Arch Street (3WP42)
Philadelphia, PA 19103-2029

David Paylor
Executive Director
Virginia Department of Environmental Quality
629 East Main Street
Richmond, VA 23219

HRSD
Regionalization Implementation Approval and Vote
February 28, 2014

Locality	Population	Date of MOA Approval	Governing Body Vote
Chesapeake	228417	2/25/2014	7-2
Gloucester County	36886	2/22/2014	6-1
Hampton	136836	2/12/2014	7-0
HRSD	N/A	1/28/2014	5-0
Isle of Wight County	35399	2/20/2014	5-0
James City Service Authority	68967	2/25/2014	4-1
Newport News	180726	2/11/2014	6-0
Norfolk	245782	2/25/2014	8-0
Poquoson	12097	1/13/2014	7-0
Portsmouth	96470	2/25/2014	7-0
Smithfield	8130	2/4/2014	7-0
Suffolk	85181	2/5/2014	8-0
Virginia Beach	447021	2/11/2014	9-1
Williamsburg	15167	2/13/2014	5-0
York County	66146	2/18/2014	4-0

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #4: RETAIL SALES ANALYSIS FROM THE ECONOMIC QUARTERLY

SUBJECT:

An update on the state of retail sales in Hampton Roads.

BACKGROUND:

Since the Fall of 2008, the HRPDC has produced the Hampton Roads Economic Quarterly (HREQ). This document provides an update on the current condition of the Hampton Roads economy, including six indicator graphics that illustrate the performance of the region's economy. In addition, each edition of the Quarterly contains a main article which provides analysis of a major topic concerning the Hampton Roads economy. Recent editions have discussed the impact of sequestration, economic growth in Hampton Roads, the housing market, and the relative cost of living in this region.

The most recent HREQ provided a brief on the role of retail sales in the regional economy, the performance of the region's retail sector, and underlying dynamics of the headline retail sales numbers.

Mr. James A. Clary, Senior Economist, will provide a brief presentation on the current state of retail sales in Hampton Roads.

STAFF COMMENTARY:

The exchange of goods and services is the backbone of an integrated regional economy. The more exchanges that take place, the healthier an economy is likely to be. Retail sales are the best available measure of the exchange of goods and services in the regional market. When Hampton Roads' economy grows, retail sales grow even more quickly as increased income is quickly passed through to consumption of goods and services. Conversely, during the most recent recession retail sales shrunk considerably as individuals had to cut back on their purchases.

Regional retail sales continue to recover from their recession lows, but have been outpaced by retail sales in other metropolitan areas, and in the nation as a whole. Additionally, retail sales performance has varied considerably by business category, indicating that the recession has had very different impacts on the various businesses of Hampton Roads.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #5: ESTABLISHMENT OF A COMMITTEE TO ADDRESS RECURRENT FLOODING

SUBJECT:

Many organizations in Hampton Roads, including the HRPDC, are working on efforts related to recurrent flooding and sea level rise.

BACKGROUND:

Recurrent flooding is a significant challenge for many localities in Hampton Roads, and sea level rise will increase the vulnerability of the region to coastal storms and tidal flooding. This important issue crosses city boundaries and all aspects of the regional economy. The issue also affects access to the region's military installations. Many organizations locally, regionally, and statewide are conducting studies and planning exercises to help the region prepare for and adapt to these impacts. These include efforts by the HRPDC, Old Dominion University, the Virginia Institute of Marine Science, the College of William and Mary Law School, and the Secure Commonwealth Panel, among others. Mayor William Sessoms, City of Virginia Beach, has requested that the HRPDC assume a leadership role in coordinating the region's response to the issue of recurrent flooding and desires to add this item to the annual UPWP.

Mr. Ben McFarlane, HRPDC Regional Planner will provide an overview of the efforts being undertaken to the Commission.

Attachment 5

Note: This item will be presented for action under item #11



City of Virginia Beach

WILLIAM D. SESSOMS, JR.
MAYOR

VBgov.com

MUNICIPAL CENTER
BUILDING 1
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9000
(757) 385-4581
FAX (757) 385-5699
wsessoms@vb.gov.com

March 6, 2014

Mr. Dwight Farmer, Executive Director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320

Subject: Recurrent Flooding Issue

Dear Mr. Farmer:

The General Assembly is finalizing action on a two-year study regarding recurrent flooding. Since this is an issue for most Hampton Roads localities, I believe it would be proper and helpful for the Planning District Commission to assume a leadership role in coordinating the regions' response to this issue. Certainly, the Transportation Planning Organization has previously studied the effects of recurrent flooding and tidal surge on access to military bases. The Directors of Public Utilities and Public Works meet regularly on this issue. I would like to propose this item be added to the work plans of the Planning District Commission and possibly the Transportation Planning Organization.

This important issue crosses city boundaries and all aspects of our economy whether it is a three-foot sea level rise impacting 12,000 acres of prime farmland in southern Virginia Beach or even more land in Chesapeake. The issue involves the aforementioned access to our military installations and indeed the ability of some installations to continue to operate effectively. There are also significant impacts on public roads, stormwater conveyance, and sewage disposal.

I respectfully request this subject be added to the Planning District Commission agenda at the March 20th meeting. If you would want to discuss in the meantime, do not hesitate to contact me.

Sincerely,

William D. Sessoms, Jr.
Mayor

cc: The Honorable Paul Fraim, Mayor, City of Norfolk
James K. Spore, City Manager
Robert Matthias, Assistant to the City Manager

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #6: HRPDC/HRTPO/HRTAC ORGANIZATIONAL STRUCTURE AND SUCCESSION PLANNING

SUBJECT:

The HRPDC succession plan and organizational structure after the Executive Director's retirement on July 1, 2014.

BACKGROUND:

On March 8, 2014 the General Assembly adopted HB1253/SB513, which provides for the creation of the Hampton Roads Transportation Accountability Commission (HRTAC) in order to manage the Hampton Roads Transportation Fund (HRTF) revenues for the Hampton Roads region.

This new legislation, in addition to the announcement of the HRPDC/HRTPO Executive Director retiring on July 1, 2014, prompted the HRPDC and HRTPO to task the Joint HRPDC/HRTPO Personnel and Budget Committee to discuss and make a recommendation to the HRPDC/HRTPO Boards regarding the succession planning and organizational structure of the HRPDC and HRTPO.

A representative from the Personnel and Budget Committee will brief the Commission on this item.

NOTE: This item will be presented for action under item #10.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #7: SUBMITTED PUBLIC COMMENTS

There are no recently submitted written public comments. Any new written public comments will be distributed as a handout at the meeting.

ITEM #8: PUBLIC COMMENT PERIOD

Members of the public are invited to address the Hampton Roads Planning District Commission. Each speaker is limited to three minutes.

ITEM #9: APPROVAL OF CONSENT AGENDA ITEMS

A. MINUTES

The Minutes of the January 16, 2014 HRPDC Quarterly Commission Meeting and the summary minutes of the February 20, 2014 Joint HRPDC/HRTPO Retreat are attached.

Attachment 9-A1

Attachment 9-A2

RECOMMENDED ACTION:

The HRPDC staff recommends approval of the minutes.

B. TREASURER'S REPORT

The Balance Sheet and Statement of Revenue and Expenditure for December 2013 and January 2014 activities are attached. These statements reflect the financial status of the HRPDC as a whole.

Attachment 9-B1

Attachment 9-B2

RECOMMENDED ACTION:

The HRPDC staff recommends the Treasurer's Reports be accepted.

C. REGIONAL REVIEWS

1. PNRS

The HRPDC staff is routinely involved in the review of applications for grants to support projects involving federal or state funding. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included in the Agenda. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. Review and comment by more than one locality is requested when a project may affect the entire region or a sub-regional area. There were no outstanding comments received as of March 7, 2014.

Attachment 9-C1

RECOMMENDED ACTION: None required.

2. ENVIRONMENTAL IMPACT ASSESSMENT/STATEMENT REVIEW

The HRPDC staff is routinely involved in the review of environmental impact assessments and statements for projects involving federal funding or permits as well as state development projects. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. There were no outstanding comments as of March 7, 2014 on these projects.

Attachment 9-C2

RECOMMENDED ACTION: None required.

Hampton Roads Planning District Commission
Quarterly Commission Meeting
Minutes of January 16, 2014

The Quarterly Commission Meeting of the Hampton Roads Planning District Commission was called to order at 9:37 a.m. in the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

COMMISSIONERS:

Kenneth Wright, Chairman (PO)
Clyde Haulman, Vice Chairman (WM)
James Baker (CH)
Amar Dwarkanath (CH)
Dr. Ella P. Ward (CH)
Barry Cheatham (FR)
Randy Martin (FR)
Brenda Garton (GL)
John Meyer (GL)
Mary Bunting (HA)
Will J. Moffett (HA)
George Wallace (HA)
Dee Dee Darden (IW)
Anne Seward (IW)
Mary Jones (JCC)
Doug Powell (JCC)

Jim Bourey (NN)
McKinley Price (NN)
*Angela Williams (NO) Late
John Rowe (PO)
J. Randall Wheeler (PQ)
Michael W. Johnson (SH)
Barry Porter (SH)
Selena Cuffee-Glenn (SU)
Linda T. Johnson (SU)
Tyrone Franklin (SY)
John Seward (SY)
Robert Dyer (VB)
Barbara Henley (VB)
Louis R. Jones (VB)
Jackson C. Tuttle, II (WM)
James McReynolds, Treasurer (YK)
Thomas G. Shepperd (YK)

Executive Director:

Dwight L. Farmer

*Late arrival or early departure

EXECUTIVE COMMITTEE (ABSENT)

Debbie Ritter (CH)
Scott Matheson (CH)
Debbie Ritter (CH)
Sharon Scott (NN)
Paul Fraim (NO)
Marcus Jones (NO)

Thomas Smigiel (NO)
W. Eugene-Hunt (PQ)
Amelia Ross-Hammond (VB)
John Uhrin (VB)
John Moss (VB)

OTHERS RECORDED ATTENDING:

Dan Bell (Future of HR), Jeff Raliski (NO), John Gergely (NN), Michael King (NN), Brian Deprofio (HA), Eric Nielsen (SU), Bruce Phillips (SH), L. Frank Mach (Mid-Atl Gateway) Cathy Aiello, Eric Stringfield (VDOT), Ellis James (NO) Staff: Randy Keaton, Camelia Ravanbakht, Shernita Bethea, Melton Boyer, Curtis Brown, James Clary, Nancy Collins, Kathlene Grauberger, Greg Grootendorst, Julia Hillegass, Jim Hummer, Mike Long, Jai McBride, Katie Cullipher, Sara Kidd, Whitney Katchmark, Kelli Peterson, Joe Turner, Chris Vaigneur, Felecia Williams.

APPROVAL/MODIFICATION OF AGENDA

Chairman Wright asked for a motion to approve agenda as written.

Commissioner Randy Wheeler Moved to approve the agenda; seconded by Commissioner McKinley Price. The Motion Carried.

WORKSHOP AGENDA

2014 Economic Forecast

Mr. Greg Grootendorst, Chief Economist, presented the annual HRPDC regional 2014 Economic Forecast to the Commission. The forecast presentation included:

- Review of local and national trends
- A forecast for gross regional products such as: employment, unemployment, retail sales, and residential construction.

Mr. Grootendorst reported that by looking at the gross domestic product or the stock market, that it appears that Hampton Roads has more than come back from the recession and is doing quite well. However, the region is still 1.2 million below where it was prerecession with nonfarm civilian employment, and our employment rate remains at elevated highs.

Mr. Grootendorst presented a graph which demonstrated the comparison of the great recession to all other post WWII recessions. The graph showed the comparison of Hampton Roads and Virginia to the United States. Virginia's prerecession high with employment actually started in July of 2007, six months earlier than the nation.

Although jobs have been lost, if the region grew at the fastest rate it has ever grown which was in 1997, we could expect to see full return to peak employment in January of 2015. However, if Hampton Roads grows at an average rate, the growth will not be until May 2017. That is when the region will reach the peak employment we saw in January of 2007.

Mr. Grootendorst stated he was told earlier that day that at a national level, there has been 14 straight months of growth in healthcare employment. The healthcare industry has been growing for the past six years. The big story is looking at retail trade. There has been a significant decline in jobs lost in retail and construction. Hampton Roads has been hit harder in information, retail, transportation, and business services. We have performed better than the nation when it comes to looking at the manufacturing component and state and federal employment. However, spending cuts last year hit contractors hard, which quickly moved to the unemployment rate. Compared to all other metro areas, Hampton Roads' employment rate recovered quickly. Our current rate is 5.5 percent, slightly higher than the state at 5.4 percent and better than the nation at seven percent.

In the past year, Hampton Roads has seen growth in healthcare and a rebound in construction and retail trade. On the other hand, federal government has taken a big hit in its scientific and technical services. Also, housing has exacerbated the impact of the recession. Hampton Roads has grown faster than the nation in housing. Mr. Grootendorst pointed out that on a historic scale, mortgage rates are low, but jumped from 3.35 percent in December 2012 to 4.5 percent. That is a substantial jump when looking over the past year and there will be some head wind the housing market will face.

Mr. Grootendorst pointed out that trade at the Port of Virginia experienced strong growth. As the international trade goes up, so does Virginia. If one trade drops, they both drop.

Tourism expenditures bounced back in Hampton Roads after the recession, however 2013 was an off year for travel and businesses. The defense cuts in 2013 were a big hit in the economy. Hampton Roads never saw the true impact of sequester. However, it is certainly going to be an important component moving into 2014.

The Economic Forecast expectations for the coming year:

- Expect the gross domestic product to be 2.6 percent for the nation.
- Interest rates will remain relatively low
- Gross product for the region to improve modestly
- Unemployment rate will slowly decline
- Retail sales should be improved

The Chairman opened the floor for questions.

Commissioner Thomas Shepperd asked for clarification on slide #15.

Mr. Grootendorst replied, that Hampton Roads was driven down by sequester and basically that was the fiscal cliff is what you saw. So it went from the budget cap, and down to sequester and the cliff drove us on the chart with the steep drop in 2012 down to where we were in 2013, and we're expect with the sequester over the last agreement, it was going to push 2014 down even further as we move things. Purple lines are the actions in Congress to push back the expenditure cuts another two years to save 2014 and 2015. The green line shows the budget act of 2013, which is going through now.

Mr. Grootendorst conceded it as a warranted clarification. However, the good news is Hampton Roads moved from the green, which is what we were looking at, to the purple dotted line.

Commissioner Shepperd asked for clarification on slide #16. Procurement is shown there, and carriers were mentioned. Does this relate predominantly to the refit of carriers?

Mr. Grootendorst replied: The carriers are a huge component of procurement, but the procurement category illustrated here contained all federal contracts. So it is not just the refueling and the building of ships, but also any shipbuilding repair work that is done as long as any contracting is outside of manufacturing.

Commissioner Shepperd stated he assumed the salary and wages were dropping off as he does not see the federal government cutting wages. Is this a loss of personnel? Mr. Grootendorst replied: Affirmatively.

Commissioner Shepperd asked What is being acquired in the sense of the federal government that is nonmilitary?

Mr. Grootendorst stated they moved a lot from hiring personnel to contracting.

Sewer Consolidation Update

Whitney Katchmark, Principal Water Resources Planner, touched on the subject of the hybrid plan. In August, there was a completion of a sewer consolidation report, which the main recommendation was to consolidate the localities' sewer assets.

The main recommendation has an estimated savings of about a billion dollars overall, but there was some feedback from localities concerning the switch and transferring both ownership and operation of those local systems to HRSD. HRSD took in consideration the feedback from the localities and came up with the hybrid plan. Staff have been working out the details with the Directors of Utilities Committee and a number of attorneys that have been reviewing this. Under the hybrid plan, HRSD will be responsible for implementing and paying for the regional wet weather management plan. That would include all the rehabilitation and all the capacity improvements. In doing this, localities would continue maintaining and operating their systems and retain ownership of their assets and give them a little more control over system expansion. In the long-term, localities would be relieved from the regulatory liability associated with wet weather overflows.

Finally, the details of this hybrid plan were defined under a memorandum of agreement, that was just finalized. EPA and DEQ reviewed the hybrid plan and agreed to modify the consent decree and special order by consent if the MOA's approved by all localities. If it is decided to go ahead with the hybrid plan, the decision to sign or not sign the MOA must be made by February 28.

The Chairman asked for any questions.

Commissioner Brenda Garton wanted to know What happens if one or two localities do not agree to it; can one or two localities derail the whole hybrid plan?

Ms. Katchmark replied: Affirmatively. The choice is either everyone agrees with and we go with the hybrid plan or you do not all agree and we stick with the status quo and localities will do the rehabilitation plan and HRSD will do their part.

Commissioner Sheppard asked: why is it all or none? Is it because a lot of localities are already tied into HRSD?

Ms. Katchmark replied; that with the original plan, which consolidates all the assets, it was all or nothing. Then this scenario is Plan B which was developed quickly and you get the savings by having everyone in agreement and being able to do this one, holistic, cost effective regional wet weather plan. We do not have information and analysis on if one or two localities were in or out. HRSD is not interested in having this mixture.

Commissioner Sheppard stated he found it difficult to believe that if one locality does not agree, that the rest of the region is not going to be able to make it economically viable. It does not make sense.

Ms. Katchmark replied: the decisions and deadlines are driven by the EPA and DEQ. There are other options, but they were the only two options that have been well defined and evaluated.

Commissioner Randy Wheeler stated City of Poquoson did approve the agreement.

Commissioner Jack Tuttle stated he thought it is important, that all localities are HRSD customers, so therefore, when the rates go up for HRSD under the wet weather management plan to pay for all of that, if someone were to opt out they would still need their own wet weather management plan to pay for their own separate upgrade. We are all going to pay regardless.

Regional Strategic Plan Update

Ms. Jai McBride, Principal Regional Planner, presented an overview of the regional strategic planning process. During the annual retreat, in February 2013, the Commission authorized staff to develop a process for creating a regional strategic plan. On May 16, 2013 ULI hosted Reality Check. Mr. Robert Grow of Utah was the guest speaker. He talked about the Envision Utah project. This project was successful because of the following process:

- A. Community-based planning techniques
- B. Build consistency among large group
- C. Establish regional corporation
- D. Create urban vision to preserve critical lands to promote water quality and clean air

- E. Provide housing options
- F. Improve the transportation system.

They were guided by diverse group of stakeholders who used community values to find common ground and build consensus.

Angela Williams arrived.

In early June 2013, the PDC had its first in house staff working session, which focused on how to move forward with our process. On June 26, the first steering committee meeting where the project Envision Hampton Roads came about.

On September 30, 2013, the first stakeholder meeting was held. During this meeting the seven step action plan was established. The plan began with identifying regional community values.

The planning actually begins in step four. Values are used to identify or determine regional community vision; then visions are used to formulate value-based regional strategies. Afterwards, the actual planner or creator can begin to identify funding, building and tracking of our performance.

On October 22 the second steering committee meeting was held. During this meeting, the discussion focused on the costs associated with completing step one as well as the importance of qualitative research, which provides information needed to design quantitative studies.

The cost associated with identifying the region's shared values is \$75,000.

- \$15,000 will be used for the listening sessions.
- \$30,000 will used to design an instrument for reporting the findings.
- \$30,000 will used to conduct or execute the survey.

November 13 was the second stakeholder meeting. In this meeting, the budget, as well as the qualitative research, was discussed. A listening session tool kit was also designed. The listening tool kit includes five key questions:

- What community values do you think currently best defines Hampton Roads?
- Do any of the community values or characteristics set Hampton Roads apart from other communities?
- What community values would you like to add to list? out of all listed today?
- Out of all listed today, what are the most worth protecting in Hampton Roads?
- Do you have any questions or input about the envision Hampton Roads process?

On December 9 in the third steering meeting, ULI shared funding strategies.

In this meeting, ULI asked for a commitment from the stakeholders to pledge \$1,000 for the funding of the community value survey. Bill Bell, of Newport News Shipbuilding, agreed to match up to \$22,500.

The goal of Envision Hampton Roads is to establish a regional vision that ultimately creates a blueprint for the region's future that leads to Hampton Roads being a great place to live.

Chairman Wright asked for any questions.

Chairman Wright asked Dwight Farmer to give a briefing on a couple of consent items (8I and 8L) before the approval.

Dwight Farmer, Executive Director, stated that as it relates to Jai's presentation, the HRPDC is in the process of finalizing the final scope of work with Christopher Newport University and a team of other scientists to move forward to do a community value survey and put together a regional strategic plan.

In February with a contract with CNU, we will perform a survey that will take the listening sessions out to the community to see what rises to the top: healthcare, police, education, or transportation. I think we will be surprised of the outcome. We will have the result in late spring .

Chairman Wright opened the floor for questions or comments. Chairman Wright discussed the structure of both boards (PDC/TPO) from late last year.

Mr. Farmer commented that there was not a Personnel and Budget Committee in place for the TPO.

There will now be one Personnel & Budget committee for both the PDC and TPO comprised of the Chair and Vice Chair; 2 Chief Admin Offices, the Treasurer, the Secretary and one additional elected official from the HRPDC.

Submitted Public Comments

Chairman Wright indicated there were no submitted public comments.

Public Comment

Two speakers requested to address the Hampton Roads Planning District Commission.

Chairman Wright introduced the first speaker, Mr. Mark Geduldig-Yatrofsky.

Mr. Mark Geduldig-Yatrofsky

Good Morning. Happy New Year to all. Mr. Chair, honorable commissioners and fellow citizens. We have to stop meeting like this. Not stop meeting, not stop communicating but the time I believe is here when we can leverage our technology assets to enable people to participate in this meeting from places closer to home. I don't recall when the PDC or TPO last looked at the details of the meeting through electronic communications. But I think it's been a number of years and the technology has moved forward to where I think it might now be more easily accomplished. For the people at the far ends of this region, the burden of travel to this meeting on a monthly basis is much greater than those who are closer. It is a time eater, and while technology has its monetary costs, there are in kind costs that some members of this commission are bearing either individually or their localities are bearing. So I urge you re-examine the issue and see if there aren't ways to comply with the open meeting requirements of all levels of government and bringing this together electronically rather than physically.

You also have a leadership responsibility. We talk particularly in Transportation Planning Organizations, about reducing unnecessary travel as a means of reducing the demand for new highways. And so if those of you in this room were to set an example for that sort of behavior, I think it would be useful. Thank you very much.

Chairman Wright introduced the next speaker, Mr. Ellis James.

Mr. Ellis James

Good morning. Thank you, Mr. Chairman, Happy New Year to all of you here in the room. I would be remiss if I didn't mention to my friend that there is value in contact, and there is down the road a disadvantage to the high technology in my opinion, but that's not what I was going to speak about.

A couple of things that are germane to each community's assessment of risk have broken full bore in the national news, but it applies close to home. Chemical spills brought Charleston, West Virginia, to a virtual stand still in many regards. Schools closed, business is lost, impacted and so on. I'm sure you could not have possibly missed what has gone on for the last week. I would urge each one of the communities to do a quick survey and review of facilities, storage tanks, that kind of things. I'm not picking on my friends in Chesapeake, but I do want to mention that one day in Chesapeake, we had a major tank collapse and it caught everyone by surprise, but I think the assessment and the study of what happened in the end proved that we didn't stay on top of inspections and monitoring exactly what was going on.

The other thing I would mention, because that is such a self-evident issue, I believe. The other thing is the election. Oh, I guess you noticed I was involved in the election. The local boards did an excellent job in a very difficult situation. When I opened up Baron Black in Norfolk at 5:30 in the morning, it was minus five wind chill. Many, many, many of our citizens did not vote in the state Senate six elections. Eight votes, nine votes is as good as nine hundred, but it's extremely important that we try to be able to handle that kind of situation and especially when it's a weather event. So I would urge the communities to pay close attention to the issue of a nonpartisan, bipartisan, if it need be, committee to do the drawing of district lines. There is legislation I believe in currently in the General Assembly and I would urge each one of the

communities to please study this issue carefully to push for some common sense in the drawing of district lines. Thank you Mr. Chairman.

Approval of Consent Items

Chairman Wright asked for approval of the following consent items:

- A. Minutes of November 21, 2013 Meeting
- B. Treasurer's Report
- C. Regional PNRS Reviews – Monthly Status Report
 - 1. PNRS Reviews
 - 2. Environmental Impact Assessment/Statement Review
- D. Budget Amendment – Personnel
- E. Appointment of a Southside HRPDC representative to the HRMMRS Oversight Committee
- F. Contract for James City County Comprehensive Plan
- G. Hampton Roads Watershed Roundtable Grant Authorization
- H. Revisions to HRPDC/HRTPO Personnel Manual
- I. Memorandum of Understanding between HRPDC and HRTPO regarding Personnel and Budget Committee
- J. Contract for Envision Hampton Roads
- K. 2014 Economic Forecast
- L. Consultant Services Contract Task Order

Commissioner Shepperd Moved to approved the consent items; second by Commissioner McKinley Price. The Motion carried.

HRPDC Three Month Tentative Schedule

Chairman Wright outlined the Three Month Tentative Schedule section of the agenda.

Chairman Wright reminded the Commission that next month is the Commission's annual retreat.

Commissioner Shepperd commented on the last retreat by stating, that we were the only place where many municipalities with the mixture of the city and county administrators tied to or associated with actions, briefings and common points with elected representatives. This is a great opportunity for folks to share or bring up issues of significance. Sometimes there is a tendency, I think, why with this group to be a little shy or not stepping forward on an issue so it can be voiced, heard and understood. Mr. James comes up here every time we show up and he presents really interesting points and I see people shaking their heads and saying yes to stuff. We need to take advantage of PDC opportunity to share information from one side of the Hampton Roads to the other. I sometimes feel a little frustrated with the fact that I do not necessarily get that engagement

or the ideas that you guys have, but I encourage you to bring this to our retreat so that we can share these ideas, because I hate to see us lose opportunities.

Commissioner Wheeler commented that he agrees with Mr. Shepperd comments. It is unfortunate that the retreat is scheduled at the same time as the Local Government Manager's Winter Conference. Each year this point is brought up and it is still so many of us would be at the Winter Conference than here, but you had to make a choice. I apologize for that because I would rather be here.

Project Status Reports and Advisory Committee Summaries

Chairman Wright identified the advisory summary section of the agenda.

Old/New Business

Chairman Wright identified the Old/New Business section of the agenda

Whitney Katchmark commented on the New Business to modify our legislative agenda. There is a renewed interested in drilling oil in the Taylor Basin, Northern Neck of Peninsula.

The reason for the modification of the agenda is to support legislation that would protect the aquifer system.

Commissioner Shepperd asked if that was offshore drilling? Ms. Katchmark replied negatively.

Commissioner Shepperd asked; if it was onshore? Ms. Katchmark replied affirmatively.

Chairman Wright asked for a motion to adjourn at 10:30 a.m.

After the motion to adjourn, Chairman Wright asked if PDC would remain for an important announcement.

Mr. Farmer announced that he will be retiring on July 1, 2014.

Adjournment

Kenneth I. Wright
Chairman

Dwight L. Farmer
Executive Director/Secretary

**Hampton Roads Planning District Commission and the
Hampton Roads Transportation Planning Organization (TPO)
Joint Retreat Minutes of February 20, 2014**

The Joint Retreat of the Hampton Roads Planning District Commission (HRPDC) and the Hampton Roads Transportation Planning Organization (HRTPO) was called to order at 10:35 a.m. in the Regional Board Room, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

HRPDC/HRTPO Members in Attendance:

Kenneth I. Wright, HRPDC Chair (PO)	Linda T. Johnson (SU)
McKinley Price, HRTPO Chair (NN)	Tyrone Franklin (SY)
James E. Baker (CH)	John Seward (SY)
Amar Dwarkanath (CH)	Robert Dyer (VB)*
Alan P. Krasnoff (CH)	Barbara Henley (VB)
Ella Ward (CH)	Louis Jones (VB)
Barry Cheatham (FR)	Amelia Ross-Hammond (VB)
Randy Martin (FR)	William D. Sessoms (VB)
John Meyer (GL)	James Spore (VB)
Mary Bunting (HA)	Clyde Haulman (WM)
Dee Dee Darden (IW)	Jackson C. Tuttle, II (WM)
Mary Jones (JC)	Thomas G. Shepperd, Jr. (YK)
Jim Bourey (NN)	Shepelle Watkins-White (CTAC)
Sharon Scott (NN)*	Jennifer Mitchell (DRPT)
Paul D. Fraim (NO)	Ivan Rucker (FHWA)
Marcus Jones (NO)*	William E. Harrell (HRT)
John Rowe (PO)	Colonel Jayne Jansen (Langley-Eustis)
Barry Porter (SH)	James Utterback (VDOT)
Charles Brown (SU)	Jeff Florin (VPA)
Selena Cuffee-Glenn (SU)	Kevan Danker (WATA)

HRPDC/HRTPO Members Absent:

Scott Matheson (CH)	Irene Rico (FHWA)
Debbie Ritter (CH)	Tony Cho (FTA)
Brenda Garton (GL)	Brigid Hynes-Cherin (FTA)
Will J. Moffett (HA)	William Bell (FTAC)
George Wallace (HA)	Senator Thomas Norment (GA)**
Anne Seward (IW)	Senator Frank Wagner (GA)**
Doug Powell (JC)	Delegate Chris Stolle (GA)**
Thomas Smigiel (NO)	Delegate David Yancey (GA)**
Angelia Williams (NO)	Col. John Allen (Langley-Eustis)
W. Eugene Hunt (PQ)	Col. William Galbraith (Langley-Eustis)
J. Randall Wheeler (PQ)	Wayne Shank (NAA)
Michael Johnson (SH)	Ken Spirito (PAC)
John Moss (VB)	Capt. Robert Clark (USN)
John Uhrin (VB)	Capt. John Little (USCG)
James O. McReynolds (YK)	Randall P. Burdette (VDOA)
Jeffrey Breeden (FAA)	Rodney Oliver (VPA)

HRTPO Executive Director:

Dwight L. Farmer

CTB Participants:

Hollis Ellis
John Malbon
Shep Miller

Other Participants:

Secretary Aubrey Layne, Jr.	Allen Murphy (JC)
David White (FTAC)	Bruce Phillips (SH)
Jamie Oliver (IW)	Peter Huber (Willcox & Savage)

* Late arrival or early departure

** Not in attendance due to the 2014 General Assembly Session

Others Recorded Attending:

Cliff Dunn, Jonathan Nye (Citizens); Mark Osenbaugh, Earl Sorey (CH); Brian DeProfio (HA); Michael King (NN); Jeff Raliski, Ron Williams (NO); Bob Baldwin (PO); Sherry Hunt (SU); Bob Matthias, Brian Solis (VB); Rhonda Murray (Navy Region Mid-Atlantic); Tracy Baynard (McGuire Woods Consulting); Bruce McIntosh (EV Williams); Ellis W. James (Sierra Club Observer); Mark Geduldig-Yatrofsky (Portsmouthcitywatch.org); David Forster (Virginian-Pilot); Cathy Grimes (Daily Press); Karen McPherson (McPherson Consulting); Terry Danaher (CTAC); Shannon Moody (US 460 Mobility Partners); Megan O'Reilly (Commonwealth Connector); Diane Kaufman (Senator Kaine's Office); John Hendrickson, Scott Lovell (Parsons Brinckerhoff); Will Christopher (HRPTA); Craig Quigley (HRMFFA); Dan Bell, Robby Gayer (FHR); Ray Amoruso, Brian Smith (HRT); Marshall Herman, Dawn Odom, Eric Stringfield (VDOT); Cathy Aiello (Aiello Enterprises); Camelia Ravanbakht, Sam Belfield, Rob Case, Brian Chenault, Arkopal Goswami, Kathlene Grauberger, Danetta Jankosky, Theresa Jones, Michael Kimbrel, Brian Miller, Kendall Miller, Jessica Nappi, Joe Paulus, Dale Stith, Chris Wichman (HRTPO Staff); Shernita Bethea, Curtis Brown, Rick Case, Jennifer Coleman, Nancy Collins, Rebekah Eastep, Greg Grootendorst, Julia Hillegass, Jim Hummer, Whitney Katchmark, Randy Keaton, Sara Kidd, Mike Long, Jai McBride, Kelli Peterson, Jenny Tribo, Chris Vaigneur, Tara Walker (HRPDC Staff)

Public Comment Period

One person requested to address the HRPDC and the HRTPO Boards. HRTPO Chair Price asked him to limit his comments to three minutes.

Mr. Mark Geduldig-Yatrofsky

Okay. I hope I don't anticipate you, sir. I'm Mark Geduldig-Yatrofsky from Portsmouth and Hampton Roads. I have been lobbying in Richmond against two bills that I think are not ready for prime time. They're House Bill 1253 and Senate Bill 513. I have passed out – or thanks to the good staff here, I've passed out copies of my principal objections to those bills. I want to cite the fact that these concepts, the structural framework for these bills has never been vetted in the region, the public has had no input, and a number of people who have become aware of the bills in addition to myself have grave concerns about them. There are petitions circulating. They have been distributed to the members of the General Assembly, and I personally have been there on two occasions to pass out letters similar to these to them expressing my

concerns. Now, I know the TPO is interested in having bonding authority to leverage the funds that we're receiving under last year's transportation bill, and I don't object to that per se. I recognize that it's a well-established practice; the Commonwealth does it ever since Harry Byrd's regime was dissolved, but there are other issues in the bill, and let me say this about bonding. In the event of a default by the Hampton Roads Transportation Accountability Commission, who is going to be on the hook for it? If we follow the SPSA model that would mean all the constituent localities would be on the hook for the outstanding debt. The bill, the bills do not address that particular point and I think it should be a matter of concern to all of us. The other problem I have is the Governments. The proposal is that the Mayors and Chairs and some select members of the General Assembly would be the voting members of the Governing Board for the Accountability Commission. Well, that's well and good but that means there's only one member who is actually accountable to me, that's my Mayor. If I want to fire Mayor Krasnoff or Mayor Sessoms from the Board, that's not an option. To me, and I just choose them as, you know, visible examples. To me, a better model would be what Virginia Beach uses for its bureau representatives whereby there would be somebody from each geographic location, but elected by the region as a whole, but I'm not here to improve the bill, I'm here to ask you to haul it in, review it, and put something else in after the public has had input to the process. Thank you.

(Ms. Sharon Scott arrives)

Submitted Public Comments

Chair Price reported there were no submitted public comments.

Approval of Agenda

Chair Price asked for any additions or deletions to the agenda. Mayor Wright Moved to approve the agenda as written; seconded by Mr. Barry Cheatham. The Motion Carried.

Retreat Agenda

Legislative Briefing

The Honorable Aubrey Layne, Secretary of Transportation, thanked the HRPDC and the HRTPO Boards for inviting him to present a legislative update at its Retreat. He planned to discuss House Bill (HB) 2, currently in the General Assembly and the proposed Hampton Roads Transportation Accountability Commission (HRTAC). He indicated that under HB2, statewide monies from the Six-Year Improvement Program (SYIP) would stay at the HRTPO level and the HB2313 regional monies would funnel into the proposed HRTAC.

Secretary Layne outlined HB2 as follows:

- Directs the Commonwealth Transportation Board (CTB) to develop a statewide prioritization process for construction funds
- Would start with the FY 2017 – 2022 Six-Year Improvement Program (SYIP)
- Projects fully funded as of June 30, 2014 and that have completed the environmental review may be exempt from the process

- Requires the CTB to use the following facts in the evaluation of projects:
 - Congestion Mitigation
 - Economic Development
 - Accessibility
 - Safety
 - Environmental Quality
- Factors will be weighted differently in various districts
- Does not apply to the following state funds:
 - Bridge replacement/rehabilitation
 - Revenue Sharing Program
 - Federal Congestion Mitigation Air Quality (CMAQ), Highway Safety Improvement Program (HSIP), and Transportation Alternatives (TA) Program
 - State secondary and urban formula funds
- Does not apply to regional funds in Northern Virginia, Hampton Roads or federal Surface Transportation Funds (STP) funds controlled by the Metropolitan Planning Organizations (MPOs).

(Mr. Marcus Jones arrives)

Secretary Layne stated the CTB is collaborating with Speaker Bill Howell with regards to the Statewide Prioritization Process. He noted the CTB will review the HRTPO Prioritization Process along with other procedures utilized by Northern Virginia, other regions around the Commonwealth, and other states in order to create a prioritization process that will meet the needs of all regions.

Secretary Layne noted there are no additional statewide monies from HB2313 and the CTB recently reduced its previous projections by \$700 million because of lower gasoline prices at both the wholesale and retail levels. He indicated that unless economic activity or gasoline prices increase substantially, the SYIP will remain flat for the foreseeable future.

(Mr. Robert Dyer arrives)

The five factors the CTB will use in order to determine prioritization will receive different weighting in different regions. Whereas congestion mitigation will receive a higher weight in urban areas, economic development will more than likely receive a higher weight in rural areas.

He noted that the SYIP, after accounting for the project and program exclusions, will contain approximately \$600 million a year in the outer years. Much of the SYIP today is money used for rehabilitation with no new construction projects.

Along with public hearings in each district of the Commonwealth, there will be changes to the VDOT planning process. Secretary Layne stated his intent to bring greater transparency to VDOT and the CTB will have greater input into the actual planning of the SYIP.

Secretary Layne reported the purpose behind the proposed Hampton Roads Transportation Accountability Commission (HRTAC) is two-fold: to separate the HB2313 regional monies and to ensure that these funds will be utilized for regionally specific projects that would otherwise not be completed with statewide funds. He summarized the proposed HRTAC as follows:

- Set forth from HB1253 (Patroned by Delegate S. Chris Jones) and SB513 (Patroned by Senator Frank Wagner and Senator L. Louise Lucas)
- Establishes the Accountability Commission for the Hampton Roads region
 - Will serve as a financing arm for the Hampton Roads Regional Fund (HRTF)
 - Provides policy oversight for key regional projects advanced with regional funds
- VDOT would continue to oversee construction of projects
- HRTAC Board would consist of 21-22 members
 - Chief Executive of the 14 member local governments
 - 3-4 members of the General Assembly
 - 4 ex officio members
 - CTB members from the area, DRPT Director, Commissioner of Highways, VPA Director
- Affirmative decisions require two-thirds vote of members representing at least two-thirds of the regional population
- Powers of the HRTAC include:
 - Issuing bonds backed by regional revenues
 - Setting toll rates for toll projects advanced using regional revenues
 - Negotiating public private partnerships as the responsible public entity

Secretary Layne stated it was important to know that the HRTAC does not have the ability to raise taxes; however, it does have the ability to toll since the Virginia Supreme Court has ruled that a toll is not a tax. He indicated the HRTAC is only for accounting purposes for the HB2313 regional monies, along with any TIGER or other grant funds. It will hold these funds in an account and the HRTPO will determine which projects will be allocated funds. All administrative costs would be borne by the HRTAC and any possible project default will be HRTAC's responsibility rather than any locality. It is modeled from the Northern Virginia Transportation Authority (NVTA); however, it will have more authority.

He acknowledged HRTAC's proposed voting system has been questioned and indicated that any changes would have to come directly from Delegate Chris Jones.

Due to the lack of transparency regarding the Midtown Tunnel/Downtown Tunnel/Martin Luther King (MT/DT/MLK) Extension public-private partnership (P3) project, HB1253/SB513 delegates any future P3 decisions in the hands of the local elected officials through the HRTAC.

Secretary Layne indicated that for the past six months he has been working with VDOT on every major project in Hampton Roads developing a model using the HB2313 regional monies. Each major project in Hampton Roads would be input into the model and of those major projects, any water crossing project would be tolled. Using this assumption, he believed every mega project in Hampton Roads could be constructed in the next 25 – 30

years. He noted he will present the model to the HRTPO Board in the future and the Board can decide whether to utilize it.

Mayor Wright inquired as to the current status of HB1253/SB1253. Secretary Layne replied the bill was passed in both the House and Senate; however, it is going into conference and some changes will be made. He indicated his office is in contact with Senator Wagner and they are working on the detailed language regarding the administrative work to ensure there is no duplication of effort between the HRTAC and the HRTPO.

Mr. Tom Shepperd asked if HB1253/SB513 would allow for the use of HB2313 regional monies in the establishment of HRTAC along with personnel costs. Secretary Layne replied affirmatively.

Mr. Shep Miller expressed his support for HB1253/SB513 and commented that most of the costs involved will already be borne by the HRTPO and could possibly be staffed by HRTPO staff. Secretary Layne stated it would depend on the degree of bonding activity by the HRTAC.

Mayor Linda Johnson stated HB1253/SB513 originally called for the localities to bear the administrative cost and asked for clarification. Secretary Layne replied the intent is for the monies to be borne by the HB2313 revenues.

Mayor Johnson asked whether the bill still contained specific language regarding voting procedure with respect to the two-thirds vote. Secretary replied affirmatively and indicated the intention was that one person could not ideologically stop a project.

Mayor Johnson inquired as to whether alternates could be utilized on the HRTAC if the appointed elected official was sick or injured. Secretary Layne replied it would be an administrative item that could be reviewed.

Mr. Ivan Rucker asked for clarification regarding the additional tiered voting structure in HB1253/SB513. Secretary Layne replied that criteria would not apply in Hampton Roads.

Ms. Amelia Ross-Hammond inquired as to why a toll was not considered a tax. Secretary Layne replied the latest Supreme Court ruling of Virginia declared a toll was not a tax. The CTB, VDOT, and the General Assembly have the power to toll and could delegate that power to a third party for a P3 project. He reiterated the HRTAC will not have the ability to tax.

Mayor William Sessoms expressed his appreciation for Secretary Layne's efforts and stated the HRPDC and HRTPO were honored to have the Secretary hale from Hampton Roads.

Secretary Layne thanked the members and stated the Governor plans for Hampton Roads to become the economic engine of the Commonwealth.

Mayor Alan Krasnoff echoed Mayor Sessoms' comments and also commended Mr. Jim Utterback of VDOT for his efforts during the snowstorm last week. Mr. Layne also thanked Mr. Utterback and noted the Governor's intent to provide the best for the State.

Secretary Layne introduced Ms. Jennifer Mitchell as the new Virginia Director of Rail and Public Transportation (DRPT) and indicated she is extremely knowledgeable in both the private and public sectors.

Chair Price expressed his gratitude to Secretary Layne for taking the time to speak to the HRPDC and the HRTPO.

Mr. Farmer reported that since Secretary Layne was able to provide a legislative update, it was not necessary for him to speak on the subject. He did, however, inform the HRPDC and the HRTPO that staff is currently working on the 2040 Fiscally Constrained Long-Range Transportation Plan (LRTP). He noted the draft revenue estimates for the 2040 LRTP, which are derived from FY 2014 – FY 2040, are estimated to be over \$25 billion. This includes \$5.5 billion in HB2313 regional monies, \$2.5 billion of HB2313 statewide monies, maintenance funds, as well as traditional state and federal funds.

Mayor Paul Fraim asked how the \$25 billion was determined. Mr. Farmer stated HRTPO staff will craft a chart for the March meeting.

Mayor Krasnoff asked if the chart could be drafted for today's retreat. Mr. Farmer replied affirmatively.

Mr. Shepperd asked whether the region's percentage was still at 19% for state monies. Mr. Farmer replied affirmatively.

Mr. Hollis Ellis inquired as to the total amount of HB2313 regional monies. Mr. Farmer replied the Hampton Roads Transportation Fund (HRTF) total is \$8.4 billion which includes both the regional and statewide funds.

After more discussion Mr. Farmer displayed a slide which showed the various components of the \$25 billion of revenues for FY 2014 – FY 2040.

HRPDC/HRTPO Organization Structure: Succession Planning

Mr. Dwight Farmer, HRPDC/HRTPO Executive Director, reported that at the request of the HRPDC and HRTPO Chairs, he prepared background information and options for the succession planning after his retirement in July 2014. He indicated his preference to step aside and defer to the HRPDC and the HRTPO once his presentation was complete. He stated prior to 2008, the Hampton Roads Planning District Commission (HRPDC) was the umbrella organization with the HRPDC ratifying any decisions approved by the Hampton Roads Metropolitan Planning Organization (HRMPO). Shortly after his promotion to Executive Director, the HRMPO was required to reform itself as the Federal Highway Administration (FHWA) was concerned that it was subservient to the HRPDC. As part of the reform, in May 2008, several Memoranda of Understanding (MOUs) were executed by the HRPDC and the newly named Hampton Roads Transportation Planning Organization (HRTPO) in order to share financial and administrative staff support. Mr. Farmer stated he created both an HRPDC and HRTPO Deputy Executive Director position responsible for overseeing the daily operations of their respective organizations. In November 2013, an MOU was approved between the HRPDC and the Hampton Roads Military and Federal Facilities Alliance (HRMFFA) to share staff, financial resources, and building space. In

January of this year, the HRPDC and the HRTPO formally adopted an MOU to create a joint Personnel and Budget Committee.

Mr. Farmer believed the HRTAC, if approved through legislation, would be established by July 2014 and housed in the Regional Building with at least an Executive Director and Project Manager. The Executive Director and any other HRTAC staff would be collaborating with VDOT on a daily basis to manage the financing and construction of the HRTF projects. He indicated that from July 1, 2014 to July 1, 2015, at a minimum, the Deputy Executive Directors could act as Interim Executive Directors.

He stated another option could be to have separate Executive Directors for both the HRPDC and HRTPO. The Boards would continue to act autonomously and staffing could be shared between the HRPDC, HRTPO, HRMFFA, and the HRTAC. He indicated the elimination of his position, serving both entities, along with the two Deputies coming forward as new Executive Directors, could possibly deter any budgetary increases.

Mayor Wright thanked Mr. Farmer for his presentation and stressed that he provided the briefing at the request of the HRTPO and HRPDC Chairs.

Mayor Sessoms stated the HRTPO is faced with an immense opportunity to construct transportation projects that will benefit the entire region and questioned whether it was realistic to change the structure of the HRPDC and HRTPO with no budgetary increase to personnel costs. Mr. Farmer replied the HRTPO has an enormous obligation to the public regarding the utilization of the HRTF funds and acknowledged that it might be wise to invest in HRTAC leadership roles.

Mr. Louis Jones commented that with four different organizations sharing staff resources, it would be necessary to have one person oversee them in order to ensure continuity.

Mayor Clyde Haulman noted as a probable Board member of the HRPDC, HRTPO, and the HRTAC, it would seem more beneficial to have a single point of contact to coordinate the Boards. Also, he indicated a single voice for the region's transportation and planning made more sense.

Mayor Fraim expressed concern with having one Director responsible for three Boards as the HRTAC Director would be handling billions of dollars' worth of projects. He believed it would be better to have a separate HRTAC Executive Director and combine the HRPDC and HRTPO Executive Director positions.

Mayor Haulman appreciated Mayor Fraim's comments; however, he believed the Boards could find the right individual for the position who understands the big picture to coordinate the three Boards with the right Deputy Executive Directors to oversee the daily operations.

Mr. Jeff Florin agreed with Mayor Fraim and stated that although there is synergy between the organizations, there is the opportunity for a nationwide search to find a dynamic HRTAC Executive Director. He also suggested the hiring of a financial person that would be similar to the position held in the P3 Office in Richmond.

Mr. Farmer reminded the Boards that he has converted a part time employee to that of a full time position in order to handle the financial aspect of the HRTF revenues.

Mr. Shepperd stated that while there is an advantage of having one leader, the subjects handled by the HRPDC and the HRTPO are significantly different and he expressed concern that the HRPDC may atrophy if not given the correct leadership and function. Mayor Wright replied this subject was discussed between the two Chairs and he recommended utilizing the Deputy Executive Directors as interims as a skeleton structure in order to deliberate more on how the final structure should be composed.

Mr. Shepperd agreed with Mayor Wright's comments.

Mr. Farmer stated it has been difficult for him to immerse himself in both the HRTPO and the HRPDC and give both organizations their due justice. He suggested that over the next 15 months, the Boards should remain flexible.

Mayor Johnson stated that with the opportunity that has been presented to the HRTPO, it would be wise to spend the necessary dollars to ensure the right people are in leadership roles. Mr. Farmer agreed and indicated the Project and Financial Managers are highly skilled positions that need to be filled properly.

Mr. Miller expressed concern with regards to duplication of effort between the HRTPO and HRTAC and stated the two organizations must be transparent in their processes and inextricably linked to be successful.

Mr. Tyrone Franklin asked whether the current leadership structure could continue. Mr. Farmer replied that as Executive Director of three organizations, his efforts would be diluted simply because it would be too cumbersome. He suggested the matter be referred to the Joint P&B Committee with a recommendation forthwith at the March HRPDC and HRTPO meetings.

Mayor Johnson asked that the P&B Committee be given exact responsibilities to be carried out by the HRTAC. Mr. Farmer replied affirmatively.

Mr. Kevan Danker believed the area would benefit from a single, strong vision and suggested one Director who could coordinate between the three organizations.

Mr. Farmer stated Delegate Chris Stolle is focused on statewide prioritization and has praised the HRTPO Board for its efforts on its prioritization initiative that was achieved three years ago.

Mr. Miller commented that statewide prioritization will be a difficult process but once completed, it will benefit the entire Commonwealth.

Ms. Jennifer Mitchell noted she was involved with the evolution of the NVTAs and stressed the importance of having professional staff in place with an Executive Director, a CFO, a Transportation Planner, and administrative staff that could assist with outreach to the jurisdictions. She agreed that project management resources need to be specialized, and she encouraged the HRPDC and the HRTPO members to reach out to their Northern

Virginia colleagues to obtain their knowledge regarding the NVTA process. She indicated the HRTAC would be a difficult program to administer.

Mayor Wright recommended the matter be referred to the Joint P&B Committee with a recommendation forthwith at the March HRPDC and HRTPO meetings.

Chair Price agreed and stated the HRTPO will continue to watch the status of HB1253/SB513 in order to better understand which direction the leadership roles should evolve for the organizations

Old/New Business

There was no old/new business.

Adjournment

With no further business to come before the HRPDC and the HRTPO, the retreat adjourned at 12:19 p.m.

McKinley Price
Chair

Dwight L. Farmer
Executive Director/Secretary

**FISCAL YEAR 2014
12/31/13
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	285,567	Current Liabilities	1,454,314
Accounts Receivables	1,530,574	Net Assets	5,738,574
Investments	4,040,522		
Other Current Assets	664		
Net Capital Assets	<u>1,335,561</u>		
Total Assets	<u><u>7,192,888</u></u>	Total Liabilities & Equity	<u><u>7,192,888</u></u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Previous YTD	Current Month	YTD
Grant and Contract Revenue	5,808,064	3,053,564	1,085,609	4,139,173
VDHCD State Allocation	151,943	75,971	-	75,971
Interest Income	18,000	7,023	1,078	8,102
Local Jurisdiction Contributions	1,340,182	1,339,935	-	1,339,935
Other Local Assessment	1,820,013	1,146,998	-	1,146,998
Sales and Miscellaneous Revenue	94,350	18,889	618	19,507
Special Contracts/Pass thru	<u>2,051,359</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenue	<u><u>11,283,911</u></u>	<u><u>5,642,379</u></u>	<u><u>1,087,306</u></u>	<u><u>6,729,685</u></u>
EXPENDITURES				
Personnel	4,559,466	1,774,985	357,045	2,132,030
Standard Contracts	202,945	105,933	6,718	112,651
Special Contracts / Pass-Through	5,719,362	1,670,521	1,237,546	2,908,067
Office Services	802,138	182,125	32,722	214,847
Capital Assets	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Expenses	<u><u>11,283,911</u></u>	<u><u>3,733,565</u></u>	<u><u>1,634,030</u></u>	<u><u>5,367,595</u></u>
Agency Balance	<u><u>-</u></u>	<u><u>1,908,814</u></u>	<u><u>(546,724)</u></u>	<u><u>1,362,090</u></u>

**FISCAL YEAR 2014
1/31/14
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	655,326	Current Liabilities	1,575,645
Accounts Receivables	1,692,264	Net Assets	5,739,673
Investments	3,641,196		
Other Current Assets	664		
Net Capital Assets	<u>1,325,868</u>		
Total Assets	<u><u>7,315,318</u></u>	Total Liabilities & Equity	<u><u>7,315,318</u></u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Previous YTD	Current Month	YTD
Grant and Contract Revenue	5,808,064	4,139,173	723,574	4,862,747
VDHCD State Allocation	151,943	75,971	37,986	113,957
Interest Income	18,000	8,102	674	8,776
Local Jurisdiction Contributions	1,340,182	1,339,935	-	1,339,935
Other Local Assessment	1,820,013	1,146,998	-	1,146,998
Sales and Miscellaneous Revenue	94,350	19,507	1,143	20,650
Special Contracts/Pass thru	<u>2,051,359</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenue	<u>11,283,911</u>	<u>6,729,685</u>	<u>763,377</u>	<u>7,493,063</u>
EXPENDITURES				
Personnel	4,559,466	2,132,030	386,662	2,518,692
Standard Contracts	202,945	112,651	4,610	117,261
Special Contracts / Pass-Through	5,719,362	2,908,067	332,524	3,240,590
Office Services	802,138	214,847	38,483	253,330
Capital Assets	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Expenses	<u>11,283,911</u>	<u>5,367,595</u>	<u>762,278</u>	<u>6,129,873</u>
Agency Balance	<u><u>-</u></u>	<u><u>1,362,090</u></u>	<u><u>1,099</u></u>	<u><u>1,363,189</u></u>

Project Notification and Reviews

Date 1/21/2014 **CH #** VA131226-0523620

Title Proposed FRHA Real Estate Purchase

Applicant Franklin Redevelopment and Housing Authority

State/Federal Program USDA - Rural Redevelopment

Type of Impact City of Franklin

Project Staff Sara Kidd

Project Description

The Franklin Redevelopment and Housing Authority (FRHA) is proposing to purchase the former BB&T bank building at 100 E. 4th Ave in Franklin, VA to relocate their main office. The funding for this purchase is being loaned to FRHA by the USDA - Rural Development program. Some of the funds will also be used for renovation costs.

Federal	\$671,000.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$671,000.00	

Date 2/21/2014 **CH #** VA141220-0923xxx

Title Chesapeake Bay Journal

Applicant Chesapeake Media Service, Inc.

State/Federal Program Chesapeake Bay Program

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

Chesapeake Media Service is requesting continuing funds to produce 10 issues of the Bay Journal, maintain the Bay Journal website, and distribute articles. The Bay Journal is the principal public information tool of the Chesapeake Bay Program.

Federal	\$327,000.00	Local	\$0.00
Applicant	\$117,333.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$444,333.00	

Environmental Impact Reviews

Received 1/7/2014

Number 14-004S

Name Southeastern Virginia Training Center, Administrative Building

Sponsor Behavioral Health and Developmental Services

Description

The Department of Behavioral Health and Developmental Services (DBHDS) submitted an environmental impact report (EIR) for the construction of an administrative building at the DBHDS Southeastern Virginia Training Center in the City of Chesapeake. The EIR states that Armada Hoffler is proposing to purchase a 3.25-acre portion of the Southeastern Virginia Training Center and construct an administrative building for the center on that property. Armada Hoffler will lease the new building to Southeastern Virginia Training Center. The administrative building will house many services (bank, hair dresser and doctor) that individuals residing in the residential units at the Southeastern Virginia Training Center will use.

Affected Localities Hampton

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 2/7/2014

Final State Comments Received 2/26/2014

Received 1/16/2014

Number 14-011F

Name Integrated Cultural Resources Management Plan Revision, Facilities of the Virginia National

Sponsor Department of Military Affairs

Description

The Department of Military Affairs (DMA) submitted an environmental assessment (EA), including a federal consistency certification (FCC), for the implementation of the Integrated Cultural Resources Management Plan (ICRMP) for more than 60 Virginia National Guard facilities throughout Virginia. The ICRMP provides a basis for installation commanders to make decisions on cultural resources management actions during the next five years and defines specific procedures for federal and state cultural resource compliance. The EA addresses the potential impacts of the preferred alternative (implementation of the ICRMP) and the no-action alternative. Both alternatives would include continued archaeological investigations which would result in temporary disturbance to geology, topography, soils and biological resources. The EA indicates that wetlands and surface waters may be affected indirectly from runoff even if mitigation measures are implemented. However, significant impacts are not anticipated. The FCC states that the proposed project will be consistent with the Virginia Coastal Zone Management Program (VCP).

Affected Localities Virginia Beach Norfolk Portsmouth

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 2/14/2014

Final State Comments Received

Received 1/16/2014

Number 14-010F

Name Construct Airport Security Perimeter Road, Chesapeake Regional Airport

Sponsor USDOT/Federal Aviation Administration

Description

The Chesapeake Regional Airport Authority (Airport Authority or applicant) proposes to construct a security perimeter road at the Chesapeake Regional Airport (CPK) in the City of Chesapeake. The Chesapeake Regional Airport Security Plan recommends the installation of cameras at various points along the airport perimeter to enhance airport security. A security road adjacent to and inside of the existing Airport fence line will allow the Airport to monitor the security fence, access all areas of the airport perimeter, and provide access to the airport perimeter for law enforcement and emergency response vehicles in the event of an emergency. The proposed project includes the following actions: grading fifteen acres for the security road and roadway shoulders; clearing and grubbing twelve acres of brush within the fifteen acres of grading to create a 32-foot wide corridor for the road; installing twelve culverts for the road to cross at existing airport drainage ditches; and constructing a 12-foot wide by 20,350-foot long gravel security road totaling 5.6 acres of new impervious surface. All construction will take place on airport property inside of the existing airport security fence around the entire boundary of the airport. The total project Limits of Disturbance (LOD) will be 15 acres. The Airport Authority has submitted a Federal Consistency Certification that finds the proposed project consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Chesapeake

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 2/12/2014

Final State Comments Received

Received 1/31/2014

Number 14-021S

Name Library - Phase II Project

Sponsor Christopher Newport University

Description

Christopher Newport University (CNU) submitted an environmental impact report for the construction of a proposed addition to Paul and Rosemary Tribble Library on CNU's campus located in the City of Newport News. The proposed project also includes renovation of the existing library. The proposed expansion of the library at the southeast edge of the Great Lawn will include adding a second story over the one-story portion of the existing building and expanding it 75 feet towards the northeast. The site's footprint encompasses approximately 20,000 square feet (0.46 acres), including portions of the existing library and a small portion of an existing parking lot.

Affected Localities Newport News

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 2/26/2014

Final State Comments Received

Received 2/14/2014

Number 14-025F

Name Construction and Operation of a Small Arms Range Facility at Naval Weapons Station Yorkt

Sponsor DOD/Department of the Navy

Description

The Department of the Navy (Navy or applicant) proposes to expand and modernize an existing small arms range facility at Naval Weapons Station (NWS) Yorktown located in York County and the City of Newport News. The proposed expansion would include the construction and operation of one 27-lane rifle range with a target distance of approximately 500 yards and one 27-lane pistol range with a target distance of approximately 50 yards. Associated range amenities would include ordnance storage magazines, an operations building for range administration and instruction, an armory for weapons storage, designated areas for weapons maintenance, covered areas for on-site instruction, and a shop for target storage and assembly. In addition, the project would include surface preparation or grading and the widening, re-surfacing, and re-routing of select roadways on NWS Yorktown. Other infrastructure associated with the proposed action would include vehicle control gates to limit access to the range safety danger zones (SDZs) during operations; electrical systems such as distribution lines, lighting, and telecommunications; and mechanical systems such as heating, ventilation and air conditioning (HVAC), potable water, sanitary sewer, and fire protection and supply systems. The total area necessary to implement the proposed action is approximately 31 acres, which includes the proposed range footprints (approximately 26 acres) and areas adjacent to existing roadways at NWS Yorktown where proposed transportation and utility upgrades would occur (approximately 5 acres). The Navy has submitted a Federal Consistency Determination (FCD) that finds the proposed project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities York County James City Count

Finding

Comments Sent

Final State Comments Received

Received 3/7/2014

Number 14-037F

Name Atlantic OCS Proposed Geologic and Geophysical Activities, Mid-Atlantic and South Atlantic

Sponsor DOI/Bureau of Ocean Energy Management

Description

Atlantic OCS Proposed Geologic and Geophysical Activities, Mid-Atlantic and South Atlantic Planning Areas

Affected Localities HRPDC

Finding

Comments Sent

Final State Comments Received

**FY2014 BUDGET AMENDMENT
March 20, 2014**

COASTAL ZONE 2014

REVENUES			Original		Amended	TPO	PDC	TPO	PDC	
NEW REVENUES		Code	Element	Budget	Amendment	Budget	Pass-Thru	Pass-Thru	Operations	Operations
	VCZMP - Sea Level Rise - VB	40800	2xxxxx	0	7,964	7,964	0	0	0	7,964
	VCZMP - Sea Level Rise - TA	40800	256800	0	9,917	9,917	0	0	0	9,917
	VCZMP - Native Plants	40800	257000	0	9,826	9,826	0	0	0	9,826
	VCZMP - Match 14	45400	2xxxxx	0	7,964	7,964	0	0	0	7,964
	VCZMP - Match 14	45400	256800	0	9,917	9,917	0	0	0	9,917
	VCZMP - Match 14	45400	257000	0	4,913	4,913	0	0	0	4,913
	TOTAL AMENDED BUDGET - REVENUE			0	50,501	50,501	0	0	0	50,501
EXPENDITURES										
	Operations	various	2xxxxx	0	15,928	15,928	0	0	0	15,928
	Operations	various	256800		19,834	19,834	0	0	0	19,834
	Operations	various	257000	0	14,739	14,739	0	0	0	14,739
	TOTAL AMENDED BUDGET - EXPENDITURES			0	50,501	50,501	0	0	0	50,501

**FY2014 BUDGET AMENDMENT
March 20, 2014**

LiDAR

EXPENDITURES	Code	Element	Original Budget	Amendment	Amended Budget	TPO Pass-Thru	PDC Pass-Thru	TPO Operations	PDC Operations
LiDAR consultant		233200	40,000	40,000	80,000	0	80,000	0	0
TOTAL AMENDED BUDGET - EXPENDITURES			40,000	40,000	80,000	0	80,000	0	0

Funding for this project will come from HRPDC Contingency funds.

**FY2014 BUDGET AMENDMENT
March 20, 2014**

STORMWATER MANAGEMENT PROGRAM

REVENUES			Original		Amended	TPO	PDC	TPO	PDC	
NEW REVENUES		Code	Element	Budget	Amendment	Budget	Pass-Thru	Pass-Thru	Operations	Operations
	Local Assessment (6 Localities)	4xxxx	247400	0	<u>\$504,000</u>	<u>\$504,000</u>	<u>\$0</u>	<u>\$500,000</u>	<u>\$0</u>	<u>\$4,000</u>
	TOTAL AMENDED BUDGET - REVENUE			0	\$504,000	\$504,000	\$0	\$500,000	\$0	\$4,000
 EXPENDITURES										
	Consultant	71000	247400	0	\$500,000	\$500,000	\$0	\$500,000	\$0	\$0
	Operations	various	247400	0	<u>4,000</u>	<u>4,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>4,000</u>
	TOTAL AMENDED BUDGET - EXPENDITURES			0	\$504,000	\$504,000	\$0	\$500,000	\$0	\$4,000

**2014 Virginia Community Development Block Grant Program
Regional Priorities**

List of Project Types / Activity Categories and Ranking Worksheet

Project Types / Activity Categories

Please reference the 2014 CDBG Program Design for additional information on the Competitive Grant project types and activity categories. The following nine items must be ranked in one of the three priority groups below. **Please check no more than 3 per group:**

Ranking Worksheet

Planning District Commission: _____

Priority (1 is highest, 3 is lowest)

- | #1 | #2 | #3 | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Comprehensive Community Development |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Economic Development – Job Creation and Retention |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Economic Development – Site Redevelopment |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Economic Development – Development Readiness |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Economic Development – Business District Revitalization |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Housing – Housing Rehabilitation |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Housing – Housing Production Assistance |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Community Facility |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Community Service Facility |

Expected 2014 CDBG Proposals:

MEMBER JURISDICTIONS

March 20, 2014

CHESAPEAKE

Ms. Jennifer Wampler
Trails Coordinator

FRANKLIN

Virginia Department of Conservation & Recreation
600 E. Main St, 24th Floor

GLOUCESTER

Richmond, VA 23219

HAMPTON

RE: Beaches to Bluegrass Trail support

ISLE OF WIGHT

Dear Ms. Wampler:

JAMES CITY

The Beaches to Bluegrass Trail is a proposed Statewide, multi-use trail which will connect the Cumberland Gap to Virginia Beach through southern Virginia and several localities of the Hampton Roads Planning District Commission (HRPDC). The HRPDC supports the proposed Beaches to Bluegrass Trail as it will promote recreation, tourism, healthy lifestyles, and connectivity between areas of natural resources throughout the State as well as our region.

NEWPORT NEWS

NORFOLK

The HRPDC also supports the dual alignment of the proposed South Hampton Roads Trail route as the Beaches to Bluegrass Trail through portions of Hampton Roads. The proposed South Hampton Roads Trail, a regional trail currently in various stages of planning and development, will connect downtown Suffolk to the Virginia Beach oceanfront.

POQUOSON

PORTSMOUTH

SOUTHAMPTON

The HRPDC will also continue to work with local, regional, and state partners to refine the preferred Beaches to Bluegrass route through south Hampton Roads which will connect with the planned trail segments to the west of the region.

SUFFOLK

SURRY

Sincerely,

VIRGINIA BEACH

WILLIAMSBURG

Dwight L. Farmer
Executive Director/Secretary

YORK

SJK/jc

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9-I: COASTAL ZONE MANAGEMENT PROGRAM – FY15 GRANT

SUBJECT:

The Virginia Department of Environmental Quality manages the Virginia Coastal Zone Management (CZM) Program. PDCs are eligible for formula grants to support technical assistance programs and competitive grants for projects addressing a high priority issue, as determined by the CZM Program.

BACKGROUND:

In October 1986, Virginia received its first grant from the National Oceanic and Atmospheric Administration (NOAA) for the State's CZM Program. Since that time, the HRPDC and its predecessors have received over \$2.5 million through this program to provide technical assistance on environmental issues to the local governments and to complete a variety of technical studies.

The process for distributing funds for FY 2014 is now underway. Under the formula grants for PDCs, the HRPDC is eligible to receive \$60,000 in funding to support the ongoing Hampton Roads Coastal Resources Management Technical Assistance Program. The required match is \$60,000 and the grant proposal will be submitted to DEQ. Additionally, it will be included in the UPWP and FY 2015 budget.

Attachment 9-I

RECOMMENDED ACTION:

Authorize the Executive Director to submit a grant proposal to the DEQ to support the Hampton Roads Coastal Resources Management Technical Assistance Program as well as to accept grant offers.

Roads Planning District Commission and the Regional Environmental Committee, both of whose meetings are open and advertised to the public.

4. Training

Conduct four training programs/activities for local governments. Possible topics include environmental codes, LID, wetlands training, CBPA implementation, the Chesapeake Bay-wide TMDL, stormwater regulations, land conservation and funding opportunities, conservation planning, planning for sea level rise, GIS, and integrating sustainability into local plans.

5. Regional Technical Studies

Policy and technical analysis of environmental and coastal issues. Specific studies to be determined in cooperation with local governments. Potential topics include climate change and sea level rise planning, energy policy and planning, green infrastructure, and the Chesapeake Bay TMDL. Continue coordination with state and other PDCs on coastal initiatives.

6. Technical Assistance

Provide updated information and help to localities in comprehensive plan and ordinance updates and on environmental issues.

This project is a continuation of activities undertaken by the HRPDC through the VCZMP over the last twenty years. The Regional Coordination Process is integral to all of the program components, linking them into a comprehensive environmental planning program. Through this process, the HRPDC staff manages local government advisory committees addressing the VCZMP, Chesapeake Bay Program, sea level rise, land use and wetlands issues and coordinates them with local and regional initiatives in water supply, stormwater and wastewater management that are supported directly by the localities. Each of these programs was initially supported by VCZMP seed money. In addition to the programs noted above, it is not known what requests may evolve through the process during the course of the project. They reflect developing local needs and new state and federal initiatives. Through this project, the HRPDC also participates in the Coastal PDC networking process and its involvement in VCZMP and other state and federal environmental initiatives.

To the degree feasible, the HRPDC will document program measures consistent with the NOAA Performance Measurement System. This will include numbers of individuals participating in the various educational components and discussion of local ordinances, plans, policies and acquisitions being considered.

IV. DELIVERABLES/PRODUCTS

Product #1

Title (80 character and spaces limit): EIA/EIS and Coastal Consistency Review

Percent total project budget: 20%

Description (4000 character and spaces limit): The HRPDC will review all state and federal environmental and program documents, including permit packages, coastal consistency determinations/certifications, master plans and program initiatives affecting Hampton Roads. This will be coordinated with review by affected localities. Project summaries will be provided to the Commission for consideration. Comment letters will be provided within the review period to DEQ, the affected locality, and, when appropriate, the sponsoring agency. The project review database and sample comment letters will be included in the Final Report. When appropriate, the HRPDC will participate in scoping and other meetings conducted by DEQ or the sponsor. When appropriate, the HRPDC will facilitate project meetings involving the sponsoring entities and reviewing agencies.

Product Format: One hard copy and one digital copy in Adobe Acrobat format

Timeframe: Start: October 1, 2014

End: September 30, 2015

Product #2

Title (80 character and spaces limit): Public Information, Education and Training

Percent total project budget: 20%

Description (4000 character and spaces limit): The HRPDC will continue to cover environmental issues on the HRPDC website. Monthly status reports will be provided to the HRPDC through the Commission Meeting Agendas. Efforts to enhance the HRPDC web site as an informational medium will continue. The HRPDC staff will brief business, civic, environmental and other professional groups on environmental issues, as requested. Four training programs will be developed, sponsored, hosted and/or conducted. Topics will be determined in cooperation with the environmental committees. Potential training topics that have been identified include: environmental codes, LID, wetlands training, CBPA implementation, the Chesapeake Bay-wide TMDL, stormwater regulations, land conservation and funding opportunities, conservation planning, planning for sea level rise, geographic information systems, and integrating sustainability into local plans. Each training activity will be documented by HRPDC staff. Representative samples of education materials and training summaries will be included in the Final Report.

Product Format: Educational materials will be provided in hard copy and one digital copy in Adobe Acrobat format.

Timeframe: Start: October 1, 2014

End: September 30, 2015

Product #3

Title (80 character and spaces limit): Regional Coordination Process

Percent total project budget: 29%

Description (4000 character and spaces limit): The HRPDC will continue to maintain the regional coordination process among the 16 member cities and counties and associated towns, 5 Soil and Water Conservation Districts, Hampton Roads Sanitation District and state and federal agencies. This includes the Hampton Roads Environmental Planning Committee and various project committees. Monthly meetings are arranged, staffed, facilitated and summarized. Policy papers and technical analyses are prepared by the HRPDC staff, based on Committee recommendations and/or Commission requests.

Information is exchanged among the local, state and federal participants, program briefings are provided by and local input is provided to the participating state and federal agencies. Committee members and/or the HRPDC staff represent the region on state and federal agency advisory committees. This linkage ensures that Hampton Roads localities have an opportunity to participate in the state and federal processes, while also being prepared for new initiatives that may develop. This process also generates the ideas for major technical studies, which may or may not be funded through the VCZMP. The monthly meetings may also contain a training component with regular briefings on new and emerging issues. Other regional committees address specific issues such as water supply, wastewater, stormwater and environmental education. Through shared membership, joint meetings and HRPDC staff facilitation, regional coordination and information exchange are enhanced. Representative agenda materials, meeting summaries, presentations and position statements will be included in the Final Report.

Product Format: One hard copy and one digital copy in Adobe Acrobat format.

Timeframe: *Start:* October 1, 2014

End: September 30, 2015

Product #4

Title (80 character and spaces limit): Regional Technical Studies and Special Projects

Percent total project budget: 30%

Description (4000 character and spaces limit): Through its Technical Assistance Program, the HRPDC staff is regularly requested by the Commission, Advisory Committees and others to analyze identified environmental issues and opportunities as well as new state and federal regulations, initiatives and legislation. These analyses are presented to these groups as the basis for formal policy positions. HRPDC staff has identified two specific projects for this grant period: conducting a review of the effect of HRPDC's environmental impact review process and developing a model local sea level rise adaptation plan or outline, based on HRPDC work with the City of Virginia Beach to develop a city-specific adaptation plan. These projects may change, depending on local and regional needs identified by the Commission or the environmental Advisory Committee. Copies of any technical analyses, associated presentations and recommendations will be included in the Final Report.

Product Format: One hard copy and one digital copy in Adobe Acrobat format.

Timeframe: *Start:* October 1, 2014

End: September 30, 2015

Product #5

Title (80 character and spaces limit): Benefits Accrued from Prior CZM Grants

Percent total project budget: 1%

Description (4000 character and spaces limit): Develop a brief report (~ 1 page) naming and describing HRPDC projects funded by CZM in previous years that have produced measureable benefits in subsequent years and/or have served as a foundation for additional projects.

Product Format: One hard copy and one digital copy in Adobe Acrobat format.

Timeframe: *Start:* October 1, 2014

End: September 30, 2015

V. PROJECT TIMELINE.

In the following project timeline, activities with specific dates that are established in the HRPDC process are shown. Certain activities, e.g. review of a new regulation or legislative proposal or response to a technical assistance request, evolve during the course of the project and are not shown on the timeline.

Others, e.g. review of EIA/Federal Consistency documents, are undated, because they are ongoing. Those activities are driven by the regional committees and/or the HRPDC Commission itself or respond to the state and federal process and are outside the control of the HRPDC staff.

Date		Benchmark	Product #
October 2014	2	Joint Environmental Committee Meeting	4
	16	Commission Agenda and Briefing	3
		Environmental Impact Review	2
November 2014	6	Joint Environmental Committee Meeting	4
	20	Commission Agenda and Briefing	3
		Environmental Impact Review	2
December 2014	4	Joint Environmental Committee Meeting	4
		Environmental Impact Review	2
January 2015	8	Joint Environmental Committee Meeting	4
	15	Commission Agenda and Briefing	3
		Environmental Impact Review	2
February 2015	5	Joint Environmental Committee Meeting	4
	19	Commission Agenda and Briefing	3
		Environmental Impact Review	2
March 2015	5	Joint Environmental Committee Meeting	4
	19	Commission Agenda and Briefing	3
		Environmental Impact Review	2
April 2015	2	Joint Environmental Committee Meeting	4
	16	Commission Agenda and Briefing	3
		Environmental Impact Review	2
May 2015	7	Joint Environmental Committee Meeting	4
	21	Commission Agenda and Briefing	3
		Environmental Impact Review	2
June 2015	4	Joint Environmental Committee Meeting	4
	18	Commission Agenda and Briefing	3
		Environmental Impact Review	2
July 2015	2	Joint Environmental Committee Meeting	4
	16	Commission Agenda and Briefing	3
		Environmental Impact Review	2
August 2015	6	Joint Environmental Committee Meeting	4
	20	Commission Agenda and Briefing	3
		Environmental Impact Review	2
September 2015	3	Joint Environmental Committee Meeting	4
	17	Commission Agenda and Briefing	3
		Environmental Impact Review	2

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9-J: COASTAL ZONE MANAGEMENT PROGRAM – PUBLIC ACCESS PROJECTS

SUBJECT:

The Virginia Department of Environmental Quality manages the Virginia Coastal Zone Management (CZM) Program. PDCs are eligible for formula grants to support technical assistance programs and competitive grants for projects addressing a high priority issue, as determined by the CZM Program.

BACKGROUND:

In October 1986, Virginia received its first grant from the National Oceanic and Atmospheric Administration (NOAA) for the State's Coastal Zone Management Program. Since that time, the HRPDC and its predecessors have received over \$2.5 million through this program to provide technical assistance on environmental issues to the local governments and to complete a variety of technical studies.

The HRPDC applied for two competitive grants in July 2012 for public access projects in Norfolk and Suffolk. These grants were selected by the Virginia CZM Program for competitive awards. The grant for the Norfolk project, "Lavalette Ave. – Canoe/Kayak Launch and Fishing Dock," was subsequently reviewed and approved by NOAA, and a contract between the HRPDC and the Virginia CZM Program has been executed. The Suffolk project application, "Nansemond River Water Access at Constant's Wharf Park and Marina," is currently undergoing review by NOAA staff. These grants have been awarded to the HRPDC and are extended to December 31, 2014. Of the \$30,000 awarded in each grant, \$3,000 is reserved by the HRPDC to cover administrative costs and assistance to the localities in documenting and completing the project, and \$27,000 is passed on to the locality to help fund the public access project. Passing funds on to the cities requires executing contracts or memoranda of agreement between the HRPDC and each city.

Attachment 9-J

RECOMMENDED ACTION:

Authorize the Executive Director to complete a memorandum of agreement or contract with the City of Norfolk for the public access project, "Lavalette Ave. – Canoe/Kayak Launch and Fishing Dock" and the City of Suffolk for the public access project, "Nansemond River Water Access at Constant's Wharf Park and Marina," upon final grant approval from NOAA and receipt of contract from the Virginia CZM Program.



**MEMORANDUM OF AGREEMENT
BETWEEN
HAMPTON ROADS PLANNING DISTRICT COMMISSION AND
THE CITY OF NORFOLK
REGARDING
“Lavalette Avenue – Canoe/Kayak Launch and Fishing Dock”**

1. PARTIES.

The parties to this Agreement are the Hampton Roads Planning District Commission (HRPDC) and the City of Norfolk (Norfolk).

2. AUTHORITY.

This Agreement is authorized under the approval of the HRPDC Executive Committee, at its meeting held on March 20, 2014, and the Norfolk City Council, at its meeting held on TBD.

3. PURPOSE.

The purpose of the Agreement is to set forth terms by which HRPDC and Norfolk will provide services and personnel in order to complete the deliverables set forth in Attachment A, “2012 Virginia Coastal Zone Management Program Grant Project Title: Lavalette Ave – Canoe/Kayak Launch and Fishing Dock”.

4. BACKGROUND.

The Hampton Roads Planning District Commission proposes a Section 306A project that will repurpose an abandoned powerboat ramp at the foot of Lavalette Ave. in the City of Norfolk. The site is located on the Lafayette River adjacent to the VA Zoological Park, Lafayette Park, and the Ernie Morgan Environmental Action Center. The intent is to construct a pier and floating dock that will provide an ADA accessible fishing pier/canoe/kayak ramp. The only existing use of the facility is shoreline fishing, which results in trampled wetland vegetation. The project will positively impact a number of the priority areas listed by the VA Coastal Policy Team. This project will restore a pier and provide an ADA accessible floating dock that is equipped for fishing, crabbing, and canoe/kayak launching. Access to the water for recreational activities was the 2nd most requested activity during public surveys taken for the recently adopted City of Norfolk Recreational Master Plan.

5. TERM.

The terms of this Agreement, as modified with the consent of both parties, will remain in effect until December 31, 2014. The Agreement may be extended by mutual written agreement of the parties. Either party upon 30 days written notice to the other party may terminate this Agreement.

6. CONDITIONS/RESPONSIBILITIES.

HRPDC

1. The HRPDC will provide all necessary project documentation and reporting to the Virginia Coastal Zone Management Program, including interim and final progress reports, project summaries, and financial reports.
2. HRPDC will submit the final product(s) and documentation to the Virginia Coastal Zone Management Program tentatively December 31, 2014.
3. HRPDC will provide staff and support in the amount of \$3,000 of federal grant funds to complete the deliverables as described in Attachment A, in accordance with the grant agreement with the Virginia Coastal Zone Management Program.
4. HRPDC will provide \$27,000 in federal grant funds to the City of Norfolk as described in Attachment A, in accordance with the grant agreement with the Virginia Coastal Zone Management Program.
5. HRPDC staff will assist Norfolk staff in the completion of the deliverables described in Attachment A as follows:
 - a. HRPDC staff will act as grant manager and ensure that Norfolk staff complies with all grant requirements (Deliverable #1).
 - b. HRPDC staff will assist Norfolk staff in developing acceptable language and content for educational signage for the project, including ensuring that any signage meets minimum requirements established by the Virginia Coastal Zone Management Program (Deliverable #4).

NORFOLK

1. The City of Norfolk will provide monthly progress reports to HRPDC staff on the first business day of each month after final execution of the contract.
2. The City of Norfolk will provide staff and support in the amount of \$47,500 of matching funds to complete the deliverables as described in Attachment A, in accordance with the grant agreement with the Virginia Coastal Zone Management Program.
3. City of Norfolk staff will be responsible for all issues related to demolition, planning, design, and construction of the canoe/kayak launch and fishing dock, including contracting with any third parties to perform these tasks (Deliverables #2 and #3).
4. City of Norfolk staff will be responsible for all issues related to upland restoration on the project site (Deliverable #4).
5. City of Norfolk staff will be responsible for final signage contents and construction (Deliverable #4).

7. POINTS OF CONTACT.

The HRPDC Points of Contact for this project shall be:

Randy Keaton
Deputy Executive Director
Hampton Roads Planning District Commission

723 Woodlake Drive
Chesapeake, Virginia 23320
rkeaton@hrpdcva.gov
757-420-8300 (phone)
757-523-4881 (fax)

Benjamin McFarlane
Regional Planner
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320
bmcfarlane@hrpdcva.gov
757-420-8300 (phone)
757-523-4881 (fax)

The Norfolk Point of Contact for this project shall be:

Shawn Krawetzki
Landscape Architect III
City of Norfolk
Department of Recreation, Parks and Open Space
501 Boush Street
Norfolk, Virginia 23510
757-441-2400 ext. 251 (phone)

**** Any changes in these contacts must be submitted in writing.****

8. OTHER PROVISIONS.

Nothing in this Agreement is intended to conflict with current law or regulations of the Commonwealth of Virginia, the Department of Commerce, or the City of Norfolk. If a term of this Agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this Agreement shall remain in full force and effect

9. MODIFICATION.

This Agreement may be modified upon the mutual, written, consent of the parties.

10. CONTENT.

This MOA contains the entire understanding and present intentions of the parties and supersedes any and all previous agreements or understandings they may have regarding this subject matter, whether orally or in writing.

2012 VIRGINIA COASTAL ZONE MANAGEMENT PROGRAM GRANT

Project Title: Lavalette Ave – Canoe/Kayak Launch and Fishing Dock

I. LEGAL APPLICANT

Name: Dwight L. Farmer, Executive Director/Secretary
Organization: Hampton Roads Planning District Commission
Street Address: 723 Woodlake Drive
City, State, Zip+4 numbers: Chesapeake, Virginia 23320-8909
DUNS #: 556306942

Project Manager: Benjamin McFarlane Title: Regional Planner
Phone: (757) 420-8300
E-mail: bmcfarlane@hrpdcva.gov

II. PROJECT DETAILS

Geographic Area of Impact: City of Norfolk, Virginia
Congressional District(s): 3
Start Date: October 1, 2013 End Date: March 31, 2014

Project continuing from previous year? No

III. PROJECT SUMMARY *(4000 Character and Spaces Limit)*

The Hampton Roads Planning District Commission proposes a Section 306A project that will repurpose an abandoned powerboat ramp at the foot of Lavalette Ave. in the City of Norfolk. The site is located on the Lafayette River adjacent to the VA Zoological Park, Lafayette Park, and the Ernie Morgan Environmental Action Center. The intent is to construct a pier and floating dock that will provide an ADA accessible fishing pier/canoe/kayak ramp. The only existing use of the facility is shoreline fishing, which results in trampled wetland vegetation. The project will positively impact a number of the priority areas listed by the VA Coastal Policy Team.

Habitat Restoration: This project will coordinate with the Elizabeth River Project, the Lafayette River Wetlands Partnership, and the Chesapeake Bay Foundation, which are all active civic environmental organizations dedicated to the restoration of the Chesapeake Bay and the Elizabeth and Lafayette River waterways. The upland shoreline restoration component of the project will be marked with an interpretive placard that can be used by the association in its educational programs. An area (approximately 75' on each side of the ramp with a varying width of approximately 3' to 10') of shoreline currently degraded by citizens fishing and crabbing will be restored with native vegetation. The restored area will be protected by allowing the public access to the new floating dock for fishing and reducing the need to fish from the shoreline.

Public Access: The City of Norfolk has a population of 242,803 and 144 miles of shoreline, with only limited public access to the water. The proposed project will restore

a pier and provide an ADA accessible floating dock that is equipped for fishing, crabbing, and canoe/kayak launching. Access to the water for recreational activities was the 2nd most requested activity during public surveys taken for the recently adopted City of Norfolk Recreational Master Plan.

IV. BUDGET

(This table automatically calculates totals. However, be sure to double check all figures before submitting to the Coastal Program. Double click inside the table to enter figures or other information. In the event that all budget lines are not visible, double click in the table. Please save entire file as a Word document, .doc, or .docx, not an .xls, or .xlsx.)

	Federal	Match	Total	Budget Narrative
Personnel	\$1,622	\$0	\$1,622	Total from Personnel Worksheet
Fringe	\$406	\$0	\$406	HRPDC fringe rate of 25%
Equipment	\$0	\$0	\$0	
Travel	\$262	\$0	\$262	Travel from Chesapeake to Norfolk and Richmond for meetings and site visits.
Supplies	\$0	\$0	\$0	None
Contractual	\$27,000	\$47,500	\$74,500	Detailed in attached sub
Construction	\$0	\$0	\$0	None
Other	\$0	\$0	\$0	None
TOTAL DIRECT	\$29,290	\$47,500	\$76,790	
INDIRECT	\$710	\$0	\$710	Indirect costs are estimated at 35% of direct personnel costs, in accordance with HRPDC Indirect Cost Allocation Plan, which is on file with DEQ.
TOTAL	\$30,000	\$47,500	\$77,500	

Personnel Worksheet

Name & Title	Annual Salary	Months	Federal	Match	Total Personnel Cost
Jimontanae McBride, Principal Regional Planner	\$86,619	0.1	\$722	\$0	\$722
Benjamin McFarlane, Regional Planner	\$54,040	0.2	\$901	\$0	\$901
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
TOTAL		0.3	\$1,622	\$0	\$1,622

V. DELIVERABLES/PRODUCTS

A single final report will be submitted reflecting work on the following deliverables and products.

Product #1

Title (80 character and spaces limit): Project Management

Percent total project budget: 3%

Description (4000 character and spaces limit): Product 1 will encompass HRPDC’s management of the grant and assistance to city staff with complying with all grant requirements. It will include grant reporting and progress reports. The deliverable will be the primary responsibility of HRPDC staff.

Product Format: This product will be included in a final report, which will be submitted in hard copy and in Adobe Acrobat format.

Timeframe: Start: October 1, 2013

End: March 31, 2014

Product #2

Title (80 character and spaces limit): Gangway, Floating Fishing/Crabbing Dock, and Canoe/Kayak Launch

Percent total project budget: 88%

Description (4000 character and spaces limit): This product will encompass the planning, design, and construction of the gangway, floating dock, and canoe/kayak launch. The product will be documented through photographs, design drawings, and

written material. The deliverable will be the primary responsibility of City of Norfolk staff and contractors.

Product Format: This product will be described in the final report.

Timeframe: *Start:* October 1, 2013
 End: March 31, 2014

Product #3

Title (80 character and spaces limit): Demolition of Existing Dilapidated Dock
Percent total project budget: 3%

Description (4000 character and spaces limit): This product will encompass demolition of the existing dilapidated dock. This will be documented through before and after photographs. The deliverable will be the primary responsibility of City of Norfolk staff and contractors.

Product Format: This product will be described in the final report.

Timeframe: *Start:* October 1, 2013
 End: March 31, 2014

Product #4

Title (80 character and spaces limit): Upland Shoreline Restoration and Signage
Percent total project budget: 6%

Description (4000 character and spaces limit): This product will encompass the upland shoreline restoration phase of the project. Once the existing dock is removed, appropriate native plant species will be identified and planted along the upland shore on both sides of the ramp to an approximate distance of 75'. This will also include development of material for and installation of interpretive signage. Drafts of signage contents will be submitted to VCZMP staff for review and approval, and appropriate logos and credit will be included on the final designs. This will be documented through photographs and written material. The deliverable will be the primary responsibility of City of Norfolk staff and contractors.

Product Format: This product will be described in the final report.

Timeframe: *Start:* October 1, 2013
 End: March 31, 2014

VI. PROJECT TIMELINE.

Specific dates for project task completion will depend on a number of factors. Projected milestones by month are listed below.

October 2013 – Complete design work, planning, and permitting.

October - November 2013 – Advertise Project for bidding.

November 2013 – Award Construction Contract.

December 2013 – Begin Construction.

March 31, 2014 – Finish Construction.

VII. EXTENDED PROJECT DESCRIPTION – *Optional (2000 character limit)*

Currently the shoreline area at the project site is being used for fishing by residents. The high volume of use has resulted in trampled wetland vegetation down to dirt paths. The loss of this vegetation has begun to allow erosion of the soil and is increasing the amount of runoff water and sediment allowed to enter the Lafayette River. This environmental impact indicates a clear need for a fishing pier. In addition, public water access was identified as a priority by Norfolk's residents during the creation of a recreational master plan for the City.

To accomplish the project, City of Norfolk staff will provide Services in kind to develop design development drawings and acquire all required permitting. Based on discussions with floating dock manufacturers and contractors, the plan is to hire a general contractor to demolish the existing pier, install the new pilings, new pre-manufactured floating dock, new connecting ramp, and new kayak / canoe launching apparatus. City of Norfolk staff will inspect and coordinate construction and provide in kind services to ensure construction completion on or before the March 31, 2014 deadline. Once the construction of the dock and ramp is complete, then restoration of the upland shoreline will occur, by tilling up the ground, amending the soil, and planting a variety of plants and trees based on cooperative input between the City of Norfolk Environmental and Open Space Planning and Development Divisions.

The existing ramp has been out of service for 10 years and nothing remains but the intact concrete ramp. The associated piers have been swept away in a succession of storms. Bringing another water access point back into service will provide universal access for recreational opportunities, exposure to the Lafayette River and its ecosystems, and educational opportunities for schools and private organizations that will help to perpetuate the needed public awareness required to protect this vital resource.

Sub-Contractual Budget

Description of Work performed under subcontract:

City of Norfolk staff and consultants will perform the following tasks associated with this project:

- 1) Design pier and floating dock that will provide an ADA accessible fishing pier/canoe/kayak launch with a ramp connection to the shore, including developing design and development drawings and acquiring all required permitting
- 2) Select and purchase of required construction materials for the ramp, dock, and launch apparatus
- 3) Contract with a consultant to produce detailed construction drawings of the pier/canoe/kayak launch, including pilings, mechanical connections, and placement of the dock along the shoreline
- 4) Hire a general contractor to demolish the existing pier, install new pilings, new pre-manufactured floating dock, new connecting ramp, and new kayak/canoe launching apparatus
- 5) Coordinated with contractors to ensure that construction is on schedule and observing appropriate requirements and best practices
- 6) Coordinate with non-governmental organizations, including the Chesapeake Bay Foundation and others, to promote possible use of this project to extend shoreline restoration further along the Lafayette River

(This table automatically calculates totals. However, be sure to double check all figures before submitting to the Coastal Program. Double click inside the table to enter figures or other information. In the event that all budget lines are not visible, double click in the table. Please save entire file as a Word document, .doc, or .docx, not an .xls, or .xlsx.)

	Federal	Match	Total	Budget Narrative
Personnel	\$0	\$12,500	\$12,500	Total from Sub-Contractual Personnel Worksheet
Fringe	\$0	\$0	\$0	
Equipment	\$0	\$0	\$0	
Travel	\$0	\$0	\$0	
Supplies	\$23,500	\$23,500	\$47,000	Dock Ramp, Fishing/Kayak Launch Dock/Kayak Launch Apparatus, and any other costs associated with materials needed for the installation of the Dock. Plants and sign materials for habitat restoration.
Contractual		6,500	\$6,500	Hiring of a Consultant to produce final construction drawings
Construction	3,500	5,000	\$8,500	Demolition of Existing Dock and Construction of New Dock
Other			\$0	
TOTAL DIRECT	\$27,000	\$47,500	\$74,500	
INDIRECT				
TOTAL	\$27,000	\$47,500	\$74,500	

ITEM #10: HRPDC/HRTPO/HRTAC ORGANIZATIONAL STRUCTURE AND SUCCESSION PLANNING

SUBJECT:

HRPDC Organizational Structure after the Executive Director's retirement on July 1, 2014

BACKGROUND:

This new legislation, in addition to the announcement of the HRPDC/HRTPO Executive Director retiring on July 1, 2014, prompted the HRPDC and HRTPO to task the Joint HRPDC/HRTPO Personnel and Budget Committee to discuss and make a recommendation to the HRPDC/HRTPO Boards regarding the succession planning and organizational structure of the HRPDC and HRTPO.

This item was discussed under Workshop Item #6.

RECOMMENDED ACTION:

Approve the Joint HRPDC/HRTPO Personnel and Budget Committee recommendation.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #11: ESTABLISHMENT OF A COMMITTEE TO ADDRESS RECURRENT FLOODING

SUBJECT:

Many organizations in Hampton Roads, including the HRPDC, are working on efforts related to recurrent flooding and sea level rise.

BACKGROUND:

Recurrent flooding is a significant challenge for many localities in Hampton Roads, and sea level rise will increase the vulnerability of the region to coastal storms and tidal flooding. This important issue crosses city boundaries and all aspects of the regional economy. The issue also affects access to the region's military installations. Many organizations locally, regionally, and statewide are conducting studies and planning exercises to help the region prepare for and adapt to these impacts. These include efforts by the HRPDC, Old Dominion University, the Virginia Institute of Marine Science, the College of William and Mary Law School, and the Secure Commonwealth Panel, among others. Mayor William Sessoms, City of Virginia Beach, has requested that the HRPDC assume a leadership role in coordinating the region's response to the issue of recurrent flooding and desires to add this item to the annual UPWP.

This item and attachment were discussed in workshop item #5.

RECOMMENDED ACTION:

The HRPDC assume a leadership role in coordinating the region's response to the issue of recurrent flooding and add this item to the annual UPWP.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #12: HRPDC THREE-MONTH TENTATIVE SCHEDULE

The HRPDC staff has developed a tentative schedule of issues that will come before the Commission for action over the next three months. These issues are the primary action items the Commission will be considering. Other items may be added depending on new priority requests from the Commission, state and federal legislative and regulatory activities and new funding opportunities.

April 2014

Coastal Zone Update
Envision Hampton Roads Update
Presentation of FY 2015 Budget

May 2014

Retreat - **11:00 a.m. – 1:00 p.m., lunch included**

June 2014

Envision Hampton Roads Update
Unified Planning Work Program – Final

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #13: PROJECT STATUS REPORTS AND ADVISORY COMMITTEE SUMMARIES

A. DIRECTORS OF UTILITIES COMMITTEE SUMMARY MINUTES

The summary minutes of the March 5, 2014 Directors of Utilities Meeting are attached.

Attachment 13-A

B. REGIONAL ENVIRONMENTAL COMMITTEE MEETING SUMMARY

The summaries of the February 6, 2014 and March 6, 2014 meetings of the Regional Environmental Committee are attached.

Attachment 13-B1

Attachment 13-B2

C. PROJECT STATUS REPORT

Attached are the project status reports on other HRPDC programs.

Attachment 13-C

MEETING OF THE DIRECTORS OF UTILITIES COMMITTEE

The Directors of Utilities Committee met on March 5, 2014. The following items were addressed during the meeting:

- The Committee discussed the next steps related to the Consent Decree and Special Order by Consent. All localities signed the Memorandum of Agreement for the hybrid approach to regionalization. HRSD notified the EPA and Virginia DEQ that the MOA had been signed by the February 28th deadline.
- The Committee discussed the regional agreement to adopt Fats, Oils, and Grease (FOG) ordinances and enforcement policies. The original recommendation was approved in 2008. Many localities have adopted programs that follow the building code requirements for retrofitting facilities with grease control devices instead of the regional best practice guidance. Staff will analyze FOG related sewer overflows and report back to the Committee.
- HRPDC staff reported on the Groundwater listening session between DEQ and Mission H2O. DEQ provided some additional information to support its concern that groundwater permits exceed sustainable withdrawals even accounting for International Paper's reduced permit. Staff will continue to collect information related to potential policy options.
- HRPDC staff has completed the portion of the sewer affordability analysis that is based on census data. Next step is to distribute the analysis to localities to fill in locality-specific data.

PROJECT STATUS REPORTS

1. Regional Economics Program

Technical Assistance

Economics staff routinely provides technical assistance and support to member jurisdictions and regional organizations. Both the HRPDC Data Book and the Commission's Benchmarking Study provide easy access to a great deal of regional information. Staff also provides special reports and newsletter articles on topics of timely significance, such as payroll and unemployment reports. Over the past two months, staff has provided briefings to member localities (per request), provided interviews and presentations for information purposes to organizations such as the retail alliance, the chamber of commerce, and to the risk management association, and has responded to information requests from individuals, member localities, regional organizations, and the media.

Hampton Roads Data Center

In keeping with the state mandate that calls for Planning District Commissions to collect and maintain demographic, economic, and other data concerning the region and member localities, and to act as a state data center affiliate in cooperation with the Virginia Employment Commission, staff routinely collect and maintain a variety of data sets. This year, as per the Commission's work program, staff are moving from the publication of data in an annual Data Book, to an online data repository that will enable efficient access for those seeking regional data. Staff have moved to an online system; a process that is expected to be ongoing as new information is released.

Hampton Roads Benchmarking Study

Each year staff compiles regional data on the economy, demographics, housing, transportation, and various quality of life indicators. This information is the basis for the Hampton Roads Benchmarking Study, a publication that is designed to provide the region's decision makers with information on all facets of the Hampton Roads region. Information is illustrated through charts and graphs and accompanied by a brief explanation about the purpose of the specific benchmark as well as the current condition.

2. Emergency Management Project Update

Ready Hampton Roads

During the recent winter storm events, Ready Hampton Roads supported the region's public information response through the website and social media. Staff created a Twitter list of all local, state and FEMA emergency management departments for the public to be able to access all tweets about the storm in one place. Throughout the event, Readyhr.org, Facebook and Twitter were kept up to date.

ReadyHamptonRoads.org

HRPDC staff have received multiple quotes for redesign and development of the website. In March, HRPDC staff will select a company and contract for the redesign. The staff are also working with the Regional Catastrophic Planning Team and ReadyNC on development of an RHR mobile app.

ReadyHR Strategic Plan

The HRPDC's Inclusive Emergency Planner continues to develop the strategic plan that will establish ReadyHR.org as a 'one stop shop' for citizens looking for emergency and disaster related public information and educational information. HRPDC has been asked by the VDEM Public Affairs office to be the lead in regional disaster public information efforts.

Ready Hampton Roads Preparedness Channel

The Special Needs Subcommittee designated \$24,999 to support a ReadyHR on demand channel for the region. HRPDC submitted an RFQ to vendors in February and all RFQs are due in March. Anticipated launch of the channel is June 2014. The channel will feature videos on how to prepare, where to find information before, during and after an event, and volunteer opportunities. The channel will not be intended for use in providing disaster response/life safety information.

Social Media Campaign

HRPDC's Inclusive Emergency Planner has developed a 2014 social media preparedness topic calendar to guide development of a regional social media campaign. Each month, most posts and tweets will pertain to a focused topic. These posts and tweets will also be provided to localities and other stakeholders for use on their social media. HRPDC will utilize Hootsuite to manage the monthly social media campaigns. Whenever possible, the topic selected is aligned to a national campaign month or week to increase effectiveness of the messaging.

Staff evaluated and tested the Roundteam.com platform in January and February. Roundteam enables auto-retweeting within defined specifications and filters so that HRPDC staff does not need to actively monitor Twitter 24 hours a day during information response operations. Unfortunately, in February, Roundteam inacted a 30 retweet per hour limit which will make it an ineffective tool for RHR. As such, its use has been discontinued.

Each month HRPDC's Inclusive Emergency Planner evaluates data on the social media campaign to make improvements. This may include data such as time of day followers on Facebook are active, types of posts that receive the most engagement, types of Tweets that are retweeted, etc.

Ready Hampton Roads Serving Outside HR

HRPDC's Inclusive Emergency Planner continues to actively participate in the DHS Science and Technology Directorate's Virtual Social Media Working Group.

Regional Emergency Management Technical Advisory Committee (REMTAC)

The Emergency Management staff continues to manage and support the Regional Emergency Management Technical Advisory Committee and its associated tasks and committees. The REMTAC will next meet March 25, 2014.

WebEOC Subcommittee

WebEOC technical support was provided to localities during two winter weather events that occurred within the region in January and again in later February and March. Additionally the Subcommittee Chairs and HRPDC Staff met to discuss sustainment strategies.

Mitigation Planning

- **Poquoson Multi-Hazard Mitigation Plan Update**
HRPDC continues to assist with the 2009 Multi-Hazard Poquoson mitigation plan. The first public meeting occurred February 10th, 6pm, in Poquoson.
Hampton Roads Hazard Mitigation Plan
- The REMTAC is in full support of moving forward with a Regional Hazard Mitigation Plan, with Peninsula, Southside and Western Tidewater annexes. HRPDC Staff accomplished a technical grant modification requested by FEMA and the grant award is in process at VDEM.

Special Needs Subcommittee

The REMTAC Special Needs Subcommittee continues to be supported by the Regional Inclusive Emergency Planner (formerly the Regional Special Needs Planner) and EM Staff as needed.

HIPAA Compliance Project

During the HIPAA Compliance project, it was determined that local emergency management offices may need to comply with HIPAA, federal privacy laws, and/or the state privacy law. Because of this, the Special Needs Subcommittee compared the effectiveness of the registry tool to the requirements it will impose on local offices to determine if the registry tool should be continued. HRPDC's Inclusive Emergency Planner and the HIPAA consultant provided specifics on the requirements and steps needed to comply so that local emergency managers could make an informed decision. The Subcommittee voted to recommend that REMTAC discontinue the tool. REMTAC discussed the recommendation but ultimately decided to conduct an electronic vote after all the information that had been provided to date was compiled into an email and provided to the locality emergency managers. REMTAC voted to discontinue the Registry Program.

Shelter Support Unit Training

The Special Needs Subcommittee has dedicated funding to support the MMRS providing training to localities on the set up and use of the shelter support units. All training must be conducted by June 2014. To date nine jurisdictions have requested trainings. In March, the Subcommittee approved \$35,000 to conduct and film the

trainings to create a just in time training video on the SSU to provide online and distribute to localities.

Special Needs Charter & Long Term Strategic Plan

In March, the Special Needs Subcommittee will begin outlining a five year strategic plan and examining and possibly refining its mission statement. The Subcommittee will utilize the Regional Gap Assessment, Region V Measure and the NYC Opinion and Order to guide its strategic priorities. Once the strategic plan has been developed, short term plans of action to meet the long term goals will be established.

Also in March, the Subcommittee will discuss inclusive planning best practices and FEMA's efforts with Lesleyanne Ezelle, FEMA's Region III Disability Integration Specialist.

Research Sharing Tool

HRPDC's Inclusive Emergency Planner is currently evaluating online tools to easily aggregate relevant articles and research for regional stakeholders. This tool will make providing articles, links and research relevant to inclusive planning easy and very accessible to those interested. The tool selected will be accessible from tablets and smart phones.

2014 & Beyond Projects

HRPDC's Inclusive Emergency Planner is also working on projects that will begin later in 2014. These include:

- A volunteer program similar to Evacuteer
- A set of tools and MOAs for local emergency managers to use during response and recovery including:
 - MOAs and points of contact for accessing durable and consumable medical equipment
 - Volunteer subject matter experts in specialized areas (visually impaired, Autism Spectrum Disorder, behavioral health) to assist in evaluating accessibility of facilities and services and to provide services within a shelter to provide direct support
 - Paratransit services and vehicle owners
- An online emergency operations plan assessment tool that combines guidance from FEMA, the National Council on Disability, Red Cross, the NYC Opinion and Order, and more to provide a self-assessment of any EOP. The tool would provide a report that includes lists of required, recommended, and optional components that are missing.

URBAN AREA SECURITY INITIATIVE (UASI)

The emergency management staff continues to manage and support the Hampton Roads Urban Areas Security Initiative (UASI) grant program for the Urban Area Working Group (UAWG). Recent activity includes:

- **UASI Project Presentations**
During the February UAWG meeting, all-stakeholders were again invited to being the first in a series of meetings to highlight UASI projects in need of sustainment. The first initiatives included program management, special needs, and WebEOC.
- **RVM Dashboard**
During the February UAWG meeting, members were presented with a proposal to establish a RVM dashboard that will measure regional preparedness against the recently completed Region V Measure. The UAWG unanimously supported moving forward with the initiative.
- **Governance Subcommittee**
Preparedness stakeholders in Hampton Roads have come to an agreement that the cross-discipline collaboration of the Hampton Roads UAWG has been advantageous to the region. However, to improve this, the UAWG has formed a governance subcommittee to recommend a new structure change that will increase cross-discipline communication.

Hampton Roads Interoperable Communications Advisory Committee (HRICAC)

Beginning in June, 2013, the HRPDC began providing project management and support for the HRICAC and associated tasks and subcommittees. Recent activity includes:

- **Regional Interoperability Communication Road Map**
The HRPDC has applied for and received an FY 2011 UASI grant for the completion of a regional interoperability road map. Two workshops were held with regional communications stakeholders to gather information. The plan is now complete.
- **Region V Interoperability Field Operations Guide (IFOG)**
The HRPDC on behalf of HRICAC is managing a grant funded contract to complete a Region V IFOG. The IFOG will serve as a reference guide for public safety radio technicians and communications planners providing communications points-of-contacts, tables of radio channels, and technical reference information.

- **HRTacRan End User Equipment**

The HRPDC has applied for a received a FY 2011 UASI grant for the replacement of HRTacRan end-user equipment. The HRPDC has contracted with a vendor to provide the necessary equipment and installation. To date, the communications equipment has been received and a SOW between the vendor and HRPDC for installation had been signed. The equipment will be placed in each locality's Emergency Operation Center and allow for video conferencing over the internet and Hampton Roads Microwave Ring.

3. Hampton Roads Loan Fund Partnership

The Housing and Human Services staff was recently notified of their 2014 award of HOME funds from the Department of Housing and Community Development (DHCD). The Hampton Roads Planning District Commission was awarded \$87,500 to provide down payment and closing cost assistance to qualified individuals in Planning District #23. A training teleconference will be held to educate regional partners with the new guidelines for funding and discuss the current mortgage criteria changes.

Housing and Human Service Technical Support

HRPDC staff, in partnership with Housing Virginia, the National Housing Conference (NHC) and various other funders and supporters continues to work on a housing forecast that will provide an analysis of current housing need in Hampton Roads, as well as employment-driven housing demand forecast to 2033. The purpose of study is to enable local and regional policymakers, business leaders, and non-profit groups in the Hampton Roads area data and tools to develop housing strategies that will help ensure the success of the regions' economies and the well-being of their residents. The final report of this project is expected to be ready for distribution by April 2014.

Staff members are also continuing to assist the Hampton Roads Housing Consortium (HRHC) and are currently working on securing grant funding for capacity building and board development. HRHC is also completing the second and final phase of the "Pathways to Partnership" initiative. The first phase of the project brought professionals from the public, private and non-profit organizations together to discuss important issues such as expanding housing opportunities for low and moderate income households.

MEETING SUMMARY
REGIONAL ENVIRONMENTAL COMMITTEE

The Regional Environmental Committee met on March 6, 2014. The following items were discussed.

- Ms. Justine Woodward, Virginia Marine Resources Commission, briefed the Committee on developments related to the Living Shoreline General Permit.
- Ms. Russ Baxter, Deputy Secretary of Natural Resources for Chesapeake Bay Restoration, gave a presentation to the Committee on the revised Chesapeake Bay Agreement.
- Mr. Randy Keaton, HRPDC, briefed the Committee on the HRPDC's FY14-15 Unified Planning Work Program.
- Mr. Keaton briefed the Committee on the discussion on the HRPDC's relationship to the HRTPO that occurred at the joint retreat in February.
- Ms. Katie Cullipher, HRPDC, briefed the Committee on the current askHRgreen.org media campaign schedule and updated the Committee on the pet waste station grant program.
- Mr. Ben McFarlane, HRPDC, updated the Committee on the status of the HRPDC's Virginia Coastal Zone Management Program VCZMP grants and other items related to the VCZMP.
- Several committee members and guests provided status reports.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #14: CORRESPONDENCE OF INTEREST

- A. Letter to Mr. James A. Clary, HRPDC Senior Economist from Mr. Curt Solomon, President of Risk Management Association – Hampton Roads Chapter, February 27, 2014**

Attached is a letter to Mr. James Clary from Mr. Curt Solomon expressing his appreciation for Mr. Clary's presentation of the State of the Hampton Roads Economy to the members of the Risk Management Association - Hampton Roads Chapter on February 25, 2014.

Attachment 14-A

- B. Letter to Mr. Dwight Farmer, HRPDC Executive Director from Ms. Mary Ellen Simmons, York County Senior Legislative Assistant, February 28, 2014.**

Attached is a letter to Mr. Dwight Farmer from Ms. Mary Ellen Simmons notifying him of Mr. Thomas Shepperd's appointment to the Commission until December 31, 2015.

Attachment 14-B



February 27, 2014

James Asbhy Clary
The Regional Building
723 Woodlake Drive
Chesapeake, VA 23320

James,

On behalf of The Risk Management Association-Hampton Roads Chapter, I would like to express our sincere appreciation for your time and effort in presenting *The State of the Hampton Roads Economy* at our February 25, 2014 Lunch & Learn in Virginia Beach & Newport News, Virginia.

One of the primary benefits RMA-HR offers its members is educational and training opportunities and you played no small part in providing knowledge and information on a timely topic for the participants.

Early reviews of this event have been extremely positive. Thank you for helping us to provide quality programming, as well as valuable networking opportunities for members of RMA-HR.

Sincerely,

A handwritten signature in cursive script that reads 'Curt Solomon'.

Curt Solomon
President
Risk Management Association-Hampton Roads Chapter
Business Finance Group, Inc.

RECEIVED

MAR 04 2014

HRPDC

COUNTY ADMINISTRATOR
James O. McReynolds



BOARD OF SUPERVISORS
Walter C. Zaremba
District 1
Sheila S. Noll
District 2
Donald E. Wiggins
District 3
George S. Hrichak
District 4
Thomas G. Shepperd, Jr.
District 5

February 28, 2014

Mr. Dwight Farmer
Executive Director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320

Dear Mr. Farmer:

This is to notify you that at its organizational meeting held January 7, 2014, the York County Board of Supervisors elected Donald E. Wiggins as its Chairman for 2014. Please forward any future Mayors & Chairs correspondence or information for Mr. Wiggins to his home address, 301 Dawson Drive, Seaford, Virginia 23696. For meeting and scheduling purposes, he can be contacted by telephone at 890-3330, or by email at wiggins@yorkcounty.gov.

Thomas G. Shepperd, Jr., will continue to serve as York County's appointed representative on the HRPDC and the Transportation Planning Organization. Enclosed is a resolution adopted by the Board of Supervisors appointment Mr. Shepperd to a two-year term to expire December 31, 2015.

If you have any questions concerning the above information, please do not hesitate to contact me at 890-3325.

Sincerely,


Mary Ellen Simmons, MMC
Senior Legislative Assistant

Enclosure

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MAR 04 2014

HRPDC

224 Ballard Street • P.O. Box 532 • Yorktown, Virginia 23690-0532 • (757) 890-3320
Fax: (757) 890-4002 • TDD (757) 890-3300 • Email: bos@yorkcounty.gov
A Hampton Roads Community

Attachment 14-B

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 4th day of February, 2014:

<u>Present</u>	<u>Vote</u>
Donald E. Wiggins, Chairman	Yea
Thomas G. Shepperd, Jr., Vice Chairman	Yea
Walter C. Zaremba	Yea
Sheila S. Noll	Yea

Absent

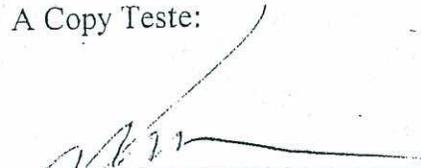
George S. Hrichak

On motion of Mr. Zaremba, which carried 4:0, the following resolution was adopted:

A RESOLUTION TO REAPPOINT A MEMBER OF THE YORK COUNTY BOARD OF SUPERVISORS TO THE HAMPTON ROADS PLANNING DISTRICT COMMISSION

BE IT RESOLVED by the York County Board of Supervisors this the 4th day of February, 2014, that Thomas G. Shepperd, Jr., be, and he is hereby, appointed as York County's elected official representative to the Hampton Roads Planning District Commission for a two-year term, such term to begin January 1, 2014, and expire December 31, 2015.

A Copy Teste:



James O. McReynolds
Clerk

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #15: FOR YOUR INFORMATION

A. 2014 Legislative Session Highlights

Environmental

HB 131 Chesapeake Bay; voluntary tax contributions for restoration, report.

Summary as passed House:

Tax contributions for restoration of the Chesapeake Bay. Requires the Secretary of Natural Resources to submit a report to the committees of oversight and the Virginia delegation to the Chesapeake Bay Commission by November 1 of each year describing how the moneys from the voluntary income tax check-off for Chesapeake Bay restoration activities were expended. The bill requires the report to be posted on a website maintained by the Secretary of Natural Resources, along with a cumulative listing of previous grants, beginning with awards granted on or after July 1, 2014.

HB 445 Administrative Process Act; standard procedures for adoption of waste load allocations.

Summary as introduced:

Administrative Process Act; standard procedures for adoption of waste load allocations by the State Water Control Board. Establishes minimum procedural requirements for the adoption of all waste load allocations, including public notice, public comment opportunity, a stakeholders advisory group process, agency response to comments, and a public meeting. Historically, waste load allocations were established under various procedures on a case-by-case basis. The bill requires that a comprehensive listing of all total maximum daily load waste load allocations adopted or approved by the State Water Control Board prior to July 1, 2014, be set forth in the Water Quality Management Planning Regulation (9VAC25-720). The bill also provides that any amendment prior to July 1, 2025, of the Water Quality Management Planning Regulation waste load allocations for nitrogen or phosphorus related to chlorophyll-a water quality criteria for multiple James River basin facilities shall be undertaken in accordance with the Administrative Process Act.

HB 911 Living shorelines projects; issuance of general permits.

Summary as introduced:

Living shorelines general permit. Requires regulations for the issuance of general permits for living shoreline projects to include an expedited review process. The bill allows construction of such projects under the local wetlands and coastal primary sand dunes ordinances. A living shoreline is a shoreline management practice that provides erosion control and water quality benefits; protects, restores, or enhances natural shoreline

habitat; and maintains coastal processes through the strategic placement of plants, stone, and fill. This bill is identical to SB 569.

HB 975 Hybrid electric motor vehicles; repeals annual license tax.

Summary as passed House:

Annual license tax on hybrid electric motor vehicles. Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014. This bill is identical to SB 127.

SB 414 Chesapeake Bay; voluntary tax contributions for restoration, report.

Summary as passed Senate:

Tax contributions for restoration of the Chesapeake Bay. Requires the Secretary of Natural Resources to submit a report to the committees of oversight and the Virginia delegation to the Chesapeake Bay Commission by November 1 of each year describing how the moneys from the voluntary income tax check-off for Chesapeake Bay restoration activities were expended. The bill requires the report to be posted on a website maintained by the Secretary of Natural Resources, along with a cumulative listing of previous grants beginning with awards granted on or after July 1, 2014. This bill is identical to HB 131.

HB 795 Waste kitchen grease; persons transporting to conspicuously display decal.

Summary as passed House: (all summaries)

Transportation of waste kitchen grease; decal. Requires certain persons transporting waste kitchen grease to conspicuously display a decal issued by the Commissioner on the outside of any vehicle used for such purpose. Current law requires the person to display his name and registration number on the vehicle in letters not less than three inches high. This bill is identical to SB 614.

HB 1173 Stormwater management programs; State Water Control Board to establish procedures and regulations.

Summary as passed: (all summaries)

Stormwater management programs; optional for some localities. Requires the Department of Environmental Quality to establish a Virginia Stormwater Management Program (VSMP) for any locality that neither opts to establish its own program nor operates a municipal separate storm sewer system (MS4). The bill defers the VSMP requirement for six months for certain recent MS4 localities. The bill alters the permitting appeals process and allows for an agreement in lieu of a stormwater management plan, and it directs the State Water Control Board to adopt regulations relating to the issuance of permits for parcels in subdivisions, the registration of single-family residences, and the reciprocity given by Virginia for proprietary Best Management Practices established elsewhere. The bill exempts single-family residences from payment of the Department's portion of the fee for the state general permit. Finally, the bill provides that the consolidation of state post-

construction requirements into Virginia's General Permit shall not modify the scope of enforcement of the federal Clean Water Act and exempts from most requirements of the Administrative Process Act those regulations of the State Water Control Board that will be necessary to implement the act. This bill incorporates HB 58, HB 649, and HB 261 and contains an emergency clause. This bill is identical to SB 423.

SB 423 Stormwater management programs; State Water Control Board to establish procedures and regulations.

Summary as passed: (all summaries)

Stormwater management programs; optional for some localities. Requires the Department of Environmental Quality to establish a Virginia Stormwater Management Program (VSMP) for any locality that neither opts to establish its own program nor operates a municipal separate storm sewer system (MS4). The bill defers the VSMP requirement for six months for certain recent MS4 localities. The bill alters the permitting appeals process and allows for an agreement in lieu of a stormwater management plan, and it directs the State Water Control Board to adopt regulations relating to the issuance of permits for parcels in subdivisions, the registration of single-family residences, and the reciprocity given by Virginia for proprietary Best Management Practices established elsewhere. The bill exempts single-family residences from payment of the Department's portion of the fee for the state general permit. Finally, the bill provides that the consolidation of state post-construction requirements into Virginia's General Permit shall not modify the scope of enforcement of the federal Clean Water Act and exempts from most requirements of the Administrative Process Act those regulations of the State Water Control Board that will be necessary to implement the act. This bill incorporates SB 425 and SB 530 and contains an emergency clause. This bill is identical to HB 1173.

Freedom of Information Act

SB 161 FOIA; participation in meetings by electronic communication in event of emergency, etc.

Summary as passed Senate: (all summaries)

Virginia Freedom of Information Act; participation in meetings in event of emergency or personal matters. Provides that if a public body does not approve of the remote participation of one of its members in the event that an emergency or personal matter prevents such an attendance, the public body must record the reason for the disapproval in the meeting minutes.

Local Government Mandates

HB 1011 Local Government, Commission on; local mandates.

Summary as passed House: (all summaries)

Commission on Local Government; local mandates. Extends from July 1, 2014, to July 1, 2018, the task force appointed by the Governor to review state mandates on localities.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #16: OLD/NEW BUSINESS