

AGENDA

Hampton Roads Transportation Accountability Commission

Finance Committee Meeting *In Person Meeting*

April 18, 2024
9:00 a.m.

1. **Call to Order and Roll Call**
2. **Approval of Agenda**
3. **Public Comment Period**
 - *Limit 5 minutes per individual*
4. **Consent Items**
 - *Recommended Action: Approval*
 - A. **Minutes of the December 14, 2023 Finance Committee Meeting (Attachment 4A)**
5. **Action Items**
 - *Recommended Action: Discussion/Endorsement/Recommendation/Approval*
 - A. **Executive Director Annual Evaluation - Closed Session as needed (Attachment 5A)**
 - Finance Committee Chair Hipple and Counselor Inglima
 - B. **I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements, UPCs 120375 and 123322 Standard Project Agreement Amendment for Project Budget, Plan of Finance Allocation Float Down (Attachment 5B)** - Executive Director Page and General Counselor Inglima - **Recommended Action: Endorsement and Recommendation to the Commission for Approval**
 - C. **Hampton Roads Express Lanes Network Segment 4A/4B Project Agreement Amendment for Project Construction and Project Budget, Plan of Finance Allocation Float Down. (Attachment 5C)** - Executive Director Page and General Counselor Inglima - **Recommended Action: Endorsement and Recommendation to the Commission for Approval**
 - D. **FY2025 Administrative and Project Development Budget (Attachment 5D)** - Executive Director Page - **Recommended Action: Endorsement and Recommendation to the Commission to Conduct a Public Hearing and Approve**
 - E. **HRTAC Debt Management Plan, Update on Financing Activities, and Next Steps for HRELN Financing - Recommendation to the Commission to Authorize Commission Chair and Staff to Develop the HRTF Backed Senior Debt Issuance and Toll Backed TIFIA Letter of Interest (Attachment 5E)** - Executive Director Page, David Miller, PFM Financial Advisors, Eric Ballou, Bond Counsel, and Tom Inglima, General Counsel -

Recommended Action: Endorsement and Recommendation to the Commission to Approve

- F. FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects, and Related FY2025 Schedule of Debt Service (Attachment 5F)** - Executive Director Page and Liang Shan, PFM Financial Advisors – **Recommended Action:** Endorsement and Recommendation to the Commission to Conduct a Public Hearing and Approve
- G. FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects (Attachment 5G)** - Executive Director Page and Liang Shan, PFM Financial Advisors - **Recommended Action:** Endorsement and Recommendation to the Commission to Conduct a Public Hearing and Approve
- H. 2045 Long Range Plan of Finance Update for the Region’s High Priority Highway Projects and the Hampton Roads Regional Transit Fund (Attachment 5H)** - Executive Director Page and Liang Shan, PFM Financial Advisors – **Recommended Action:** Endorsement and Recommendation to the Commission to Conduct a Public Hearing and Approve
- I. HRTAC Personnel Manual (Attachment 5I)** - Executive Director Page – **Recommended Action:** Endorsement and Recommendation to the Commission to Approve

6. Information Items

- A. HRTAC Monthly Financial Report – (Attachment 6A)** – Executive Director Page

7. Adjournment

4. A. Minutes of the December 14, 2023 Finance Committee Meeting

Agenda Item 4A
Consent Item

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

Re: December 14, 2023 Meeting Minutes

Recommendation:

The Finance Committee is asked to approve the December 14, 2023 Finance Committee meeting minutes.

Background:

The Finance Committee approves meeting minutes for the permanent record of the Finance Committee.

Fiscal Impact:

There is no fiscal impact in relation to this Consent Item.

Suggested Motion:

Motion is to approve the minutes of the HRTAC Finance Committee meeting on December 14, 2023.



**Hampton Roads Transportation
Accountability Commission (HRTAC)
Summary Minutes of the December 14, 2023 Finance Committee
Meeting**

The Hampton Roads Transportation Accountability Commission (HRTAC) Finance Committee Meeting was called to order at 8:12 a.m. with the following in attendance:

HRTAC Members in Attendance:

Supervisor Michael Hipple, JC, Chair
Supervisor William McCarty, IW*

Mayor Shannon Glover, PO
Supervisor Thomas Shepperd, YK

HRTAC Executive Director

Kevin Page

Other Participants:

Tom Inglima, Willcox & Savage
Eric Ballou, Kaufman & Canoles

HRTAC Voting Members Absent:

Senator Monty Mason, VGA

*Denotes late arrival or early departure

Others Recorded Attending:

Sheila Wilson (HRTPO); Lynn Coen, Jennifer Hodnett, Danetta Jankosky (HRTAC); Ramona Brooks, Ashlee Jordan (Veterans Reporters); Nelson Bush (PFM Asset Management)

Call to Order and Roll Call

HRTAC Finance Committee Chair, Supervisor Michael Hipple, called the meeting to order and a roll call of all Members was taken:

Chair Michael Hipple: Present
Supervisor William McCarty: No Response
Mayor Shannon Glover: Present
Supervisor Thomas Shepperd: Present

The quorum was confirmed by Mr. Inglima.

Approval of Agenda

Supervisor Thomas Shepperd Moved to approve the agenda as presented; Seconded by Mayor Shannon Glover. The Motion Carried.

Public Comment Period (limit 5 minutes per individual)

No one from the public requested to make a public comment.

Consent Item

- A. Minutes of the September 21, 2023 Finance Committee Meeting

Mayor Shannon Glover Moved to approve the consent agenda item; Seconded by Supervisor Shepperd. The Motion Carried.

Action Items

A. Update to the Approved FY2024-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects - Transit Regional High Priority Projects – Mid-Cycle Project Application

HRTAC Executive Director, Kevin Page, explained that the mid-cycle application from Hampton Roads Transit (HRT) that was before the Committee included a request for (1) \$4.5 million to replace the Evelyn T. Butts Transfer Facility in Norfolk, and (2) \$2,936,431 to purchase four (4) new forty-foot (40’) buses. He stated that the current facility needs to be replaced so that the regional network upgrades from the Hampton Roads Regional Transit Fund (HRRTF) investments could be efficiently implemented. The combined total amount of the application from HRT was \$7,436,431.00.

Executive Director Page reminded the Committee Members that the HRRTF was a separate fund from the Hampton Roads Transportation Fund (HRTF).

Mr. Tom Inglima, HRTAC General Counsel, stated that the action the Finance Committee was being asked to take on this item was to request that the Commission authorize the Executive Director to conduct a public hearing on programming the requested funds into the six-year plan.

Executive Director Page confirmed that the funds were currently available and unobligated in the six-year plan.

Supervisor Shepperd Moved that the Finance Committee endorses the Proposed Update to the Adopted FY2024-FY2030 Plan of Finance Update - Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects and authorizes the Finance Committee Chair to communicate the action of the Finance Committee and to request that the Commission authorize the Executive Director to conduct a public hearing and report back public comments for consideration in the Commission’s action, which action is expected to be taken not later than at its April 18, 2024 Regular meeting; Seconded by Mayor Glover. The Motion Carried.

B. Supplement to Resolution – Amendments to the HRBT Project Agreement for Funding and Administration (PAFA) and HRBT 2021 TIFIA Toll Backed and HRTF Loan Agreements

Mr. Eric Ballou, Kaufman and Canoles, HRTAC Bond Counsel, outlined the changes to the PAFA that were approved at the September 21, 2023 meeting and explained that the Build America Bureau conditioned its consent to the changes to the PAFA upon HRTAC and the Bureau adopting formal amendments to the Commission's TIFIA loan agreements that addressed related matters.

Mr. Ballou clarified for the Committee that the TIFIA Loans were issued by the United States Treasury, so the loans are funded by U.S. Government bonds. He reminded Committee Members of the low interest rate on the TIFIA Loans.

Executive Director Page indicated that the requested action was to provide further clarification by entering into formal amendments to the TIFIA loan agreements, and to supplement the general authority that was granted in the September 2023 Resolution.

Supervisor Shepperd Moved that the Finance Committee i. recommends that the Chair or the Vice-Chair of the Commission, either of whom may act (the "HRTAC Representative"), be authorized, for and on behalf of the Commission, to execute and deliver such amendments to the HRBT 2021 TIFIA Toll Backed Loan Agreement, the HRBT 2021 HRTF Loan Agreement, and all other related agreements, certificates or documents, as, in each case, the HRTAC Representative, with the advice of the Executive Director of the Commission and the Commission's general counsel, may deem necessary or appropriate to obtain USDOT's consent to the proposed CA Amendment and the proposed PAFA Amendment (as each is referenced and defined in Resolution 2023-03), including, without limitation, amendments that relate to the project costs payable with the loan proceeds, the disbursement schedule of the Commission's loans from USDOT or the funding order of the Commission's plan of finance relating to the Project, and supplements and amendments to the related bond indentures to correspond with the amendments to the Loan Agreements, provided that such amendments shall not, without further Commission approval, modify the original stated principal (other than such increases permitted by original authorizing resolutions for the Loan Agreements), interest rate or maturity terms under the Loan Agreements; and ii. authorizes the Finance Committee Chair to communicate the action of the Finance Committee at the December 14, 2023 Regular Commission Meeting, Seconded Mayor Glover. The Motion Carried.

Supervisor William McCarty Arrives.

C. Employee Leave Policy

Executive Director Page reminded the Committee that in connection with its most recent audit, PBMares recommended the development of a leave policy to account for the liability of employee accrued leave.

He indicated that the policy was similar to the Hampton Roads Planning District Commission/Hampton Roads Transportation Planning Organization (HRPDC/HRTPO) policy with the exception of HRTAC having family leave and not having birthday leave.

Committee Members discussed how the policy compared to the policies of the regional localities.

Executive Director Page stated that HRTAC's plan was in alignment with the Virginia Retirement System Service Plans 1 and 2.

Committee Members discussed the possibility of an employee buy-back program.

Supervisor William McCarty Moved that the Finance Committee endorses the proposed Employee Leave Policy and recommends that the Commission approve the proposed Employee Leave Policy at its December 14, 2023 Regular Meeting and authorizes the Finance Committee Chair to communicate the action of the Finance Committee to the Commission at its December 14, 2023 Regular meeting; Seconded by Supervisor Shepperd. The Motion Carried.

Discussion Item

A. Vacant Positions Update

Executive Director Page reminded the Committee that the HRTAC budget included two currently vacant positions – a Chief Financial Officer (CFO) and a Deputy Director of Program Administration. In addition, Ms. Danetta Jankosky, officially became a full time HRTAC employee after being an employee of HRPDC/HRTPO.

Executive Director Page proposed that the first position of the two to be filled be the Chief Financial Officer position, considering Ms. Sheila Wilson, who is currently an HRPDC/HRTPO employee providing services to HRTAC through a shared services agreement, will be retiring November 30, 2024.

Committee Members were provided a timeline of hiring activities and the draft job description in the agenda packet.

Executive Director Page stated that with Ms. Wilson's departure, there will be an advertisement for the CFO position for HRPDC/HRTPO and asked the Committee Members' opinions as to whether HRTAC should advertise simultaneously with HRPDC/HRTPO or delay.

Committee Members asked if the CFO position was going to be shared with the HRPDC/HRTPO. Executive Director Page stated that the position would not be shared, and the CFO would only be an HRTAC employee.

Committee Members agreed that HRTAC should not hold off on advertising the position and would be willing to negotiate salary and focus on getting the best candidate.

Committee Members asked about the timeline for training. Executive Director Page stated that the CFO would ideally start on July 1, 2024 and work with Ms. Wilson until November 30, 2024.

Ms. Wilson stated that she would assist through the audit in July and then return as a consultant in January 2025 and work with HRTAC throughout the fiscal year to ensure a smooth transition.

Committee Members discussed the shortage of a qualified pool of applicants for the CFO position and agreed that the proposed plan was good and that Executive Director Page should begin implementation.

This item was for discussion purposes only with no action needed or taken.

Information Item

A. HRTAC Monthly Financial Report

Executive Director Page reviewed the HRTAC Monthly Financial Report with the Committee.

Adjournment

With no further business to come before the Finance Committee the meeting adjourned at 8:52 a.m.

Michael Hipple,
HRTAC Finance Committee Chair

5.A. Executive Director Annual Evaluation

Agenda Item 5A
Action Item

To: Chair Hipple and the other members of HRTAC Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

Re: Annual Evaluation of Executive Director and Employment Agreement - Closed Session as needed

Recommendation:

The Finance Committee is asked to perform the Annual Evaluation of the Executive Director.

Background:

The Executive Director's Employment Agreement calls for the annual review and evaluation of the Executive Director's performance. In accordance with the Third Amended and Restated Bylaws of the Commission, the Chair assigned the annual evaluation of the Executive Director to the Finance Committee. Following the discussion of the Executive Director's performance, the Finance Committee will provide the Commission with its assessment and recommendations.

Fiscal Impact:

There is no Fiscal Impact related to this Action Item.

Suggested Motion (to be modified as necessary):

Motion is the Finance Committee has determined that the Executive Director has *[met]* *[alt. exceeded]* expectations for the review period.

**5.B. I-64/I-464 Interchange, Exit 291 Flyover Ramp
Improvements, UPCs 120375 and 123322 Standard
Project Agreement Amendment for Project Budget, Plan of
Finance Allocation Float Down**

Agenda Item 5B
Action Item

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements, UPCs 120375 and 123322 Standard Project Agreement Amendment for Project Budget, Plan of Finance Allocation Float Down

Recommendation:

The HRTAC Staff recommends that the Finance Committee make recommendation to the Commission to (a) approve the I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements, UPCs 120375 and 123322 Standard Project Agreement; (b) Deallocate \$25,482,549.00 from the amount budgeted to the project in the Approved HRTAC HRTF FY2024-FY2030 Six Year Plan of Finance; and (c) Provide Authorization to Execute the Standard Project Agreement Amendment.

Background:

As the I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements advance to construction, VDOT has notified HRTAC that project bids for construction have come in under the budget established in the Approved HRTAC HRTF FY2024 – FY2030 Approved Plan of Finance. This will be the first amendment to the original Agreement (dated as of October 25, 2023). This amendment will provide funding for construction of the project. Accompanied with the amendment to the project agreement, a float down of \$25,482,549.00 of HRTAC HRTF funding allocated to the project in the Approved HRTAC FY2024 – FY2030 Plan of Finance will occur as these funds are no longer needed due to favorable bids received, as approved by the Commonwealth Transportation Board at their January 16, 2024 meeting.

Fiscal Impact:

There is a positive fiscal impact due to the deallocation of \$25,428,549.00 in the Approved HRTAC FY2024-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects.

Suggested Motion:

Motion is that the Finance Committee: Recommends that the Commission (a) approve the I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements, UPCs 120375 and 123322



Standard Project Agreement Amendment; (b) Deallocate \$25,428,549.00 from the amount budgeted to the project in the Approved HRTAC FY2024 – FY2030 Six Year Plan of Finance, I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements; and (c) Provide Authorization to the Chair to Execute the Standard Project Agreement Amendment.





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
HAMPTON ROADS DISTRICT
7511 Burbage Drive
SUFFOLK, VIRGINIA 23435

Stephen C. Brich, P.E.
Commissioner

March 11, 2024

Mr. Kevin B. Page
Executive Director
Hampton Roads Transportation Accountability Commission
723 Woodlake Drive
Chesapeake, VA, 23320

RE: HRTAC Previous Projects Funding Deallocation Request

Dear Mr. Page,

I am writing to follow up on our recent discussions regarding the desire to deallocate and reduce HRTAC funding from a couple previous project commitments.

We have identified \$34,174,814 of HRTAC funds from the following projects with the reduction amounts shown in the table below:

	Project	UPC	Deallocation Amount
1	I-464/I-64 Exit 291 Interchange Improvements	UPC 120375	-\$25,482,549.00
2	HREL Segment 4A/4B Full Build Project	UPC 119824	-\$8,692,265.00

As you are aware, the Virginia Department of Transportation (VDOT) received favorable bids for both projects listed above and is respectfully requesting that HRTAC redirect \$12,441,705 for the HREL Segment 1B Project, \$4,697,906 for the I-264/I-64 3A Project and \$4,820,492 for the HREL Segment 3 (Tolling Infrastructure) Project to support funding for construction for all three projects. The remaining \$12,214,711 to the HRTAC reserve account to support future HRTAC projects as needed.

Thank you for your consideration.

Sincerely,

Christopher G. Hall, P.E.
District Engineer

**AMENDMENT TO
STANDARD PROJECT AGREEMENT FOR FUNDING AND ADMINISTRATION
BETWEEN
THE HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION
AND VIRGINIA DEPARTMENT OF TRANSPORTATION
(HREL I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements Project)**

(UPC 120375 and 123322) – Float Down

THIS AMENDMENT TO STANDARD PROJECT AGREEMENT FOR FUNDING AND ADMINISTRATION (this “Amendment”), dated as the date of last execution below (the “Effective Date”), is made by and between the HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION (“HRTAC”) and the VIRGINIA DEPARTMENT OF TRANSPORTATION (“VDOT”).

RECITALS:

A. The parties have entered into a Standard Project Agreement for Funding and Administration for I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements Project (UPC 120375 and 123322) dated as of October 25, 2023 (the “Agreement”)

B. Capitalized terms not defined when used herein shall have the meanings given those terms under the Agreement.

C. VDOT has notified HRTAC that VDOT has advertised the Project and is now prepared to award the contract for the construction phase of the Project and that the funds required for the Project have been less than initially budgeted and, consequently, there is an excess HRTAC commitment of \$25,482,549.

D. The parties now desire to amend Appendix B of the Agreement and the Paygo Request Form of Appendix C of the Agreement on terms set forth below to reflect the effect of the reduction in required funds and deallocate the funds from the Project.

NOW, THEREFORE, in consideration of the premises, the mutual covenants and agreements set forth in this Amendment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree to amend the Agreement as follows:

1. Appendix A of this Agreement is hereby amended and restated in its entirety as set forth in the document attached hereto as Attachment 1.

2. Appendix B of the Agreement is hereby amended and restated in its entirety as set forth in the document attached hereto as Attachment 2, including the addition of a new Annex I to Appendix B, to modify the project budget (and cash flow estimates) and schedule relating to the construction for the I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements.

3. The Detailed Paygo Request Form of Appendix C is hereby amended and restated as set forth in the document attached hereto as Attachment 3.

4. Except as modified by the provisions of this Amendment, all other terms of the Agreement shall remain in full force and effect.

5. This Amendment may be executed in any number of counterparts, and by each party on a separate counterpart, each of which, when so executed and delivered, shall be deemed to be an original and all of which taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Amendment by their duly authorized representatives, intending it to be effective on the date of last execution.

**VIRGINIA DEPARTMENT OF
TRANSPORTATION**

**HAMPTON ROADS TRANSPORTATION
ACCOUNTABILITY COMMISSION**

By: _____
Stephen C. Brich, P.E.
Commissioner of Highways

By: _____
Richard W. West
Chair

Date: _____

Date: _____

ATTACHMENT 1 – APPENDIX A

HAMPTON ROADS EXPRESS LANES NETWORK PROJECT ELEMENTS

I-64/I-464 INTERCHANGE, EXIT 291 FLYOVER RAMP IMPROVEMENTS PROJECT – UPCs 120375 AND 123322

Scope: The work associated with this Agreement for the I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements Project is to fund a portion of construction activities to improve traffic operations, reduce congestion, and improve safety. The Project is located in the City of Chesapeake. The Project will improve the I-64/I-464 interchange by providing a direct connection between I-64 eastbound and Route 168 southbound via I-464 southbound. The Project scope will include these improvements: (i) new flyover ramp from I-64 eastbound to I-464 southbound (to Route 168), (ii) reconfiguration of the I-64 eastbound ramp to I-464 northbound, (iii) maintenance of the existing I-64 eastbound to I-464 southbound loop-ramp (to Route 17 southbound), and (iv) shifting the I-464 southbound diverge point for Route 17 and Route 168 approximately 2,000 ft. to the north. The Commonwealth has allocated \$140M of Interstate Operations and Enhancement Program (IOEP) funds for Preliminary Engineering, Right of Way and Construction of this Project. In addition to the IOEP funding, an estimated \$15,380,374 in HRTAC funding is needed to complete Construction of the Project.

The Project is in addition to proposed loop ramp replacement improvements to the I-64/I-464 Interchange that are included in the Hampton Roads Transportation Planning Organization (HRTPO) 2045 Long Range Transportation Plan (LRTP) and HRTAC's 2045 Long Range Plan of Finance. Prior to moving forward with the Region's proposed loop ramp replacement improvement projects, VDOT will complete an Interchange Access Report (IAR), which will be funded under a separate agreement, to evaluate the full build of the I-464/I-64 Interchange and Route 168 proposed ramp configuration contemplated by HRTAC's Long Range Plan of Finance and the HRTPO's 2045 LRTP.

ATTACHMENT 2 -- APPENDIX B (AS AMENDED AND RESTATED)

HAMPTON ROADS EXPRESS LANES NETWORK ELEMENTS

**I-64/I-464 INTERCHANGE, EXIT 291 FLYOVER RAMP IMPROVEMENTS PROJECT
– UPC 120375 and 123322**

PROJECT BUDGET AND PROJECT SCHEDULE

***Project Budget: I-64/I-464 INTERCHANGE, EXIT 291 FLYOVER RAMP
IMPROVEMENTS PROJECT:***

HRTAC and VDOT Costs (UPCs 120375 and 123322):

Preliminary Engineering (PE)	\$4,420,000
Right of Way (RW)	\$1,276,469
Construction (CN)	\$149,683,905
<hr/>	
Total Cost	\$155,380,374

The Scope of Work for and activities associated with this Agreement for the I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements Project are set out in Appendix A. Funding for the Project consists of \$140 Million in IOEP funds and approximately \$15.4 Million in HRTAC funding. The HRTAC funding is for Construction (CN) of the Project and is \$25,482,549 less than initially committed.

The tasks contemplated under this Agreement include but are not limited to the following:

Construction of the I-64/I-464 Interchange, Exit 291 Ramp Improvements including a new flyover ramp from I-64 east bound to I-464 southbound, re-evaluation of existing High Rise Bridge Environmental Assessment, cost estimate & schedule refinements, support of design related activities for this Project as defined in the Appendix A.

Project Schedule: I-64/I-464 Interchange, Exit 291 Flyover Ramp Improvements Project (all dates are estimates):

- **Preliminary Engineering (PE):**
 - PE Start: 1/21/2022
 - PE End: 10/17/2023
- **Right of Way (RW):**
 - RW Start: 10/17/2023
 - RW End: 10/18/2023
- **Construction (CN):**
 - CN Start: 2/20/2024

- CN End: 9/2/2027

Project Cash Flow Schedule: See Annex I to this Appendix B (which is incorporated herein by this reference as if set out in full).

ANNEX I TO APPENDIX B

ATTACHMENT 1 - ANNEX I TO APPENDIX B (AS AMENDED AND RESTATED)

PROJECT BUDGET AND CASHFLOW

PROJECT IDENTIFICATION AND PROPOSED FUNDING

HRTAC Project Title:	I-464/I-64 Interchange, Exit 291 Flyover Ramp Improvements Project			
Scope of Project Services:	Standard Project Services to Support the IAR (UPC 120375, 123322)			
Recipient Entity:	Virginia Department of Transportation			
VDOT Project Contact:	Todd Halacy (757) 956-3010			
Baseline Schedule:	PE: Start 1/21/22, End 10/17/23	VDOT Programming Schedule: (SPA Project Schedule)	PE: Start 1/21/22	End 10/17/23
	RW: Start 10/17/23 End 10/18/23		RW: Start 10/17/23	End 10/18/23
	CN: Start 2/20/24 End 9/2/27		CN: Start 2/20/24	End 9/2/27

PROJECT COSTS & FUNDING SOURCE

Project Cost Category	Total Project Costs	HRTAC PayGo Funds	HRTAC Financed Funds	Description Other Sources of Funds	Amount Other Sources of Funds	Recipient Entity Funds
Design Work	\$ 4,420,000.00	\$ -	\$ -	Fed/State	\$ 4,420,000.00	\$ -
Engineering	\$ -	\$ -	\$ -			
Environmental Work						
Right-of-Way Acquisition	\$ 1,276,469.00	\$ -	\$ -	Fed/State	\$ 1,276,469.00	
Construction	\$ 149,683,905.00	\$ 15,380,374.00	\$ -	Fed/State	\$ 134,303,531.00	
Contract Administration						
Testing Services						
Inspection Services						
Capital Asset Acquisitions						
Other						
Total Estimated Cost	\$ 155,380,374.00	\$ 15,380,374.00	\$ -	\$ -	\$ 140,000,000.00	\$ -

FISCAL YEAR ANNUAL PROJECT CASH FLOW

Project Phase	Total Fiscal Year 2027		Total Fiscal Year 2028		Total Fiscal Year 2029	
	PayGo	Financed	PayGo	Financed	PayGo	Financed
Design Work	\$ -					
Engineering	\$ -					
Environmental Work						
Right-of-Way Acquisition	\$ -		\$ -		\$ -	
Construction	\$ 11,535,282.00		\$ 3,845,092.00		\$ -	
Contract Administration						
Testing Services						
Inspection Services						
Capital Asset Acquisitions						
Other						
Total Estimated Cost	\$ 11,535,282.00	\$ -	\$ 3,845,092.00	\$ -	\$ -	\$ -

Please Note: If additional years are needed, please submit a separate form with additional columns

FISCAL YEAR ESTIMATED PROJECT CASH FLOW

	FY 27 Mthly Cash Flow		FY 28 Mthly Cash Flow		FY 29 Qtrly Cash Flow	
	PayGo	Financed	PayGo	Financed	PayGo	Financed
July	\$ -		\$ 1,281,698.00		\$ -	
August	\$ -		\$ 1,281,698.00		\$ -	
September	\$ -		\$ 1,281,696.00		\$ -	
October	\$ 1,281,698.00		\$ -		\$ -	
November	\$ 1,281,698.00		\$ -		\$ -	
December	\$ 1,281,698.00		\$ -		\$ -	
January	\$ 1,281,698.00		\$ -		\$ -	
February	\$ 1,281,698.00		\$ -		\$ -	
March	\$ 1,281,698.00		\$ -		\$ -	
April	\$ 1,281,698.00		\$ -		\$ -	
May	\$ 1,281,698.00		\$ -		\$ -	
June	\$ 1,281,698.00		\$ -		\$ -	
Total per Fiscal Year	\$ 11,535,282.00	\$ -	\$ 3,845,092.00	\$ -	\$ -	\$ -

Please Note: If additional years are needed, please submit a separate form with additional columns

This attachment is certified and made an official attachment to the Standard Project Agreement document by the parties of this agreement.

Virginia Department of Transportation	Hampton Roads Transportation Accountability Commission
Signature	Signature
Commissioner	HRTAC Chairman
Title	Title
Date	Date
Stephen C. Brich, P.E.	Richard W. West
Print name of person signing	Print name of person signing

Revised 7.8.14

ATTACHMENT 3 - DETAILED PAYGO REQUEST

Draw Request Number: _____
 HRTAC Project Number: UPCs 120375/123322

Request Date: _____
 Project Title: I-64/I-464 Flyover Ramp

Cost Category	HRTAC Approved Project Costs		Total PayGo Requests Previously	PayGo Requisition Amount this Period	Remaining PAYGO Project Budget (Calculation)
Project Starting Balance	\$0				\$ -
Design Work/ Engineering	\$0		\$ -	\$ -	\$ -
Engineering	\$0		-	-	\$ -
Environmental Work	-		-	-	\$ -
Right-of-Way Work	\$0		-	-	\$ -
Construction	\$15,380,374		-	-	\$ -
Contract Administration	-		-	-	\$ -
Testing Services	-		-	-	\$ -
Inspection Services	-		-	-	\$ -
Capital Asset Acquisitions	-		-	-	\$ -
Other (please explain)	-		-	-	\$ -
TOTALS	\$15,380,374		\$ -	\$ -	\$ -

LISTING OF ATTACHED INVOICES

Vendor/Contractor Name	Item Number	Invoice Number	Cost Category	Amount
	1			\$ -
	2			-
	3			-
	4			-
	5			-
	6			-
	7			-
	8			-
	9			-
	10			-
	11			-
	12			-
Requisition Amount				\$ -

Instructions

1. Column B-Please list approved PayGo Project Cost per category.
2. Column C-Please list Total PayGo Amounts per Category Previously Reimbursed by HRTAC
3. Column D- Please list invoice amounts summarized by Category from the Listing of Attached Invoices
4. Column E - Is a calculation of the Remaining PAYGO Budget per Category

Instructions-Listing of Attached Invoices: (please list each invoice separately)

1. Column A- Please list the name as it appears on the Invoice

2. Column B- Please manually number the invoices attached with the corresponding Item number in this schedule.
3. Column C- Please list the invoice number as it appears on the Invoice
4. Column D- Please list the appropriate Cost Category based on the Project Category breakout above
5. Column E- Please enter the dollar amount listed on the invoice.
6. The calculated Requisition Amount should equal the total in Column D in the Schedule above.

**5.C. Hampton Roads Express Lanes Network Segment
4A/4B Project Agreement Amendment for Project
Construction and Project Budget, Plan of Finance
Allocation Float Down**

Agenda Item 5C
Action Item

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

**Hampton Roads Express Lanes Network Segment 4A/4B Project Agreement
Amendment for Project Construction and Project Budget, Plan of Finance Allocation
Float Down**

Recommendation:

The HRTAC Staff recommends that the Finance Committee make recommendation to the Commission to (a) approve the Second Amendment to the Hampton Roads Express Lanes Network Segment 4A/4B Standard Project Agreement; (b) Deallocate \$8,692,265.00 from the amount budgeted to the project in the Approved HRTAC HRTF FY2024-FY2030 Six Year Plan of Finance; and (c) Provide Authorization to Execute the Standard Project Agreement Amendment.

Background:

As the Hampton Roads Express Lanes Network (“HRELN”), projects advance to construction, VDOT has notified HRTAC that project bids for construction for Segment 4A/4B have come in under the budget established in the Approved HRTAC HRTF FY2024 – FY2030 Approved Plan of Finance. To proceed to the construction phase, VDOT and HRTAC must amend their project agreement to include the construction phase of the project. This will be the Second Amendment to the original Agreement (dated as of December 16, 2021 - UPC 119824-HREL Segment 4A-4B Agreement Full Build Potential Scope Project), as amended by the First Amendment (dated as of March 17, 2023-HREL Segment 4A-4B Full Build First Amendment). This Second Amendment is adding the construction phase to the existing Agreement, as amended. Accompanied with the amendment to the project agreement, a float down of \$8,692,265.00 of HRTAC HRTF funding allocated to the project in the Approved HRTAC HRTF FY2024 – FY2030 Plan of Finance will occur as these funds are no longer needed due to favorable bids received, as approved by the Commonwealth Transportation Board at their February 20, 2024 meeting.

Fiscal Impact:

There is a positive fiscal impact due to the deallocation of \$8,692,265.00 in the Approved HRTAC HRTF FY2024-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects.



Suggested Motion:

Motion is that the Finance Committee recommends that the Commission (a) approve the Second Amendment to the Hampton Roads Express Lanes Network Segment 4A/4B Project Agreement; (b) deallocate \$8,692,265.00 from the amount budgeted to the project in the Approved HRTAC HRTF FY2024-FY2030 Six Year Plan of Finance; and (c) provide Authorization to Execute the Standard Project Agreement Amendment, and further authorizes the Finance Committee Chair to communicate this recommendation to the Commission at its next meeting.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
HAMPTON ROADS DISTRICT
7511 Burbage Drive
SUFFOLK, VIRGINIA 23435

Stephen C. Brich, P.E.
Commissioner

March 11, 2024

Mr. Kevin B. Page
Executive Director
Hampton Roads Transportation Accountability Commission
723 Woodlake Drive
Chesapeake, VA, 23320

RE: HRTAC Previous Projects Funding Deallocation Request

Dear Mr. Page,

I am writing to follow up on our recent discussions regarding the desire to deallocate and reduce HRTAC funding from a couple previous project commitments.

We have identified \$34,174,814 of HRTAC funds from the following projects with the reduction amounts shown in the table below:

	Project	UPC	Deallocation Amount
1	I-464/I-64 Exit 291 Interchange Improvements	UPC 120375	-\$25,482,549.00
2	HREL Segment 4A/4B Full Build Project	UPC 119824	-\$8,692,265.00

As you are aware, the Virginia Department of Transportation (VDOT) received favorable bids for both projects listed above and is respectfully requesting that HRTAC redirect \$12,441,705 for the HREL Segment 1B Project, \$4,697,906 for the I-264/I-64 3A Project and \$4,820,492 for the HREL Segment 3 (Tolling Infrastructure) Project to support funding for construction for all three projects. The remaining \$12,214,711 to the HRTAC reserve account to support future HRTAC projects as needed.

Thank you for your consideration.

Sincerely,

Christopher G. Hall, P.E.
District Engineer

**SECOND AMENDMENT TO
STANDARD PROJECT AGREEMENT FOR FUNDING AND ADMINISTRATION
BETWEEN
HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION
AND
VIRGINIA DEPARTMENT OF TRANSPORTATION**

**HAMPTON ROADS EXPRESS LANES NETWORK PROJECT ELEMENTS –
SEGMENT 4A/4B – FULL BUILD POTENTIAL SCOPE PROJECT
UPC’s 119824 (Advanced Activity UPC 117839 linked)**

THIS SECOND AMENDMENT TO STANDARD PROJECT AGREEMENT FOR FUNDING AND ADMINISTRATION (this “Amendment”) dated as of the date of last execution below (the “Effective Date”), is made by and between the HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION (“HRTAC”), and the VIRGINIA DEPARTMENT OF TRANSPORTATION (“VDOT”).

RECITALS

A. The parties entered into that certain Standard Project Agreement for Funding and Administration for Segment 4A/4B (Full Build Potential Scope) Project (UPC 119824 (Advanced Activity UPC 117839 linked)) dated as of December 16, 2021 (the “Initial SPA”).

B. By Amendment dated as of March 17, 2023, the parties amended the Initial SPA (the “First Amendment” and, together with the Initial SPA, the “Segment 4A/4B SPA”).

C. Pursuant to Attachment 1 of the First Amendment, the parties amended and restated Appendix B of the Initial SPA with a new Appendix B and Annex I thereto, and pursuant to Attachment 2 of the First Amendment, the parties amended and restated the Paygo Request Form of Appendix C of the Initial SPA.

D. Capitalized terms used herein and not otherwise defined shall have the meanings assigned to them in the Segment 4A/4B SPA.

E. Notwithstanding the sequence of events as set forth in Section 3.01(c) of the Master Agreement, which contemplates a standard project agreement for preliminary engineering and a separate standard project agreement for project delivery, the parties entered into the Segment 4A/4B SPA, intending to address the Preliminary Engineering, Right of Way and construction phases of the Project in a single standard project agreement.

F. At the time the parties entered into the Segment 4A/4B SPA, only details and funding for the Preliminary Engineering and Right of Way phases of the Project were available, and the parties agreed that the Segment 4A/4B SPA would have to be amended to add construction and additional project delivery details, as well as funding, if (and before) any award was made.

G. VDOT has notified HRTAC that (i) the funds required for the Right of Way phase for this project have been less than initially budgeted and, consequently, there is an excess commitment of \$1,122,218 for the Right of Way funding; and (ii) VDOT has advertised the Project and is now prepared to award the contract for construction of the Project and seeks to amend the Segment 4A/4B SPA to reflect the costs and funding for the construction phase of the Project (which construction funding is \$8,692,265 less than initially carried by HRTAC in its funding plan).

H. The parties now desire to amend the Segment 4A/4B SPA on the terms set forth below to (i) reflect the effect of the reduction in required funding for the Right of Way phase of the Project and deallocate the excess funds from the Project and (ii) document and commit the construction funding required for the Project.

NOW, THEREFORE, in consideration of the premises, the mutual covenants and agreements set forth in this Amendment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree to amend the Segment 4A/4B SPA as follows:

1. Appendix A of the Segment 4A/4B SPA is hereby amended and restated in its entirety as set forth in the document attached hereto as Attachment 1 to modify the scope of work to provide for the construction of the Segment 4A/4B Project.

2. Appendix B of the Segment 4A/4B SPA is hereby amended and restated in its entirety as set forth in the document attached hereto as Attachment 2, including the addition of a new Annex I to Appendix B, to modify the project budget (and cash flow estimates) and schedule to reflect the reduced funding required for the Right of Way phase of the Project and the funding committed for construction of the Project.

3. The detailed Paygo Request Form of the Segment 4A/4B SPA is hereby amended and restated in its entirety as set forth in the document attached hereto as Attachment 3.

4. Appendix E is supplemented to include the additional authorizing documents of HRTAC and the CTB that are appended hereto as Attachment 4.

5. In addition to, and without limiting the terms of the Segment 4A/4B SPA, VDOT agrees that:

(a) VDOT shall provide a periodic report to HRTAC (not less frequently than every calendar quarter), which describes:

(i) The unused portion of the contingency in the budget, and

(ii) Any potential claims and/or notices of intent to file a claim that would reduce the contingency; and

(b) VDOT shall not use the contingency unless HRTAC gives its prior written consent or the applicable use is in accordance with a protocol approved by HRTAC, and, without limiting the foregoing, HRTAC's approval rights over any settlement of a claim or notice of intent

to file a claim shall extend to the claims and notices of intent to file a claim described in clause (a) above.

6. Except as modified by the provisions of this Amendment, all other terms of the Segment 4A/4B SPA shall remain in full force and effect.

7. This Amendment may be executed in any number of counterparts, and by each party on a separate counterpart, each of which, when so executed and delivered, shall be deemed to be an original and all of which taken together shall constitute one and the same instrument.

[Remainder of Page Blank – Signature Page Follows]

IN WITNESS WHEREOF, the parties have executed this Amendment by their duly authorized representative on the date set forth below, intending it to be effective on the date of last execution.

HAMPTON ROADS TRANSPORTATION ACCOUNTABILITY COMMISSION

By: _____

Name: Richard W. West

Title: Chairman, HRTAC

Date: _____

VIRGINIA DEPARTMENT OF TRANSPORTATION

By: _____

Name: Stephen C. Brich, P.E.

Title: Commissioner of Highways

Date: _____

ATTACHMENT 1--APPENDIX A (As Amended and Restated)

HAMPTON ROADS EXPRESS LANES NETWORK PROJECT ELEMENTS

SEGMENT 4A/4B (FULL BUILD POTENTIAL SCOPE) PROJECT – UPC 119824

Scope: The work associated with this Standard Project Agreement for the Segment 4A/4B (Full Build Potential Scope) Project, as amended, is to perform the Preliminary Engineering activities, for which advanced preliminary engineering work was completed under a Standard Project Agreement for Funding and Administration – Segment 1 Preliminary Engineering (Phase 1 PE - UPC 117839) dated December 16, 2021 (the “Phase 1 SPA”), and to complete the services required to complete the currently anticipated Right of Way (RW) activities in support of the construction of Segment 4A/4B of the Hampton Roads Express Lane Network and to complete construction and delivery of Segment 4A/4B.

The Segment 4A/4B project is located on I-64 EB and WB in the Cities of Newport News and Hampton extending from starting 1.20 miles west of Denbigh Boulevard to 0.136 miles east of LaSalle Avenue for a project length of approximately 13.5 miles. The purpose is to convert the existing high occupancy vehicle (HOV) lane into a high occupancy toll (HOT) managed lane for the portion of the segment where these lanes are located. For the last mile of the segment, a general purpose (GP) lane will be converted to an Express lane and the EB lanes will be widened to add a buffer between the proposed Express Lane and GP lane. The widening will maintain minimum shoulder width in both directions. The proposed improvements include the replacement of I-64 Bridge EB and WB over LaSalle Avenue. Interstate ramps will be realigned as needed. The Right of Way phase for the Project is complete. VDOT provided a set of plans and specifications for advertisement utilizing its design and engineering support services contractor(s) and/or their subcontractors and is prepared to award the construction contract for the Project.

ATTACHMENT 2--APPENDIX B (AS AMENDED AND RESTATED)

HAMPTON ROADS EXPRESS LANES NETWORK ELEMENTS

**SEGMENT 4A/4B FULL BUILD POTENTIAL SCOPE PROJECT - UPC
119824**

PROJECT BUDGET AND PROJECT SCHEDULE

Project Budget: SEGMENT 4A/4B (FULL BUILD POTENTIAL SCOPE) PROJECT:

*Preliminary Engineering (PE)	\$4,874,638
**Right of Way (RW)	\$77,782
***Construction (CN)	\$131,659,074
<hr/> Total Cost	<hr/> \$136,611,494

*Pursuant to the advanced activity Phase 1 SPA, executed on April 1, 2021, \$5,916,425 was provided and delivered by HRTAC for advanced preliminary engineering for Segment 4A/4B. In addition to that funding under the Phase 1 SPA, the parties agreed that an additional \$4,874,638 in funding would be made available by HRTAC under the Segment 4A/4B SPA for preliminary engineering costs for the Segment 4A/4B (Full Build Potential Scope) Project, whether incurred prior to or subsequent to execution of this Agreement.

Further, pursuant to the first Amendment to the Segment 4A/4B SPA, previous total costs of \$12,421,553 budgeted for the Preliminary Engineering and Right of Way phases were reduced to \$4,874,638 (PE) and \$1,200,000 (RW), with \$5,000,000 being deobligated and \$1,346,915 being provisionally reserved for the Construction phase of the Project.

**Through this Amendment, the RW costs have been reduced from \$1,200,000 to \$77,782 based on design refinements, with the excess amount being deobligated. The line item for Construction costs includes (i.e. subsumes) the \$1,346,915 that had been provisionally reserved for the Construction phase.

***Notwithstanding the sequence of events as set forth in Section 3.01(c) of the Master Agreement, which contemplates a SPA for preliminary engineering and a separate SPA for project delivery, the parties agree that this Segment 4A/4B SPA, as amended, addresses Preliminary Engineering (other than that addressed by Phase I SPA), Right of Way, and Construction phases and additional project delivery details and funding on an integrated basis. The line item for Construction costs includes (i.e. subsumes) a 10% contingency.

The work associated with this Agreement for Segment 4A/4B, as amended, is to perform the Preliminary Engineering activities, for which advanced preliminary engineering work was completed under the Phase 1 SPA, including development of the RFP package, to complete the

anticipated Right of Way (RW) activities in support of the Project, and to construct and deliver Segment 4A/4B of the Hampton Roads Express Lane Network as defined in Appendix A.

These tasks include but are not limited to the following:

NEPA Categorical Exclusion investigation and documentation, cost estimate & schedule refinements, HREL Network communication plan, public information meetings with localities and others as requested, finalize RFP plans and contract requirements, acquire RW, obtain permits, to take all steps necessary for the final award of the contract, and complete construction of the Segment 4A/4B (Full Build Potential Scope) project as set forth in Appendix A.

Project Schedule: Segment 4A/4B (FULL BUILD POTENTIAL SCOPE) Project (all dates are estimates):

- **Preliminary Engineering (PE):**
 - PE Start (Adv Act): December 16, 2021 (Advanced Activity UPC 117839)
 - PE Start (Full Build Potential Scope): May 2, 2022
 - PE End: January 19, 2023
- **Right of Way (RW):**
 - RW Start: January 19, 2023
 - RW End: November 21, 2023
- **Construction (CN):**
 - CN Start: February 21, 2024
 - CN End: May 3, 2027

Project Cash Flow Schedule: See Annex I to this Appendix B (which is incorporated herein by this reference as if set out in full).

ANNEX I TO APPENDIX B

ANNEX I TO APPENDIX B (As Amended and Restated)

PROJECT BUDGET AND CASH FLOW

PROJECT IDENTIFICATION AND PROPOSED FUNDING

HRTAC Project Title:	Hampton Roads Express Lane (HREL) - Segment 4A/4B		
Scope of Project Services:	Float Down Amendment to Standard Project Services for HREL Segment 4A/4B (UPC 119824)		
Recipient Entity:	Virginia Department of Transportation		
VDOT Project Contact:	Todd Halacy (757) 956-3010		
Baseline Schedule:	PE: Start May 2022, End January 2023	VDOT Programming Schedule: (SPA Project Schedule)	PE: Start May 2022; End Jan 2023
	RW: Start Jan 2023, End Nov 2023		RW: Start Jan 2023; End Nov 2023
	CN: Start Feb 2024, End May 2027		CN: Start Feb 2024, End May 2027

PROJECT COSTS & FUNDING SOURCE

Project Cost Category	Total Project Costs	HRTAC PayGo Funds	HRTAC Financed Funds	Description Other Sources of Funds	Amount Other Sources of Funds	Recipient Entity Funds
Design Work	\$ 4,874,638.00	\$ 4,874,638.00	\$ -		\$ -	\$ -
Engineering						
Environmental Work						
Right-of-Way Acquisition	\$ 77,782.00	\$ 77,782.00				
Construction	\$ 131,659,074.00	\$ 131,659,074.00				
Contract Administration						
Testing Services						
Inspection Services						
Capital Asset Acquisitions						
Other						
Total Estimated Cost	\$ 136,611,494.00	\$ 136,611,494.00	\$ -		\$ -	\$ -

FISCAL YEAR ANNUAL PROJECT CASH FLOW

Project Phase	Total Fiscal Year 2024		Total Fiscal Year 2025		Total Fiscal Year 2026		Total Fiscal Year 2027	
	PayGo	Financed	PayGo	Financed	PayGo	Financed	PayGo	Financed
Design Work	\$ 4,874,638.00		\$ -		\$ -		\$ -	
Engineering								
Environmental Work								
Right-of-Way Acquisition	\$ 77,782.00		\$ -		\$ -		\$ -	
Construction	\$ 16,457,385.00		\$ 39,497,724.00		\$ 39,497,724.00		\$ 36,206,241.00	
Contract Administration								
Testing Services								
Inspection Services								
Capital Asset Acquisitions								
Other								
Total Estimated Cost	\$ 21,409,805.00	\$ -	\$ 39,497,724.00	\$ -	\$ 39,497,724.00	\$ -	\$ 36,206,241.00	\$ -

Please Note: If additional years are needed, please submit a separate form with additional columns

FISCAL YEAR ESTIMATED PROJECT CASH FLOW

	FY 24 Mthly Cash Flow		FY 25 Mthly Cash Flow		FY 26 Mthly Cash Flow		FY 27 Mthly Cash Flow	
	PayGo	Financed	PayGo	Financed	PayGo	Financed	PayGo	Financed
July	\$ 4,124,645.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
August	\$ 140,125.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
September	\$ 140,125.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
October	\$ 140,125.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
November	\$ 140,123.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
December	\$ 133,643.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
January	\$ 133,634.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
February	\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
March	\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
April	\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
May	\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00	
June	\$ 3,291,477.00		\$ 3,291,477.00		\$ 3,291,477.00		\$ -	
Total per Fiscal Year	\$ 21,409,805.00	\$ -	\$ 39,497,724.00	\$ -	\$ 39,497,724.00	\$ -	\$ 36,206,241.00	\$ -

Please Note: If additional years are needed, please submit a separate form with additional columns

This attachment is certified and made an official attachment to the Standard Project Agreement document by the parties of this agreement.

Virginia Department of Transportation

Hampton Roads Transportation Accountability Commission

Signature

Signature

Commissioner

HRTAC Chairman

Title

Title

Date

Date

Stephen C. Brich, P.E.

Richard W. West

Print name of person signing

Print name of person signing

ATTACHMENT 3--DETAILED PAYGO REQUEST

Draw Request Number: _____ Request Date: _____
 HRTAC Project Number: UPC 119824 Project Title: HRELN Segment 4A/4B

Cost Category	HRTAC Approved Project Costs			Total PayGo Requests Previously Received	PayGo Requisition Amount this Period	Remaining PAYGO Project Budget (Calculation)
Project Starting Balance	\$4,874,638					\$ -
Design Work/ Engineering	\$4,874,638			\$ -	\$ -	\$ -
Engineering	-			-	-	\$ -
Environmental Work	-			-	-	\$ -
Right-of-Way Work	\$77,782			-	-	\$ -
Construction	\$131,659,074			-	-	\$ -
Contract Administration	-			-	-	\$ -
Testing Services	-			-	-	\$ -
Inspection Services	-			-	-	\$ -
Capital Asset Acquisitions	-			-	-	\$ -
Other (please explain)	-			-	-	\$ -
TOTALS	\$136,611,494			\$ -	\$ -	\$ -

LISTING OF ATTACHED INVOICES

Vendor/Contractor Name	Item Number	Invoice Number	Cost Category	Amount
	1			\$ -
	2			-
	3			-
	4			-
	5			-
	6			-
	7			-
	8			-
	9			-
	10			-
	11			-
	12			-
Requisition Amount				\$ -

Instructions

1. Column B-Please list approved PayGo Project Cost per category.
2. Column C-Please list Total PayGo Amounts per Category Previously Reimbursed by HRTAC
3. Column D- Please list invoice amounts summarized by Category from the Listing of Attached Invoices
4. Column E - Is a calculation of the Remaining PAYGO Budget per Category

Instructions-Listing of Attached Invoices: (please list each invoice separately)

1. Column A- Please list the name as it appears on the Invoice
2. Column B- Please manually number the invoices attached with the corresponding Item number in this schedule.

3. Column C- Please list the invoice number as it appears on the Invoice
4. Column D- Please list the appropriate Cost Category based on the Project Category breakout above
5. Column E- Please enter the dollar amount listed on the invoice.
6. The calculated Requisition Amount should equal the total in Column D in the Schedule above.

ATTACHMENT 4—ADDITIONAL AUTHORIZING DOCUMENTS

**5.D. FY2025 Administrative and Project Development
Budget**

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

Re: FY2025 HRTAC Administrative and Project Development Budget

Recommendation:

The Finance Committee is asked by Staff to recommend that the Commission endorse the Proposed HRTAC FY2025 Administrative and Project Development Budget reflected in the enclosed Budget (the “Proposed HRTAC FY2025 Administrative and Project Development Budget”) and authorize the Executive Director to hold a public hearing regarding the proposed budget.

Background:

Each year, HRTAC develops, adopts, and tracks its annual operating budget to provide for the Administrative and Project Development activities of the Commission. For FY2025, the HRTAC Staff has developed the Proposed HRTAC FY2025 Administrative and Project Development Budget for the Finance Committee’s review and input. The Proposed HRTAC FY2025 Administrative and Project Development Budget is based on Staff review of prior expenditure flows and anticipated additional needs of the Commission for the upcoming business year. The proposed budget of \$6,692,793.00 includes: (i) an overall decrease of \$1,405,609.00 as compared to the Approved FY2024 budget due primarily to lower debt financing activities; (ii) an increase in the annual office space lease to accommodate additional staff offices; and (iii) a three- and one-half percent cost of living increase for the four current full-time employees. The budgeted General Administrative expenses will be paid from the Hampton Roads Transportation Fund and the Hampton Roads Regional Transit Fund on an approximately pro rata basis determined by the most recent audited fiscal year (FY2023).

Fiscal Impact:

There is a \$6,692,793.00 shared HRTF and HRRTF fiscal impact in relation to this Action Item.

Suggested Motion:

Motion: The Finance Committee endorses the Proposed HRTAC FY2025 Administrative and Project Development Budget and authorizes the Finance Committee Chair to recommend the proposed budget to the Commission and request that the Commission authorize the Executive Director to conduct a public hearing on the Proposed HRTAC FY2025 Administrative and Project Development Budget.





Proposed FY2025 Administrative and Project Development Budget

CATEGORY	FY2025 Proposed HRTAC Budget**	FY2025 Proposed Shared General Administrative **	FY2025 Proposed HRTF General Administrative **	FY2025 Proposed HRRTF General Administrative **	FY2025 Proposed HRTF Direct Administrative	FY2025 Proposed HRRTF Direct Administrative	FY2025 Proposed HRTF Program/Project Development	FY2025 Proposed HRRTF Program/Project Development
REVENUES								
HRTF Revenues	\$ 6,606,968	\$ -	\$ 2,221,952	\$ -	\$ 2,731,016	\$ -	\$ 1,654,000	\$ -
HRRTF Revenues	355,825	-	-	320,825	-	20,000	-	15,000
TOTAL REVENUE	\$ 6,962,793	\$ -	\$ 2,221,952	\$ 320,825	\$ 2,731,016	\$ 20,000	\$ 1,654,000	\$ 15,000
EXPENDITURES								
PERSONNEL*								
HRTAC Staff/Fringes/Leave Reserve	\$ 1,373,207	\$ 1,373,207	\$ 1,199,948	\$ 173,259	\$ -	\$ -	\$ -	\$ -
HRTPO/HRPDC Support Staff*	250,145	250,145	218,584	31,561	-	-	-	-
SUBTOTAL PERSONNEL	1,623,352	1,623,352	1,418,532	204,820	-	-	-	-
PROFESSIONAL SERVICES								
Audit	134,925	134,925	117,901	17,024	-	-	-	-
Rating Agency Annual Fees	100,000	-	-	-	100,000	-	-	-
Trustee	30,000	-	-	-	30,000	-	-	-
TIFIA Annual Fees	131,016	-	-	-	131,016	-	-	-
Bank Fees & Investment Services	600,000	-	-	-	600,000	-	-	-
Legal	1,311,000	577,000	504,199	72,801	-	20,000	709,000	5,000
Financial Advisors	500,000	-	-	-	-	-	490,000	10,000
Consulting Engineer	450,000	-	-	-	-	-	450,000	-
Insurance - D&O/Liability	10,000	10,000	8,738	1,262	-	-	-	-
Recruiting	2,000	-	-	-	2,000	-	-	-
Debt Program/T&R Study	1,868,000	-	-	-	1,868,000	-	-	-
SUBTOTAL PROFESSIONAL SERVICES	5,136,941	721,925	630,839	91,086	2,731,016	20,000	1,649,000	15,000
TECHNOLOGY/COMMUNICATION*								
IT/Communications	35,000	35,000	30,584	4,416	-	-	-	-
LAN system/Computer Equipment/Cloud	25,000	25,000	21,846	3,154	-	-	-	-
Website Consultant	10,000	10,000	8,738	1,262	-	-	-	-
SUBTOTAL TECHNOLOGY/COMMUNICATION	70,000	70,000	61,168	8,832	-	-	-	-
ADMINISTRATIVE *								
Public Notices/Advertising	4,000	4,000	3,495	505	-	-	-	-
Office Space	35,000	35,000	30,584	4,416	-	-	-	-
Office Supplies*	20,000	19,000	16,603	2,397	-	-	1,000	-
Furniture	15,000	15,000	13,107	1,893	-	-	-	-
Printing/Copying*	6,000	2,000	1,748	252	-	-	4,000	-
Dues/Subscriptions	3,000	3,000	2,621	379	-	-	-	-
Travel	8,000	8,000	6,991	1,009	-	-	-	-
Meeting Expenses*	18,000	18,000	15,729	2,271	-	-	-	-
Telephone*	1,500	1,500	1,311	189	-	-	-	-
Postage*	1,000	1,000	874	126	-	-	-	-
General Consulting Services*	10,000	10,000	8,738	1,262	-	-	-	-
Secured Document Storage	6,000	6,000	5,243	757	-	-	-	-
Professional Development	5,000	5,000	4,369	631	-	-	-	-
SUBTOTAL ADMINISTRATIVE	132,500	127,500	111,413	16,087	-	-	5,000	-
TOTAL EXPENDITURES	\$ 6,962,793	\$ 2,542,777	\$ 2,221,952	\$ 320,825	\$ 2,731,016	\$ 20,000	\$ 1,654,000	\$ 15,000

*Includes items to be reimbursed to HRPDC/HRTPO

** Pursuant to § 33.2-2605 of the Code of Virginia, Administrative expenses shall be paid from the Hampton Roads Transportation Fund and the Hampton Roads Regional Transit Fund on an approximately pro rata basis.

Fund	Audited Revenue by Fund FY2023	% of FY2023 Audited Tax Revenue by Fund	FY2025 Budget Administrative Costs to be Shared (Total General Administrative Costs x % of FY2023 Audited Tax Revenue by Fund)	Proposed FY2025 Direct Administrative by Fund	Proposed FY2025 Program Development Costs by Fund	Proposed Total FY2025 Budget Costs by Fund
HRRTF	\$ 36,483,305.00	12.62%	\$ 320,825.30	\$ 20,000.00	\$ 15,000.00	\$ 355,825.30
HRTF	\$ 252,673,838.00	87.38%	\$ 2,221,952.17	\$ 2,731,016.00	\$ 1,654,000.00	\$ 6,606,968.17
Total	\$ 289,157,143.00	100.00%	\$ 2,542,777.46	\$ 2,751,016.00	\$ 1,669,000.00	\$ 6,962,793.46





Finance Committee Meeting Agenda Items 5E-5H

April 18, 2024

Agenda Item 5E:

HRTAC Debt Management Plan, Update on Financing Activities, and Next Steps for HRELN Financing – Recommendation to the Commission to Authorize Commission Chair and Staff to Develop the HRTF Backed Senior Debt Issuance and Toll Backed TIFIA Letter of Interest

HRTF Revenue Historical Performance & Forecast

- As of April 1, 2024, HRTAC has received \$148.0 million in HRTF for FY 2024, 2.5% higher than the same period in FY 2023.

FY	Sales Tax	YoY	Fuels Tax	YoY	Total	YoY
2014	\$108		\$37.3		\$145.2	
2015	\$130	20.5%	\$40.9	9.7%	\$170.9	17.7%
2016	\$127	-2.7%	\$26.7	-34.7%	\$153.2	-10.4%
2017	\$132	4.0%	\$25.0	-6.4%	\$156.5	2.2%
2018	\$137	3.8%	\$32.7	30.8%	\$169.2	8.1%
2019*	\$145	5.9%	\$81.1	148.0%	\$225.7	33.4%
2020*	\$146	1.1%	\$55.0	-32.2%	\$201.2	-10.9%
2021	\$172	17.4%	\$56.0	1.8%	\$227.6	13.1%
2022	\$185	7.7%	\$58.7	4.7%	\$243.5	7.0%
2023	\$192	3.8%	\$60.7	3.5%	\$252.7	3.8%
YTD 2024	\$114.6	1.0%	\$33.4	8.0%	\$148.0	2.5%

in millions

**Certain accounting changes were implemented and affected FY 2019 and FY 2020.*

- In December 2023, Virginia Department of Taxation updated the HRTF revenue forecast through FY 2030, the revised forecast now indicates lower near-term revenue followed by faster growth.

<i>in millions</i>	Previous Forecast			Actual & Current Forecast			Difference		
	Sales Tax	Fuels Tax	Total	Sales Tax	Fuels Tax	Total	Sales Tax	Fuels Tax	Total
FY 2023	\$197.2	\$63.5	\$260.7	\$191.9 (act.)	\$60.7 (act.)	\$252.7 (act.)	(\$5.3)	(\$2.8)	(\$8.0)
FY 2024	\$201.6	\$67.6	\$269.2	\$185.7	\$64.2	\$249.9	(\$15.9)	(\$3.4)	(\$19.3)
FY 2025	\$208.4	\$70.4	\$278.8	\$195.1	\$66.5	\$261.6	(\$13.3)	(\$3.9)	(\$17.2)
FY 2026	\$213.9	\$72.7	\$286.6	\$212.8	\$68.9	\$281.7	(\$1.1)	(\$3.8)	(\$4.9)
FY 2027	\$215.8	\$74.7	\$290.5	\$221.3	\$70.8	\$292.1	\$5.5	(\$3.9)	\$1.6
FY 2028	\$218.2	\$76.7	\$294.9	\$229.6	\$72.8	\$302.4	\$11.4	(\$3.9)	\$7.5
FY 2029	\$220.6	\$78.7	\$299.3	\$237.8	\$74.8	\$312.6	\$17.2	(\$3.9)	\$13.3
FY 2030	\$223.0	\$80.5	\$303.5	\$245.6	\$76.7	\$322.3	\$22.6	(\$3.8)	\$18.8

Updated Traffic & Revenue Study

- The prior HRELN T&R projection was provided by CDM Smith in early 2022 and incorporated summer weekend traffic (“2022 Update”).
- In late 2023, a comprehensive update was conducted (“2023 Study”). Key updates include:
 - The 2023 Study re-benchmarked to 2021 actual traffic, reflecting impacts of COVID-19 that are now continuously monitored.
 - Lower traffic profile due to COVID – effectively lost time of traffic growth
 - Telework impacting peak hours more than off peak hours
 - Updated model calibration and socioeconomics
 - Higher free transactions in express lanes (20% previously vs. 30% now)
 - Incorporated non-summer weekend estimates which increased all transactions

Revenue (in \$000)			
Year	2022 Update	2023 Study	Diff.
2027	\$36,726	\$18,267	-50.3%
2030	\$42,189	\$37,171	-11.9%
2035	\$47,489	\$43,868	-7.6%
2040	\$52,685	\$48,546	-7.9%
2045	\$58,478	\$53,573	-8.4%
2050	\$64,849	\$59,010	-9.0%
2055	\$71,995	\$65,140	-9.5%
2060	\$80,058	\$72,123	-9.9%
2070	\$99,475	\$89,233	-10.3%
2075	\$111,154	\$99,727	-10.3%

*Inflated revenue estimated assuming 2.5% annual CPI

** Significant changes in the early years are due to delayed opening of HRELN segments

Updated Tolling Expenditure Projection

- Using the traffic updates in the 2023 Study, HNTB (VDOT’s engineering contractor) revised tolling operation & maintenance cost and major maintenance cost estimates in March 2024.
- O&M costs are increased because of more tolled transactions thus greater processing costs.
- M&R costs are decreased based on a lower current contract pricing and a shift in the timing of lifecycle costs intervals, pushing more costs beyond the forecast window.

Operations & Maintenance (in \$000)			
Year	Prior Estimate ⁽¹⁾	New Estimate ⁽²⁾	% Change
2027	\$15,452	\$11,287	-27.0%
2030	\$17,270	\$16,850	-2.4%
2035	\$20,081	\$20,121	0.2%
2040	\$23,245	\$23,571	1.4%
2045	\$27,105	\$27,940	3.1%
2050	\$31,180	\$32,920	5.6%
2055	\$36,181	\$39,317	8.7%
2060	\$41,957	\$46,917	11.8%
2065	\$50,945	\$56,828	11.5%
Total	\$1,157,606	\$1,228,201	6.1%

Major Maintenance (in \$000)			
Year	Prior Estimate ⁽¹⁾	New Estimate ⁽²⁾	% Change
2027	\$1,204	\$581	-51.8%
2028-2030	\$10,932	\$1,414	-87.1%
2031-2035	\$23,002	\$24,175	5.1%
2036-2040	\$43,573	\$21,764	-50.1%
2041-2045	\$29,658	\$39,004	31.5%
2046-2050	\$40,706	\$42,130	3.5%
2051-2055	\$59,846	\$35,252	-41.1%
2056-2060	\$42,805	\$54,866	28.2%
2061-2065	\$156,326	\$92,883	-40.6%
Total	\$408,053	\$312,070	-23.5%

(1) Estimates provided in 2020 real dollars, PFM inflated assuming 2.5% annual CPI

(2) Estimates provided in 2021 real dollars, PFM inflated assuming 2.5% annual CPI

Status of the Six Initial Projects

- Current project cost estimate of \$1,006 million includes \$4.4 million in savings from the I-64 Widening Segment 2 Project.
- I-64 Southside Widening and High Rise Bridge Phase I – Substantial Completion is currently scheduled for May 2024.
- VDOT plans to provide near final estimate of all costs in advance of the June 2024 Commission meeting, with such final estimate reflecting contract closeout, ongoing review, legal settlements, and documentation costs.

<i>Six Initial Projects Funding Plan</i>	<i>Amount</i>
HRTAC Obligation	\$1,005,862,658
HRTAC Funds	
HRTF Senior Lien 2018A Bonds	\$595,437,592
HRTF 2021 Sucessor TIFIA Loan	\$410,425,066
Total	\$1,005,862,658

Status of the HRBT Project

- VDOT, HRTAC and TIFIA have signed and approved, as appropriate, amendments to the Comprehensive Agreement (the “CA”) and Project Agreement for Funding and Administration (the “PAFA”), which reflect an updated HRBT substantial completion date of February 2027 and include an advance funding process.
- HRTAC’s total commitment remains unchanged. As of today, HRTAC has completed all its debt financing for the HRBT Project.
- HRTAC continues its ongoing review of disbursements for construction expenditures under the funding advance process to ensure compliance with the PAFA amendment.

<i>HRBT Funding Plan</i>	<i>Amount</i>
HRTAC Obligation	\$3,762,000,000
<i>Funds</i>	
VDOT Controlled Federal Funding	\$200,000,000
<i>HRTAC Funds</i>	
HRTF Paygo	\$1,160,720,904
HRTF Senior Lien 2020A Bonds	\$742,943,666
HRTF 2021 TIFIA Loan	\$817,990,000
HRTF Senior Lien 2021A TIFIA BANs	\$82,554,374
HRTF Senior Lien 2022A Bonds	\$412,791,056
2021 Toll TIFIA Loan	\$345,000,000
Total	\$3,762,000,000

Status of the HRELN Segments – Cost Estimate

- Changes in costs and correspondingly funding requirements since June 2023 include the following – item 1-3 impact HRTAC’s funding and item 4 impacts VDOT’s funding.
 1. Segment 1B’s budget increased by \$12.4 million
 2. Segment 4A/B’s budget decreased by \$8.7 million
 3. I-64/I-464 Interchange’s budget decreased by \$25.5 million
 4. Tolling Integration’s budget decreased by \$2.2 million
- HRTAC’s overall contribution decreased by \$21.7 million.

HRELN Cost Breakdown and Sponsors’ Contributions

	Total Cost	HRTAC	Federal Funding	VDOT Funding				
				Bridge Funds	CTB	IOEP	TFRA	Total VDOT
HRELN - TIFIA Eligible Projects								
Segment 4C	\$407,922,054	\$405,216,054		\$2,706,000				\$2,706,000
Segment 1A	\$197,612,207	\$94,061,245		\$10,450,962	\$93,100,000			\$103,550,962
Segment 1B	\$328,327,648	\$266,927,648	\$40,000,000			\$21,400,000		\$21,400,000
Segment 4AB	\$163,527,919	\$142,527,919	\$18,000,000			\$3,000,000		\$3,000,000
I-464 Interchange*	\$157,880,374	\$17,880,374				\$140,000,000		\$140,000,000
Tolling Integration	\$25,799,914						\$25,799,914	\$25,799,914
Total	\$1,281,070,116	\$926,613,240	\$58,000,000	\$13,156,962	\$93,100,000	\$164,400,000	\$25,799,914	\$296,456,876
HRELN - Non TIFIA Project								
Transportation Management Plan	\$8,000,000	\$8,000,000						
HRELN Total	\$1,289,070,116	\$934,613,240	\$58,000,000	\$13,156,962	\$93,100,000	\$164,400,000	\$25,799,914	\$296,456,876

*Include \$2.5M IAR study that HRTAC has previously committed

HRELN Segments – Debt Financing

- The HRTF 2023A TIFIA BANs were issued in 2023 (in conjunction with executing the 2023 HRTF TIFIA Loan).
- HRTF 2024A Bonds and 2025 Toll TIFIA Loan are the next debt components of the HRELN funding plan, as described below.
- The 2025 Toll TIFIA Loan amount is estimated based on updated toll revenue and tolling expenditure projections as well as similar credit features in the 2021 Toll Loan financing.

<i>HRELN Funding Plan</i>	<i>Amount</i>
Costs - HRTAC Obligation	\$934,613,240
HRTAC Funding Obligation	
HRTF Paygo	\$392,587,463
HRTF 2023A BANs*	\$139,134,670
HRTF Senior 2024 Bonds	\$164,891,107
2025 Toll TIFIA Loan	\$238,000,000
Total	\$934,613,240

**Included assumed investment earnings of the BANs proceeds before spent*

In planning phase

- Bond sale expected in Fall 2024
- Similar financing documentation to previously issued HRTF bonds. Will seek approval at the June 2024 Commission meeting

In planning phase

- Seek approval at the April 2024 Commission meeting to submit a Letter of Interest to TIFIA
- Creditworthiness review expected to start in late 2024/early 2025, followed by preparation of financing documentation and Commission approval of the TIFIA borrowing and the related finance documents
- TIFIA/toll-backed short-term BANs, a strategy that has been used in the past, may be recommended if market and credit conditions warrant
- Loan closing anticipated in the second half of 2025

Agenda Item 5F:

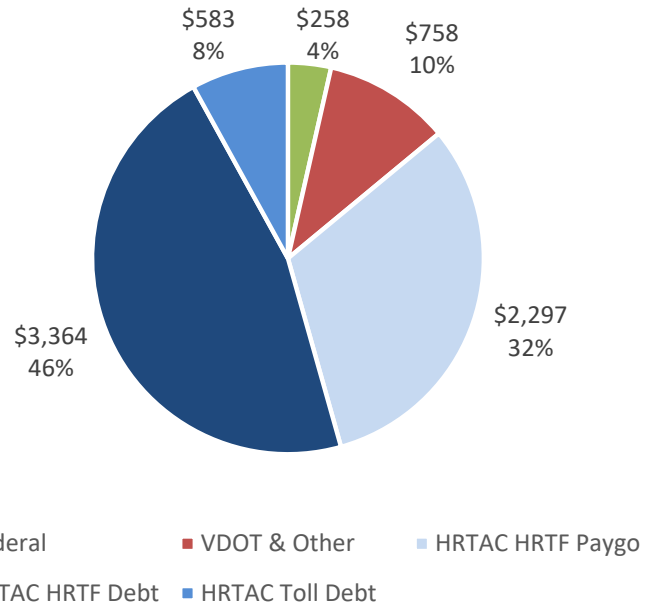
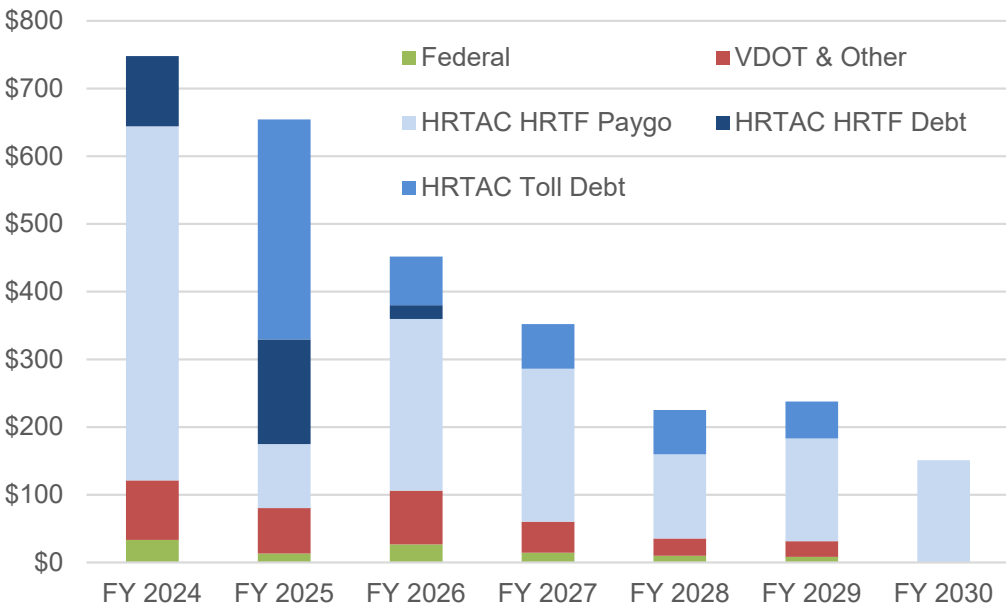
FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects

Highway Regional Priority Projects (in \$MM)

Highway Regional Priority Projects Costs and Expenses

	Prior Years	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Total	HRTAC HRTF Paygo	HRTAC HRTF Debt	HRTAC Toll Debt	VDOT & Other	Federal
Admin & Project Development Costs	\$27	\$8	\$7	\$7	\$7	\$7	\$7	\$8	\$78	\$78				
I-64 Peninsula Widening	\$515								\$515		\$294		\$221	
I-64/I-264 Interchange Improvement	\$352								\$352		\$280		\$72	
I-64 Southside/High Rise Bridge	\$527								\$527		\$432		\$95	
Project Development ⁽¹⁾	\$50								\$50	\$50				
HRBT	\$2,829	\$532	\$369	\$32					\$3,762	\$1,161	\$2,056	\$345		\$200
HRELN ⁽²⁾	\$132	\$202	\$269	\$327	\$201	\$87	\$71		\$1,289	\$395	\$302	\$238	\$296	\$58
I-64/Denbigh Boulevard Interchange ⁽³⁾	\$1	\$4	\$8	\$19	\$26	\$20	\$19	\$4	\$100	\$26			\$74	
I-264/Independence Boulevard Interchange ⁽³⁾	\$0	\$1	\$1	\$4	\$4	\$4	\$33	\$59	\$105	\$105				
I-264/I-64 Phase III-A	\$6	\$2	\$1	\$64	\$115	\$107	\$107	\$80	\$482	\$482				
Total	\$4,440	\$748	\$655	\$452	\$352	\$225	\$238	\$151	\$7,261	\$2,297	\$3,364	\$583	\$758	\$258

- (1) Include \$11.9M Bower's Hill IAR
- (2) Include \$2.5M I-64/I-464 Interchange IAR
- (3) Costs after FY 2031 are not shown.



HRTF Cash Flow

	Prior Years	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Total
Revenues									
HRTF Tax Revenues:									
Sales Tax	\$1,471,622,519	\$185,700,000	\$195,100,000	\$212,800,000	\$221,300,000	\$229,600,000	\$237,800,000	\$245,600,000	\$2,999,522,519
Fuels Tax	\$474,085,636	\$64,200,000	\$66,500,000	\$68,900,000	\$70,800,000	\$72,800,000	\$74,800,000	\$76,700,000	\$968,785,636
Total	\$1,945,708,155	\$249,900,000	\$261,600,000	\$281,700,000	\$292,100,000	\$302,400,000	\$312,600,000	\$322,300,000	\$3,968,308,155
Investment Revenues:									
Interest Income	\$9,847,664	\$694,246	\$1,121,498	\$1,018,814	\$962,236	\$1,003,739	\$1,023,629	\$1,043,018	\$16,714,844
Investment Income	\$93,449,584	\$16,831,204	\$18,798,292	\$19,968,539	\$15,865,966	\$14,473,259	\$17,152,108	\$19,380,106	\$215,919,058
Total	\$103,297,247	\$17,525,450	\$19,919,790	\$20,987,353	\$16,828,202	\$15,476,998	\$18,175,737	\$20,423,124	\$232,633,901
Total Revenues	\$2,049,005,402	\$267,425,450	\$281,519,790	\$302,687,353	\$308,928,202	\$317,876,998	\$330,775,737	\$342,723,124	\$4,200,942,056
Payments									
HRTF Debt Payments:	\$232,162,982	\$52,240,100	\$73,422,754	\$84,190,432	\$112,790,120	\$114,624,982	\$115,220,914	\$120,834,531	\$905,486,814
HRTF Subordinate Lien DSRF - Ongoing Deposit			\$678,878	\$290,909		\$1,183,840	\$983,462	\$1,021,826	\$4,158,916
HRTF Admin & Proj. Dev. Budget	\$26,848,859	\$8,086,517	\$6,606,968	\$6,772,142	\$6,941,446	\$7,114,982	\$7,488,519	\$7,881,666	\$77,741,099
HRTF Operating Reserve Fund Deposit (Release)	\$8,895,168	-\$1,627,503	\$181,692	\$186,234	\$190,890	\$410,890	\$432,462	\$455,166	\$9,124,999
Total	\$35,744,027	\$6,459,013	\$6,788,660	\$6,958,376	\$7,132,336	\$7,525,872	\$7,920,981	\$8,336,832	\$86,866,097
Paygo Allocation to Highway Projects	\$745,946,500	\$514,900,941	\$87,874,531	\$246,776,284	\$219,099,107	\$117,219,316	\$144,207,268	\$143,226,866	\$2,219,250,813
Paygo Payments to Financing Costs:									
Toll TIFIA DSRF - Initial Deposit							\$39,309,391		\$39,309,391
Tolling M&R Reserve - Initial Deposit					\$9,000,000				\$9,000,000
Toll Revenue Stabilization Fund							\$10,000,000		\$10,000,000
HRTF TIFIA DSRF - Initial Deposit		\$24,439,620			\$54,600,237				\$79,039,857
2021 Successor Loan Reimbursement	-\$100,270,061								-\$100,270,061
2018A Cash Defeasance	\$412,791,056								\$412,791,056
Total	\$312,520,996	\$24,439,620			\$63,600,237		\$49,309,391		\$449,870,243
Total Payments	\$1,317,479,337	\$598,039,674	\$168,764,822	\$338,216,001	\$402,621,799	\$240,554,010	\$317,642,016	\$273,420,054	\$3,665,632,882
HRTF Cash Unobligated									
Annual Deposit (Draws)		-\$330,614,224	\$112,754,968	-\$35,528,648	-\$93,693,597	\$77,322,988	\$13,133,721	\$69,303,070	\$535,309,174
Carry Over from Prior Year		\$722,630,897	\$392,016,673	\$504,771,641	\$469,242,993	\$375,549,395	\$452,872,384	\$466,006,105	
Ending Balance	\$722,630,897	\$392,016,673	\$504,771,641	\$469,242,993	\$375,549,395	\$452,872,384	\$466,006,105	\$535,309,174	

*Fund balances are identified annually and will be used for maintaining balances coverage and unanticipated and future obligations.

FY 2025 HRTF Scheduled Debt Service

FY2025 Scheduled Debt Service	
CATEGORY	Debt Service
SOURCE OF FUNDS	
HRTF Revenues - Commonwealth of Virginia	\$73,422,754
Capitalized interest on hand at Trustee - 2023A BAN ¹	\$7,050,000
Addition to Principal of TIFIA 20211008A Loan ²	\$15,286,807
	\$95,759,561
PRINCIPAL PAYMENTS	
2018A Revenue Bonds	\$4,745,000
TIFIA Loan 20211010A	\$2,369,266
TOTAL PRINCIPAL PAYMENTS	\$7,114,266
INTEREST PAYMENTS	
2018A Revenue Bonds	\$6,796,250
2020A Revenue Bonds	\$28,228,700
2022A Revenue Bonds	\$17,215,150
2023A Bond Anticipation Notes	\$7,050,000
2024A Revenue Bonds (estimated) ³	\$4,488,313
TIFIA Loan 20211010A	\$9,580,075
INTEREST PAYMENTS	\$73,358,488
Interest Added to Principal Balance of TIFIA Loan 20211008A	\$15,286,807
TOTAL INTEREST	\$88,645,295
TOTAL SCHEDULED DEBT SERVICE	\$95,759,561

1. *Paid by the 2023A BAN's proceeds, not by FY 2025 HRTF Revenues*
2. *Accrued interest, not paid by FY 2025 HRTF Revenues*
3. *2024A Bonds to be issued, estimated amount*

Toll Revenue Cash Flow

	Prior Years	FY 2027	FY 2028	FY 2029	FY 2030	Total
Revenues						
Gross Revenues		\$21,184,155	\$37,062,781	\$42,838,646	\$46,421,775	\$147,507,357
Investment Earnings			\$142,960	\$200,020	\$251,131	\$594,111
<i>Total Revenues</i>		<i>\$21,184,155</i>	<i>\$37,205,742</i>	<i>\$43,038,665</i>	<i>\$46,672,905</i>	<i>\$148,101,467</i>
Payments						
Tolling O&M Expenditure		\$11,287,434	\$14,145,199	\$16,300,083	\$16,849,573	\$58,582,289
Tolling O&M Reserve Deposit			\$714,441	\$538,721	\$137,373	\$1,390,535
Debt Service Fund - Mandatory						
Debt Service Fund - Scheduled				\$7,910,412	\$21,858,016	\$29,768,428
TIFIA DSRF Deposit					\$865,335	\$865,335
Tolling M&R Reserve		\$2,474,180	\$5,586,525	\$4,572,362	\$6,266,348	\$18,899,416
VDOT Repayment Fund					\$696,261	\$696,261
<i>Total Payments</i>		<i>\$13,761,614</i>	<i>\$20,446,166</i>	<i>\$29,321,579</i>	<i>\$46,672,905</i>	<i>\$110,202,263</i>
Toll Revenues Unobligated						
Annual Deposit(Draws)		\$7,422,541	\$16,759,576	\$13,717,087		\$37,899,204
Carry Over from Prior Year			\$7,422,541	\$24,182,117	\$37,899,204	
Ending Balance		\$7,422,541	\$24,182,117	\$37,899,204	\$37,899,204	

Agenda Item 5G:

FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects

HRRTF Revenue Historical Performance & Forecast

- As of April 1, 2024, HRTAC has received \$28.0 million in HRRTF for FY 2024, 3.6% lower than the same period in FY 2023.

Fiscal Year	Grantor's Tax	YoY	Transient Occupancy Tax	YoY	Total*	YoY
2021	\$7.6		\$1.5		\$29.0	
2022	\$9.4	24.8%	\$8.4	470.4%	\$37.8	30.3%
2023	\$6.8	-27.6%	\$9.7	15.1%	\$36.5	-3.5%
YTD 2024	\$2.7	-27.7%	\$5.3	-0.2%	\$28.0	-3.6%

in millions

- In December 2023, Virginia Department of Taxation updated the HRRTF revenue forecast through FY 2030, the revised forecast now indicates higher revenue driven by Transient Occupancy Tax growth.

<i>in millions</i>	Previous Forecast			Actual & Current Forecast			Difference		
	Grantor's Tax	Transient Occupancy Tax	Total*	Grantor's Tax	Transient Occupancy Tax	Total*	Grantor's Tax	Transient Occupancy Tax	Total*
FY 2023	\$7.4	\$11.2	\$38.6	\$6.8 (act.)	\$9.7 (act.)	\$36.5 (act.)	(\$0.6)	(\$1.5)	(\$2.1)
FY 2024	\$6.3	\$11.0	\$37.3	\$5.8	\$12.0	\$37.8	(\$0.5)	\$1.0	\$0.5
FY 2025	\$6.5	\$11.2	\$37.7	\$6.0	\$12.2	\$38.2	(\$0.5)	\$1.0	\$0.5
FY 2026	\$6.8	\$11.4	\$38.2	\$6.3	\$12.5	\$38.8	(\$0.5)	\$1.1	\$0.6
FY 2027	\$7.1	\$11.7	\$38.8	\$6.5	\$12.7	\$39.2	(\$0.6)	\$1.0	\$0.4
FY 2028	\$7.4	\$11.9	\$39.3	\$6.8	\$13.0	\$39.8	(\$0.6)	\$1.1	\$0.5
FY 2029	\$7.4	\$12.1	\$39.5	\$6.8	\$13.2	\$40.0	(\$0.6)	\$1.1	\$0.5
FY 2030	\$7.4	\$12.4	\$39.8	\$6.8	\$13.5	\$40.3	(\$0.6)	\$1.1	\$0.5

*Includes \$20 million annual Recordation Tax

Transit Regional Priority Projects (in \$MM)

Transit Regional Priority Projects Costs and Expenses*

	Prior Years	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Total
Admin & Project Development Costs	\$0.62	\$0.28	\$0.36	\$0.37	\$0.39	\$0.41	\$0.43	\$0.46	\$3.33
Transit Bus Expansion Project (Group A&B)	\$13.69	\$0.77							\$14.46
Transit Bus Expansion		\$2.94	\$2.20	\$0.65					\$5.78
Bus Stop Amenity Program	\$3.27								\$3.27
Regional Transit System Technology	\$0.60								\$0.60
Net Center Replacement	\$0.06								\$0.06
New Bus Operating Facility - Southside	\$8.31	\$11.51	\$22.85	\$4.45					\$47.12
Robert Hall Transfer Center Replacement	\$0.10		\$0.50	\$1.81					\$2.41
Evelyn T. Butts Project	\$0.10	\$4.50	\$4.00						\$8.60
RTS Operations and Maintenance	\$11.52	\$25.98	\$25.31	\$27.84	\$30.62	\$33.68	\$35.87	\$38.20	\$229.02
RTS Development and Support Services	\$1.92								\$1.92
Bus Amenity Program	\$5.33	\$1.07	\$2.75	\$3.52	\$1.79				\$14.46
Paratransit Fleet	\$0.47								\$0.47
Non-Revenue Fleet	\$0.95	\$0.33	\$0.01						\$1.29
Orcutt Transfer Center			\$0.26						\$0.26
Total	\$46.92	\$47.37	\$58.23	\$38.64	\$32.80	\$34.10	\$36.31	\$38.66	\$333.03

Funding Sources

	Prior Years	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Total
HRTAC HRRTF	\$46.92	\$47.37	\$58.23	\$38.64	\$32.80	\$34.10	\$36.31	\$38.66	\$333.03

*Include a funding application presented to HRTAC for FY 2025 funds and projected Operation and Maintenance costs in future years

HRRTF Cash Flow

	Prior Years	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Total
Revenues									
Grantor's Tax	\$23,806,719	\$5,800,000	\$6,000,000	\$6,300,000	\$6,500,000	\$6,800,000	\$6,800,000	\$6,800,000	\$68,806,719
Transient Occupancy Tax	\$19,526,651	\$12,000,000	\$12,200,000	\$12,500,000	\$12,700,000	\$13,000,000	\$13,200,000	\$13,500,000	\$108,626,651
Recordation Tax Transfer	\$60,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$200,000,000
Total	\$103,333,370	\$37,800,000	\$38,200,000	\$38,800,000	\$39,200,000	\$39,800,000	\$40,000,000	\$40,300,000	\$377,433,370
HRRTF Investment Revenues:									
HRRTF Interest Income	\$2,654,800	\$104,610	\$115,845	\$74,186	\$91,862	\$97,199	\$112,152	\$110,557	\$3,361,210
HRRTF Investment Income		\$2,536,153	\$1,941,768	\$1,454,022	\$1,514,685	\$1,401,548	\$1,879,231	\$2,054,228	\$12,781,634
Total	\$2,654,800	\$2,640,763	\$2,057,613	\$1,528,207	\$1,606,547	\$1,498,747	\$1,991,382	\$2,164,785	\$16,142,844
Total Revenues	\$105,988,170	\$40,440,763	\$40,257,613	\$40,328,207	\$40,806,547	\$41,298,747	\$41,991,382	\$42,464,785	\$393,576,214
Payments									
HRRTF Admin & Proj. Dev. Budget	\$619,772	\$281,885	\$355,825	\$373,956	\$393,025	\$413,081	\$434,176	\$456,363	\$3,328,083
Paygo Allocation for Transit Projects	\$62,204,625	\$47,088,235	\$57,873,920	\$38,269,700	\$32,411,470	\$33,683,617	\$35,873,052	\$38,204,800	\$345,609,420
Deallocated Funding Returned	-\$15,905,936								-\$15,905,936
Total Payments	\$46,918,461	\$47,370,120	\$58,229,745	\$38,643,656	\$32,804,495	\$34,096,698	\$36,307,228	\$38,661,163	\$333,031,566
HRRTF Cash Unobligated									
Annual Deposit (Draws)		-\$6,929,357	-\$17,972,132	\$1,684,551	\$8,002,052	\$7,202,049	\$5,684,155	\$3,803,621	\$60,544,648
Carry Over from Prior Year		\$59,069,709	\$52,140,352	\$34,168,220	\$35,852,771	\$43,854,823	\$51,056,872	\$56,741,026	
Ending Balance	\$59,069,709	\$52,140,352	\$34,168,220	\$35,852,771	\$43,854,823	\$51,056,872	\$56,741,026	\$60,544,648	

Agenda Item 5H:

2045 Long Range Plan of Finance Update for the Region's High Priority Highway Projects and the Hampton Roads Regional Transit Fund

2045 LRTP – Highway Projects

	Six Initial Projects	HRBT	HRELN	I-64/I-264 Interchange: Phase IIIA	I-264/Independence Boulevard Interchange	I-64/Denbigh Boulevard Interchange	Bowers Hill Interchange	I-664 Widening to College Blvd	I-64/I-464 Loop Ramps	I-264 Widening	VA-164 Widening	VA-168 Bypass
Inflated Costs (\$MM)	\$1,394	\$3,762	\$1,289	\$482	\$207	\$262	\$771	\$1,529	\$339	\$669	\$493	\$355
Construction Start Year	2015	2020	2022	2026	2029	2030	2030	2031	2033	2036	2041	2041
Construction End Year	2024	2027	2029	2030	2033	2034	2034	2035	2037	2040	2045	2045

Total YOE Costs (\$MM) ^[1]	\$11,552
Funded by (\$MM):	
Existing HRTAC HRTF Debt	\$3,311
Existing HRTAC Toll Debt	\$345
Existing HRTAC HRTF Paygo	\$1,494
Future HRTAC HRTF Debt ^[2]	\$790
Future HRTAC Toll Debt ^{[2], [3]}	\$238
Future HRTAC HRTF Paygo ^[2]	\$3,474
VDOT - SMART SCALE ^{[4],[5]}	\$1,559
VDOT - IOEP Funding ^[6]	\$164
VDOT - Other Funding ^[7]	\$119
IIJA Funding ^[8]	\$58
Total Funding	\$11,552

Assumptions:

- [1] Inflation costs provided by VDOT or HRTPO
- [2] Future HRTAC paygo and debt funding depend on revenue availabilities and interest rates at the time of debt issuance
- [3] \$238M assumed in the HRELN financing; pending public hearing results and further developments, Bowers Hill Interchange and I-664 Widening to College Blvd may contain managed lanes that produce toll revenues
- [4] \$588M existing VDOT and other local funding for the Six Initial Projects and HRBT
- [5] Assume additional \$971M SMART SCALE awarded prior to FY 2034 for new projects after HRELN; I-664 Widening to College Blvd completion in FY 2034 conditioned upon this assumption
- [6] \$164M assumed for HRELN; additional IOEP funding may be available
- [7] \$93M General Assembly Appropriation for HRELN approved in June 2022; assume \$26M VDOT Funding for HRELN toll integration costs
- [8] \$58M Infrastructure Investment & Jobs Act (IIJA) funding assumed for HRELN; additional IIJA funding may be available

2045 LRTP – Transit Projects

HRTAC Transit Regional Priority Projects - Proposed 2045 Long Range Plan of Finance Update

	HRRTF Supported Projects
O&M Costs ¹	\$815
Capital Costs ^{2,3}	\$192
Fiscally Constrained Construction End Year	2045

Total FV Cost	\$1,007
Funded by HRRTF Debt	\$0
Funded by HRRTF Pay-Go	\$1,007

1. Assume annual O&M costs after FY 2030 same as the FY 2030
2. Assume HRRTF annual revenue grows by 0.5% after the FY 2030 estimate provided by the VA Department of Tax
3. Assume capital project costs are aggregate HRRTF revenues net of O&M costs

THANK YOU



5.E. HRTAC Debt Management Plan, Update on Financing Activities, and Next Steps for HRELN Financing – Recommendation to the Commission to Authorize Commission Chair and Staff to Develop the HRTF Backed Senior Debt Issuance and Toll Backed TIFIA Letter of Interest

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

Re: HRTAC Debt Management Plan, Update on Financing Activities, and Next Steps for HRELN Financing

Recommendation:

The Executive Director recommends that the Finance Committee recommend to the Commission that it approve and/or authorize, as appropriate: i) the Debt Management Plan Update; ii) the development by the Commission Chair and Staff of an HRTF-Backed Senior Debt Issuance, provided that the consummation of the issuance would be subject to Commission approval at a future meeting; and (iii) the development by the Commission Chair and Staff of a Toll-Backed TIFIA Letter of Interest and the execution and delivery of such Letter of Interest by the Commission Chair and/or Executive Director to the Build America Bureau (TIFIA), provided that the consummation of the transactions contemplated by the Letter of Interest would be subject to Commission approval at a future meeting.

Background:

As Commission staff, financial advisors, engineering consultants, and VDOT continue to further refine project readiness, cost estimation, revenue projections, and financing options, an update to the HRTAC Debt Management Plan is warranted. The proposed update reflects the review of ongoing and new projects, current HRTF revenue projections provided by the Commonwealth, current projections of toll revenues provided by the Commission's T&R (Toll & Revenue) Consultant, ongoing and near-term future debt financings, and updated project cost estimates provided by VDOT, and updated revenue debt issuance assumptions. HRTAC's financial advisors and Bond Counsel will provide details at the Finance Committee meeting of the proposed update and will request authority to develop a 2024 HRTF-Backed Senior Debt Issuance and a Letter of Interest for a 2025 Toll-Back TIFIA Loan, with the proposed development activities including, among other things, the engagement of rating agencies, underwriters, and other necessary outside services. Once approved, the HRTAC Debt Management Plan Update will be used to guide Commission Staff and advisors in the development and execution of the six-year and long-range programs of projects. The presentation detailing the proposed debt management plan and future financing activities is enclosed for reference.

Fiscal Impact:

The fiscal impact to the Commission and the Hampton Roads Transportation Fund in relation to the Debt Management Plan Update will be included in the FY2025-FY2030 Plan of Finance



Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects.

Suggested Motion:

Motion: The Finance Committee recommends that the Commission approve and/or authorize, as appropriate: i) the Debt Management Plan Update; ii) the development by the Commission Chair and Staff of an HRTF-Backed Senior Debt Issuance, provided that the consummation of the issuance would be subject to Commission approval at a future meeting; and (iii) the development by the Commission Chair and Staff of a Toll-Backed TIFIA Letter of Interest and the execution and delivery of such Letter of Interest by the Commission Chair and/or Executive Director to the Build America Bureau (TIFIA), provided that the consummation of the transactions contemplated by the Letter of Interest would be subject to Commission approval at a future meeting.

**5.F. FY2025-FY2030 Plan of Finance Update – Six Year
Operating and Capital Program of Projects – Highway
Regional High Priority Projects, and Related FY2025
Schedule of Debt Service**

Agenda Item 5F
Action Item

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

Re: FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects, and Related FY2025 Schedule of Debt Service

Recommendation:

The Finance Committee is requesting that the Commission authorize HRTAC Staff to conduct a public hearing on the Proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects, as an update to the HRTAC-adopted Financial Plan to include certain modifications for the Region’s High Priority Projects and additional revenues based on new or updated information.

Background:

During FY2024, HRTAC Staff developed a Proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects as an update to the Commission’s adopted Financial Plan. This effort to update the Financial Plan included employing financial consultant services, general and bond counsel, and traffic and revenue estimators, and included input provided by VDOT, HRTAC and HRTPO Staff. The purpose of updating the Financial Plan is to provide current direction on project financing, revenue assumptions, and timing that will be used as the Commission’s current financial plan. The proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects updates the amounts included with respect to the Hampton Roads Express Lanes Network. This update will guide the Commission and inform others through advancing project construction readiness, project finance, bonding, tolling, and environmental planning. The Commission will need to conduct a public hearing on the Proposed FY2024-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects to receive public comments for consideration in the Commission’s action, which action is expected to be taken not later than at its June 20, 2024 Annual Organizational meeting.



Fiscal Impact:

There is no fiscal impact in relation to this Action Item authorizing a public hearing. Once adopted, the proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects updates the funding plan for the Commission to provide \$7,261 million (a \$34M decrease to the Approved FY2024-FY2030 Plan of Finance Update to support the Hampton Roads Express Lanes Network and advance projects in the Plan) for highway regional high priority congestion relief projects FY2014 through FY2030.

Suggested Motion:

Motion: The Finance Committee endorses the Proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Highway Regional High Priority Projects as an update to the HRTAC-adopted 2024-2030 Financial Plan and authorizes the Finance Committee Chair to communicate the action of the Finance Committee and to request the Commission to authorize the Executive Director to conduct a public hearing and report back public comments for consideration in the Commission’s action which action is expected to be taken not later than at its June 20, 2024 Annual Organizational meeting.

**5.G. FY2025-FY2030 Plan of Finance Update – Six Year
Operating and Capital Program of Projects – Transit
Regional High Priority Projects**

Agenda Item 5G
Action Item

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

Re: FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects

Recommendation:

The Finance Committee is requesting that the Commission authorize HRTAC Staff to conduct a public hearing on the Proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects, as an update to the HRTAC-adopted Financial Plan to include certain modifications for the Region’s High Priority Transit Projects and additional revenues based on new or updated information.

Background:

During FY2024, HRTAC Staff developed a Proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects as an update to the Commission’s adopted Financial Plan. This effort to update the Financial Plan included HRTAC Staff, employing financial consultant services, general counsel, and included input from Hampton Roads Transit Staff. The purpose of updating the Financial Plan is to provide current direction on project financing, revenue assumptions, and timing that will be used as the Commission’s current financial plan. The proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects implements the deallocation of returned balances of prior projects and includes the FY2025 funding request made by Hampton Roads Transit and the related continued support of the operations and maintenance of eligible regional transit services. This update will guide the Commission and inform others through advancing project construction readiness, operations, and planning. The Commission will need to conduct a public hearing on the Proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects to receive public comments for consideration in the Commission’s action, which action is expected to be taken not later than at its June 20, 2024 Annual Organizational meeting.



Fiscal Impact:

There is no fiscal impact in relation to this Action Item authorizing a public hearing. Once adopted, the proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects updates the funding plan for the Commission to provide \$333.0 million (a \$20M decrease to the Approved FY2024-FY2030 Plan of Finance Update) for transit regional high priority projects FY2021 through FY2030.

Suggested Motion:

Motion: The Finance Committee endorses the Proposed FY2025-FY2030 Plan of Finance Update – Six Year Operating and Capital Program of Projects – Transit Regional High Priority Projects as an update to the HRTAC-adopted 2024-2030 Financial Plan and authorizes the Finance Committee Chair to communicate the action of the Finance Committee and to request the Commission to authorize the Executive Director to conduct a public hearing and report back public comments for consideration in the Commission’s action, which action is expected to be taken not later than at its June 20, 2024 Annual Organizational meeting.



HAMPTON ROADS TRANSIT

March 28, 2024

Mr. Kevin Page
Executive Director
Hampton Roads Transportation Accountability Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Kevin

Following up from your March 8, 2024 email and our recent conversations, please allow this letter to serve as our request to deallocate the following funds:

1. HRT Project ID: 202102C Operations and Maintenance funds for FY2021-FY2022 in the amount of \$2,206,901.00.
 - a. The original application requested \$5,730,123.00.
 - b. HRTAC has this listed as project number 202201C.
2. Project ID: 202102D RTS Development and Support Service funds for \$3,023,531.04.
 - a. The original application requested \$4,946,973.
3. Project ID: 202301C Operations and Maintenance fund for FY2023 in the amount of \$10,675,504.27.
 - a. The original application requested \$18,669,009.00.

We understand that all funds that are deallocated will be returned to the unobligated fund balance of the HRRTF for future obligations for eligible HRRTF projects and expenditures.

Kevin, we appreciate your partnership and continued support as we grow our regional transit service.

Sincerely,

Conner Burns
Chief Financial Officer
Hampton Roads Transit

Cc: William Harrell, Brian Smith, Ray Amoruso, Angela Glass, Donna Brumbaugh, Robert Lee



March 15, 2024

Kevin B. Page
Executive Director
HRTAC
723 Woodlake Drive
Chesapeake, VA 23320

Subject: Application for Hampton Roads Regional Transit Fund (HRRTF) FY2025 disbursements

Kevin
Mr. Page,

I have enclosed an application for funding from the Hampton Roads Regional Transit Fund (HRRTF) in accordance with the provisions of Virginia Code § 33.2-2600.1.

This application is in the amount of \$55,873,920. In addition to capital items, this funding is to cover Operations and Maintenance through June 30, 2025 for the Hampton Roads Regional Transit Program as incorporated in the strategic plan adopted by the Transportation District Commission of Hampton Roads (d/b/a Hampton Roads Transit, "HRT") at the December 14, 2023, board meeting.

I certify that the projects comprising this application are direct component parts to the regional Program and fully meet all eligibility requirements for the disbursement and use of HRRTF funds as prescribed by law, including subsection D of Virginia Code § 33.2-286.

Sincerely,

A handwritten signature in blue ink, appearing to read "William E. Harrell", is written over a blue horizontal line.

William E. Harrell
President and CEO

Enclosure/ HRRTF Application #202501 (eight pages)

Hampton Roads Regional Transit Fund – Funding Request**Submitted to HRTAC****Applicant: Transportation District Commission of Hampton Roads (d/b/a Hampton Roads Transit)****Application # 202501****Date: 2/23/2024****Project Name: RTS Bus Operations/ Program Costs****Project ID: 202501C Programmed into Transit Strategic Plan: Yes Type of Project: Operations and Maintenance****Summary****HRRTF Request: \$25,307,000****Project Cost: \$25,307,000****Asset Type: Operations and Maintenance**

Description: This project covers expenses for Bus Operations that are part of the Regional Transit Service program in fiscal year 2025 (July 1, 2024 through June 30, 2025). This includes ten (10) regional Metro Area Express (MAX) in addition to five (5) Peninsula Commuter Service (PCS) routes (Hampton and Newport News) connecting to the Newport News Shipyard. Additionally, service on RTS routes will be added to the group of routes already operating, as operators needs are met. Covers costs to develop, maintain, improve, and operate a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities. These costs are segmented in six discrete categories: Planning, Human Resources; Marketing and Communications; Technology; Safety and Security; Engineering and Facilities

HRRTF Disbursement Schedule

Date	Amount \$
10/01/2024	\$6,326,750
01/01/2025	\$6,326,750
04/01/2025	\$6,326,750
06/01/2025	\$6,326,750
Total	\$25,307,000

Service Costs and Funding

Table A: FY2025 RTS Bus Operations / Program Costs

Item	Description	Expenses (YOE\$ Millions)
RTS Bus Operations	139,163 total service hours on: Limited/Express routes: MAX 964, MAX 921, MAX 960, MAX 961, MAX 966, MAX 967, MAX 970, MAX 972, MAX 980, MAX 962, PCS 403, PCS 405, PCS 414, PCS 415, PCS 430. Regional Backbone routes: Route 1, Route 3, Route 15, Route 20, Route 21, Route 112, Route 114.	\$17,100,000
Planning	RTS Program annual update (Transit Strategic Plan); 10-year RTS Capital Program update.	\$500,000
Human Resources	Direct RTS Program staffing (see positions listed in Table 6-15)	\$3,200,000
Marketing and Communications	Recruitment advertising; Promo media buys; Collateral development/printing; Contract services; Outreach software licensing	\$500,000
Technology	CCTV; Client technology software and hardware; Communication services; Datacenter hardware and software; Endpoint protection; Google Maps call increase; Microsoft Dynamics 365 Finance and Operations; Microsoft licenses; PaaS; Networking; Printing capacity expansion; Real-time displays; Training; Telephony software; Transit WiFi; Website re-branding; Cell phone Services.	\$1,200,000
Security	Enhanced security personnel; Transit security officer program gear	\$307,000
Safety and Risk	Insurance; Facility safety and security certification; Compliance with 26 CFR part 1910 and 1926 audit; Inspection and training programs	\$200,000
Facilities	Contracted cleaning; Shelter maintenance and material	\$2,300,000
	Net of fare revenue and grant funds	Total
		\$25,307,000

Note: HRT will apply to HRTAC for additional HRRTF funding to cover any negative end-of-year variance(s), should they occur, due to expenses or farebox revenues being different than shown in Table A. In the case of any positive end-of-year variance, HRT will apply to HRTAC for remaining funds to be credited toward the following year's RTS Bus Operations expenses

Hampton Roads Regional Transit Fund – Funding Request Submitted to HRTAC Applicant: Transportation District Commission of Hampton Roads (d/b/a Hampton Roads Transit)	Application # 202501 Date: 0/23/2024
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Project Name: New Bus Operating Division – Southside

Project ID: 202501E	Programmed in Transit Strategic Plan: Yes	Type of Project: Major Expansion
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Summary

HRRTF Request: \$22,852,000

Project Cost: \$32,052,000

Asset Type: Operations and Maintenance Facility

Description: Project to relocate and replace the Parks Avenue operating and maintenance base with a new facility that can serve the Southside. This project is critical to meet both existing operating needs and future Regional Transit System (RTS) needs. A new facility will address operating shortcomings at Parks Avenue and accommodate an expanded bus fleet. The existing facility has several deficiencies: it is past its useful life, lacks space for additional vehicles, cannot accommodate most bus maintenance functions, and lacks the facilities to operate outside the peak summer season. A new facility will allow for all-year operations and will be large enough to accommodate maintenance work locally. The facility would be designed from the onset to accommodate battery electric buses, with implementation of an initial 40 electric bus chargers. The facility will be constructed with the capacity to phase in charging of 100 electric buses, aligning with the fleet replacement needs, as well as trolley operations

Costs and Funding (\$1,000s)

Source	FY2025	Amount \$	Source	FY2026	Amount \$	Source	FY2027	Amount \$
HRRTF (FY 25)		\$22,852	HRRTF (FY 26)		\$4,447			
State (FY 25)		\$4,980*	State (FY 26)		\$4,980			
Fed. 5307 (FFY23)		\$4,990	Fed. 5307 (FFY 22)		\$5,000			
			Fed. Discretionary (FF26)		\$1,957			
			State Discretionary (FF26)		\$1,957			
Total		\$32,052	Total		\$18,341	Total		

HRRTF Disbursement Schedule

Date	Amount \$
10/01/2024	\$5,713,000
01/01/2025	\$5,713,000
04/01/2025	\$5,713,000
06/01/2025	\$5,713,000
Total	\$22,852,000

Notes: * Indicates Federal with State funding already committed.

Project Name: RTS Non-Revenue Fleet

Project ID: 202501J

Programmed into Transit Strategic Plan: Yes

Type of Project: Minor Enhancement

Summary

HRRTF Request: \$5,920

Project Cost: \$148,000

Asset Type: Vehicles

Description:

This project funds the non-revenue vehicles dedicated to the RTS network for street supervisors, security, vehicle maintenance, and facility maintenance. This project is to purchase two security vehicles to support staff additions.

Costs and Funding

FY2025		FY2026	
Source	Amount \$	Source	Amount \$
State (FY 25)	\$100,640		
Fed. 5307 (FFY24)	\$41,440		
HRRTF (FY 25)	\$5,920		
Total	\$148,000	Total	\$0

HRRTF Disbursement Schedule

Date	Amount \$
10/01//2024	\$5,920
Total	\$5,920

Notes:

Hampton Roads Regional Transit Fund – Funding Request

Application # 202501

Submitted to HRTAC

Date: 2/23/2024

Applicant: Transportation District Commission of Hampton Roads (d/b/a Hampton Roads Transit)

Project Name: Bus Stop Amenity Program

Project ID: 202501F

Programmed into Transit Strategic Plan: Yes

Type of Project: Major Inv

Summary

HRRTF Request: \$2,753,000

Project Cost: \$2,753,000

Asset Type: Passenger Amenities

Description: Supports delivery of bus stop amenities throughout the RTS network, including approximately 623 new shelters, benches, trash cans, and lighting. Project is critical to meet the goals of RTS and deliver an enhanced experience for HRT riders. The expected useful life of a sheltered bus stop is approximately 20 years.

Costs and Funding (\$1,000s)

FY2025		FY2026		FY2027	
Source	Amount \$	Source	Amount \$	Source	Amount \$
HRRTF (FY 25)	\$2,753	HRRTF (FY 26)	\$3,523	HRRTF (FY 27)	\$1,790
Total	\$2,753	Total	\$3,523	Total	\$1,790

HRRTF Disbursement Schedule	
Date	Amount \$
10/01/2024	\$688,250
01/01/2025	\$688,250
04/01/2025	\$688,250
06/01/2025	\$688,250
Total	\$2,753,000

Notes:

Project Name: Robert Hall Transfer Center Replacement

Project ID: 202501A

Programmed into Transit Strategic Plan: Yes

Type of Project: Major Investment

Summary

HRRTF Request: \$500,000

Project Cost: \$500,000

Asset Type: Passenger Facility

Description: This project will replace the current curb-side bus stops at Robert Hall Boulevard with a transfer center on a scale similar to Wards Corner in order to create a new hub for HRT in the City of Chesapeake. The current facility is too small for the number of routes and buses serving the area. The new multibay facility will include new concrete bus pull offs and passenger amenities, such as shelters, benches, trash cans, solar lighting, and an operator restroom facility. Costs and phasing will likely change once a site is selected and initial design commences. The project is in the early stages of development and a suitable site has not been identified yet. Site evaluation and land acquisition/lease are eligible expenses and will be coordinated with the City of Chesapeake. Costs and phasing will likely change once a site is selected and initial design commences.

Costs and Funding (\$1,000s)

FY2025		FY2026		FY2027		HRRTF Disbursement Schedule	
Source	Amount \$	Source	Amount \$	Source	Amount \$	Date	Amount \$
HRRTF (FY 25)	\$500	HRRTF (FY 26)	\$1,813			10/01/2024	\$500,000
		State (FY 26)	\$3,625				
		Fed. 5307 (FF 25)	\$1,813				
Total	\$500	Total	\$7,250	Total		Total	\$500,000

Notes:

Project Name: Transit Bus Expansion

Project ID: 202501H

Programmed into Transit Strategic Plan: Yes

Type of Project: SGR

Summary

HRRTF Request: \$2,198,000

Project Cost: \$4,395,000

Asset Type: Vehicles

Description: Project to procure new buses for system expansion to support the implementation of HRT's Regional Transit System (RTS). This project covers the purchase of four (4) 40 foot buses to accommodate additional service on RTS routes.

Costs and Funding (\$1,000s)

FY2025		FY2026		FY2027		HRRTF Disbursement Schedule	
Source	Amount \$	Source	Amount \$	Source	Amount \$	Date	Amount \$
HRRTF (FY 25)	\$2,198	HRRTF (FY 26)	\$649			10/01//2024	\$2,198,000
Fed. 5307 (FFY23)	\$1,033	State (FY 26)	\$1,475				
State (FY 25)	\$1,165	Fed. 5307(FF 26)	\$826				
Total	\$4,395	Total	\$2,951	Total		Total	\$2,198,000

Notes:

Project Name: Orcutt Transfer Center

Project ID: 202501D Programmed into Transit Strategic Plan: Yes Type of Project: Minor Enhancement

Summary

HRRTF Request: \$258,000

Project Cost: \$516,000

Asset Type: Passenger Facility

Description: The project will reconstruct a portion of Orcutt Avenue between 81st Street and 82nd Street in Hampton, VA to extend the bus lane for the Orcutt transfer area and replace the bus lane pavement with concrete. The project will also complete sidewalk improvements on the north side of the street, install four bus shelters for the transfer area, complete ADA improvements, and includes security cameras that will allow HRT to monitor the site. Preliminary and final design are completed.

Costs and Funding (\$1,000s)

FY2025		FY2026		FY2027		HRRTF Disbursement Schedule	
Source	Amount \$	Source	Amount \$	Source	Amount \$	Date	Amount \$
HRRTF (FY 25)	\$258					10/01//2024	\$258,000
State (FY 25)	\$258						
Total	\$516	Total		Total		Total	\$258,000

Notes:

Project Name: Evelyn T. Butts Transfer Center

Project ID: 202501B Programmed into Transit Strategic Plan: Yes Type of Project: Major Investment

Summary

HRRTF Request: \$2,000,000

Project Cost: \$4,000,000

Asset Type: Passenger Facility

Description: This project will relocate and construct a replacement to the Evelyn T. Butts transfer center. The project would provide HRT customers a more convenient off-street facility with upgraded amenities. The existing transfer center is typically the second busiest transfer hub systemwide, but it is poorly located and provides minimal amenities, like sufficient lighting and shelters. The project is in the early stages of development, with HRT currently finalizing land acquisition and design coordination with the City of Norfolk. The Transit Strategic Plan includes FY24 HRRTF funding to support land acquisition, design and engineering.

Costs and Funding (\$1,000s)

FY2025		FY2026		FY2027		HRRTF Disbursement Schedule	
Source	Amount \$	Source	Amount \$	Source	Amount \$	Date	Amount \$
HRRTF (FY 25)	\$2,000					10/01//2024	\$2,000,000
State Discretionary (FY 25)	\$2,000						
Total	\$4,000	Total		Total		Total	\$2,000,000

Notes:

**5.H. 2045 Long Range Plan of Finance Update for the
Region's High Priority Highway Projects and the Hampton
Roads Regional Transit Fund**

Agenda Item 5H
Action Item

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

Re: 2045 Long Range Plan of Finance Update for the Region's High Priority Highway Projects and the Hampton Roads Regional Transit Fund

Recommendation:

HRTAC Staff and advisors have developed the 2045 Long Range Plan of Finance Update. Staff is requesting that the Finance Committee endorse the Proposed 2045 Long Range Plan of Finance Update for the HRTAC High Priority Projects, including Highway Projects and Transit Projects, as reflected in the enclosed presentation and authorize the Executive Director to hold a public hearing regarding the proposed 2045 Long Range Plan of Finance Update.

Background:

Six years ago, HRTAC Staff developed a 2045 Long Range Plan of Finance for the HRTAC High Priority Projects and communicated the plan to the HRTPO. HRTAC efforts to update the Commission's 2045 Long Range Plan of Finance have included employing financial consultant services, general and bond counsel, and included input provided by VDOT, HRTAC, HRT, and HRTPO Staff. The Commission will need to conduct a public hearing on the Proposed 2045 Long Range Plan of Finance Update to receive public comments for consideration in the Commission's action, which action is expected to be taken not later than at its June 20, 2024 Annual Organizational meeting.

Fiscal Impact:

Once adopted, the proposed HRTAC 2045 Long Range Plan of Finance Update represents \$11,552 million in regional congestion relief Highway Projects and \$1,007 million in Transit Projects.

Suggested Motion:

Motion: The Finance Committee endorses the HRTAC 2045 Long Range Plan of Finance Update for the Region's High Priority Projects and the Hampton Roads Regional Transit



Fund and authorizes the Finance Committee Chair to recommend the proposed 2045 Long Range Plan of Finance Update to the Commission and request that the Commission authorize the Executive Director to conduct a public hearing on the proposed HRTAC 2045 Proposed Long Range Plan of Finance Update and report back public comments for consideration in the Commission's action, which action is expected to be taken not later than at its June 20, 2024 Annual Organizational meeting.



5.I. HRTAC Personnel Manual

Agenda Item 5I
Action Item

To: Chair Hipple and the other members of the Finance Committee

From: Kevin B. Page, Executive Director

Date: April 18, 2024

Re: HRTAC Personnel Manual

Recommendation:

The Finance Committee endorses the proposed Employee Personnel Manual and recommends that the Commission approve the proposed Personnel Manual.

Background:

In connection with its most recent audit, PB Mares, in view of the leave compensation liabilities and growing staff, suggested that the Commission adopt its own employee personnel policy. In response, the Commission's Staff developed the Employee Leave Policy for regular full-time and regular part-time HRTAC employees eligible to receive and use paid leave benefits which was approved by the Commission at its December 14, 2023 Regular Meeting. Using the policy manual of the HRPDC as a guide, Commission Staff developed the proposed HRTAC Personnel Manual that incorporates the Commission Adopted Leave Policy and current practices. The proposed HRTAC Personnel Manual establishes a unified personnel policy that encompasses standard employment terms and guidelines for all Commission employees.

Fiscal Impact:

There is no fiscal impact in relation to this Action Item.

Suggested Motion:

Motion: The Finance Committee endorses the proposed HRTAC Personnel Manual and recommends that the Commission approve the proposed HRTAC Personnel Manual at its April 18, 2024 Regular Meeting and authorizes the Finance Committee Chair to communicate the action of the Finance Committee to the Commission at its April 18, 2024 Regular Meeting.





Personnel Manual

Adopted (Date)

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[TABLE TO BE UPDATED IN FINAL, ADOPTED VERSION]

I. INTRODUCTION

This personnel manual is provided as a guide to the Hampton Roads Transportation Accountability Commission ('HRTAC') policies and practices. The policies and procedures described herein will assist the Executive Director and staff in implementing the overall objectives of the agency and in promoting regional cooperation.

This manual is a guide and is not all-inclusive of the policies and practices that govern your employment. HRTAC reserves the right to modify, change, suspend or revoke at any time any policies, practices, procedures or benefits contained in this manual or otherwise implemented by HRTAC. Additionally, with respect to any employee benefit plans described herein, the terms and conditions of those plans, as in effect from time to time govern those plans, rather than the summaries provided in this manual.

This manual does not create a contract in whole or part, express or implied, between HRTAC and any of its employees. Rather, employment is always at-will and may be terminated by either party at any time, with or without cause, and with or without notice. The at-will nature of employment at HRTAC cannot be altered by verbal statements or by representations made by persons without authority. No representative of HRTAC other than the Executive Director (Commission Board for the Executive Director) has the authority to enter into any agreement with any employee for employment for any specified period of time or to make any promises contrary to the foregoing.

Adoption, Revisions, and Incorporations

Description	Activity	Date

II. ADMINISTRATIVE ORGANIZATION

A. Policy & Procedure Determination

HRTAC, a political subdivision of the Commonwealth of Virginia, establishes these policies and procedures.

The Executive Director has the authority to implement the personnel policies and procedures, to select, assign/reassign, evaluate, suspend, discipline, and to terminate staff members. Staff members may make suggestions and recommendations relating to this manual to the Executive Director.

B. Organization of Staff

1. Staff Structure

The Executive Director shall select, retain, dismiss, assign, and evaluate all HRTAC employees as specified in this manual. Staff position descriptions are available from the Human Resources Administrator.

2. Open Door Policy

HRTAC encourages informal two-way communication between employees and supervisors. Where professional or personal problems affect a staff member's ability to function optimally, the employee should discuss the problems with his or her immediate supervisor. HRTAC expects that this informal, open communication policy will minimize the need to use the formal grievance procedure detailed in this manual.

III. EMPLOYEE RELATIONS

A. Philosophy

All employees are expected to work together to accomplish the mission of the HRTAC. Supervisors and employees are partners in ensuring that an effective, efficient, productive working relationship is established and maintained, and all employees share accountability for a high level of performance while ensuring mutual respect for individual rights. Employees with managerial/supervisory responsibilities, or who direct or assign the work of others, are expected to develop, and support a collaborative and productive work environment. Informal daily communication among employees is encouraged to develop the free exchange of information, ideas, and opinions. Employee proposals and suggestions are encouraged.

B. Dress Code

HRTAC strives to promote a positive organizational image and encourages employees to dress for the day they have planned. HRTAC follows a dress code

policy that allows for employees' discretion to select appropriate attire that fits their schedule, environment, and location – to “dress for your day”.

“Dress for your day” encourages employees to dress professionally and appropriately for the day they have scheduled. When participating in electronic/virtual meetings, employees are expected to follow the same policy as if they were in the office. More formality in appearance may be required for board meetings, committee meetings, member jurisdiction interactions or outside networking. While dress for your day is intended to be comfortable, the expectation is that employees will wear clothing appropriate for an office environment. We ask that everyone use good judgment. When in doubt, employees should always err on the side of attire that is professional.

Unacceptable Attire - “Dress for your day” attire precludes the wearing of sweatpants/shirts, shorts, ripped clothing of any kind, clothing that is too tight or too short, exercise apparel or activewear, halter tops, cropped tops, tank tops, sweatshirts, beachwear of any kind and clothing that implies or contains partisan, commercial or derogatory slogans or pictures. This is by no means a complete listing of all inappropriate clothing. HRTAC may restrict the wearing or display of any other item of personal appearance, which is deemed to be inappropriate or personally offensive in the workplace.

If an employee comes to work in inappropriate dress, the employee may be asked to go home, change into appropriate attire and return to work. In this circumstance, the employee will be required to use accrued leave time. If questions arise as to the appropriateness of attire, employees may direct their concerns to a member of the management team. Multiple violations could result in the employee’s dress for your day privilege being revoked, a verbal warning or a written warning. Repeated violations of the dress code may result in additional disciplinary action.

C. Attendance & Schedules

1. Attendance Standards

To maintain a safe and productive work environment, HRTAC expects employees to be reliable and punctual in reporting for scheduled work except for time off which is approved under the leave provisions set forth in this manual. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he or she should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Poor attendance and excessive tardiness are disruptive. Either may result in disciplinary action, up to and including termination.

2. Standard Hours of Operation

The standard workweek for HRTAC employees is a 40-hour period, Monday through Friday, with core hours of operation from 8:00 AM to 4:30 PM Hours

worked will be calculated weekly from 12:01 AM Saturday to midnight Friday. A maximum of a sixty-minute lunch should be taken between 11:30 AM and 2:00 PM whenever possible.

3. Alternate Schedules and Location

At the discretion of the Executive Director, HRTAC offers some of its full-time employees alternate work schedules and locations. Employees, with their supervisor's approval, have the option of establishing work schedules that deviate from the traditional 8:00 AM – 4:30 PM workday. Alternate work location, known as "Telework", and its administration is better defined in Appendix D.

4. Breaks

a. General

Breaks are within the discretion of the department. Breaks of less than 30 minutes are counted as time worked. Employees whose positions are classified as Non-Exempt under the Fair Labor Standards Act (FLSA) shall work with their supervisors to establish reasonable break periods as appropriate.

b. Nursing Mothers

Reasonable breaks are provided to nursing mothers to express milk for their infants for up to one year after the child's birth. Nursing mothers shall work with their supervisors to establish reasonable break periods to express milk. Nursing mothers will be provided with a private location, other than a bathroom, where they may express milk. If a nursing mother does not occupy a private office, she should contact the Human Resources Administrator so an appropriate location can be provided.

D. Standards of Conduct

Standards of conduct are designed to protect the well-being and rights of all employees, to ensure a safe, efficient work environment, compliance with law, and accomplishment of the HRTAC mission. All employees are expected to be guided by the highest ethical standards and to conduct themselves in a manner that represents the organization in a responsible and productive manner. The following policy establishes standards of ethical conduct for all employees by setting forth those acts or actions that are considered incompatible with the best interests of HRTAC.

1. Ethics

Honesty and truthfulness are required in all aspects of employee conduct. Falsification, misrepresentation and inappropriate use of information are prohibited. This includes, but is not limited to, intentional falsification of

attendance and time-keeping records. Employees are expected to perform their duties with the highest ethical standards and assist their fellow employees in understanding and complying with this policy. HRTAC will not tolerate threats or retaliation against anyone who makes a good-faith report of a possible policy violation.

2. Maintaining a Professional & Productive Work Environment

While HRTAC does not intend to regulate private conversations and personal interactions among its employees and agents, the expectation of all employees and others associated with HRTAC is to conduct themselves in a professional manner, respectful of the rights and interests of others. Acts or references of a sexually or otherwise harassing nature, physical violence or threats of violence are serious misconduct, and HRTAC will not tolerate such behavior from any of its employees, regardless of job position. This policy applies to all persons with whom employees come into contact within the course of employment, including co-workers, superiors, vendors, customers, and independent contractors or agents.

3. Conflicts of Interest

Employees shall conduct HRTAC business with the highest standards of integrity and shall not officially act in regard to any contract, transaction or other matter in which the employee may have a personal interest, individually or through a family member. No employee shall accept any payment or valuable gift, whether in the form of service, loan, thing, or promise, from any person or entity which to his or her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with HRTAC. Employees must disclose any private financial or other interest to the Executive Director that may directly or indirectly adversely affect HRTAC or could otherwise be perceived to conflict with the performance of the employee's official duties.

HRTAC employees shall not: (1) solicit or accept money or other thing of value for services performed within the scope of his or her official duties, except the compensation, expenses or other remuneration paid by HRTAC (this prohibition shall not apply to the acceptance of special benefits that may be authorized by law); (2) offer or accept any money or other thing of value for or in consideration of obtaining employment, appointment, or promotion of any person with any governmental or advisory agency; (3) offer or accept any money or other thing of value for or in consideration of the use of his or her public position to obtain a contract for any person or business with any governmental or advisory agency; (4) use for his or her own economic benefit or that of another party confidential information that he or she has acquired by reason of his or her public position and which is not available to the public; (5) accept any money, loan, gift, favor, service, or business or professional opportunity that reasonably tends to influence him or her in the performance of his official duties; (6) accept any business or professional opportunity when he or she knows that there is a

reasonable likelihood that the opportunity is being afforded him or her to influence him in the performance of his official duties; (7) accept any honoraria for any appearance, speech, or article in which the employee provides expertise or opinions related to the performance of his or her official duties; (8) accept a gift from a person who has interests that may be substantially affected by the performance of the employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in the matter affecting the donor; (9) accept gifts from sources on a basis so frequent as to raise an appearance of the use of his or her public office for private gain; or (10) use his or her public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law, provided, however, that this shall not restrict the authority of HRTAC to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law. Employees must report to the Executive Director any action of a person or entity, which to his /her knowledge may have an adverse effect upon HRTAC.

All employees shall read and familiarize themselves with the provisions of Chapter 31 of Title 2.2 of the Code of Virginia.

4. Joint Efforts with Non-Public Interests

Any requests from nonpublic interests for written reports or analyses beyond those customarily provided will be brought to the attention of the Executive Director or the Commission. Although any nonpublic interest may cite or include HRTAC as a source of information and/or analysis in proposals they may wish to make, such will not be binding until acknowledged or approved by the Executive Director or the respective board. The results of all such approved joint efforts will be considered public documents. Individual employees of HRTAC will continue to be guided by Section III.H of this document – Outside Employment.

5. Outside Activities

HRTAC does not prescribe employee conduct off the job but expects its employees to act with integrity and represent HRTAC responsibly at all times. Any conduct on or off the job which affects the employee's credibility, effectiveness, performance or ability to carry out the responsibilities of employment and any conduct which is prejudicial to the interests, reputation or operations of the agency are subject to disciplinary action, up to and including termination.

E. Equal Employment Opportunity

1. Equal Employment Opportunity

HRTAC is an equal opportunity employer and bases employment decisions on an individual's qualifications to perform the functions of the job without regard to race, color, religion, sex, age, national origin, military status, disability, pregnancy, childbirth or related medical conditions, sexual orientation, gender identity, genetic information or other protected classification. Recruiting, hiring, training, promotion, wage determinations, discipline, benefits, and other employment matters are based on these principles of nondiscrimination.

HRTAC is dedicated to maintaining a work environment that is free of unlawful discrimination. HRTAC does not tolerate unlawful discrimination by or toward any employee or applicant. Employees have a comprehensive complaint procedure available to them to address any concerns relating to discrimination or unlawful harassment.

2. Contractors & Grantees

Contractors and grantees of HRTAC shall comply with Title VI of the Civil Rights Act of 1964, as amended as applicable.

3. Program Practices

It is the policy of the HRTAC to provide equal access to all potential grantees, recipients, and beneficiaries of programs and potential grantees from, and contractors with, HRTAC, regardless of race, color, religion, sex, creed, disability, genetic information, national origin, or other protected classifications to all aspects of all its programs, including planning, organization and administration.

4. Access to Records

Local, state, and federal funding agencies or their representatives and any persons directly involved in Equal Opportunity proceedings that relate to HRTAC shall be allowed access to the records of the HRTAC.

5. Discriminatory Harassment

Discriminatory harassment is unwelcome, offensive, abusive, or demeaning behavior made based on national origin, race, color, sex, religion, disability, age, pregnancy, childbirth or related medical conditions, sexual orientation, gender identity, marital status or any other protected classification that unreasonably interferes with an individual's work performance or creates an offensive work environment. A productive and cooperative work environment is in the best interests of all employees.

An important supplement to the HRTAC equal employment opportunity policy is its philosophy that employees are entitled to a work environment free from any form of unlawful and improper harassment, and HRTAC will take action to prevent such harassment from occurring. Conduct that shows discrimination or hostility toward an employee or creates a hostile work environment because of

the employee's race, color, sex, religion, national origin, age, disability pregnancy, childbirth or related medical conditions, sexual orientation, gender identity, genetic information or other protected classification is impermissible and will not be tolerated. Any employee who feels that he or she has been subjected to such harassment or discrimination should promptly bring his or her complaint to the attention of their supervisor, the Human Resources Administrator the Executive Director (see Section III.E.8).

6. Sexual Harassment

The HRTAC prohibits sexual harassment and other offensive sexual conduct in its workplace. Generally, sexual harassment involves unwelcome conduct including sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Sexual harassment or other inappropriate sexual conduct occurs:

- a. when submission to such conduct is made a condition of employment, explicitly or implicitly; or
- b. when an individual's submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
- c. when such conduct has the purpose or effect of creating an unreasonable interference with an individual's work performance or otherwise creates an intimidating, hostile, or offensive work environment.

The prohibition against sexual harassment and sexually offensive behavior applies to men and women equally. Prohibited behavior can include, but is not limited to, unwelcome propositions, physical contact of a sexual nature, and sexual jokes, remarks, innuendo, pictures (display or circulation, including through email, text message or any other electronic means) or gestures. Unwelcome verbal or physical conduct that shows hostility toward an employee because of the employee's gender is also inappropriate. While not all offensive sexual behavior constitutes a violation of state or federal law, the HRTAC, in order to maintain a professional and respectful work environment, reserves the right to discipline any employee who engages in offensive sexual behavior toward an employee, agent, or customer of the HRTAC. Employees should promptly report offensive behavior to appropriate personnel as designated in Section III.E.8.

7. Bullying

HRTAC defines bullying as repeated, deliberate, abusive behavior, either direct or indirect, whether verbal, physical or psychological, conducted by one or more persons against another (or others) that impacts the person's ability to do their job. Such behavior violates HRTAC anti-harassment policies.

Bullying comes in many shapes and sizes and can take many forms including, but not limited to, tormenting, taunting, abusive comments, using threatening gestures, pushing, shoving, punching, unwanted physical contact, or any use of violence, graffiti, name calling, sarcasm, spreading rumors or teasing. Such conduct can occur in any medium or forum, including in person or via use of electronic or telephonic communications such as internet, email, and chat rooms.

Generally, interactions between two or more employees based on other factors may not constitute bullying in the context of this policy, although misconduct actionable under other policies may have occurred. Similarly, actions taken by supervisors in the normal course of discharging their responsibilities for supervising and managing do not constitute bullying unless other factors support such a finding.

Whether or not an act(s) constitute bullying in violation of this provision is dependent on the specific facts of the case. Any employee who feels that he or she has been subjected to bullying behavior should promptly report their complaint to the appropriate personnel as outlined in Section III.E.8. HRTAC will investigate and take appropriate disciplinary action up to and including termination based on review of all facts and circumstances.

8. Reporting Allegations of Discrimination, Harassment or Bullying

A complaint of harassment, discrimination, bullying or other impermissible behavior should be reported to your immediate supervisor, or other appropriate personnel as directed in this policy. Prompt reports of any behavior that is offensive are encouraged so HRTAC can maintain a work environment that is free from harassment, bullying and discrimination. If possible, you should notify the person committing the conduct that it is offensive and request that he or she stop the behavior. However, if you are not comfortable confronting the offender or if you are uncomfortable reporting the behavior to your immediate supervisor or if your prior reports have been unsuccessful in getting the behavior to stop, you should report the behavior to the Executive Director. If your immediate supervisor is the Executive Director, and you are not comfortable reporting the alleged behavior, you should report the offensive behavior to the Chair of the Personnel Committee (or the Finance Committee if a Personnel Committee has not then been established). Similarly, if you notify the offender but are unsuccessful in stopping the offensive behavior, you should immediately report the offensive behavior to the persons listed above.

9. Non-Retaliation

An employee who makes a complaint based on a legitimate perception that he or she has been subjected to impermissible harassment, discrimination, violence or threat of violence is protected against any form of reprisal or retaliation. Similarly, any employee providing truthful information in

connection with the investigation of any such complaint is also protected against retaliation. Employees should report any perceived act of retaliation in violation of this policy in the same manner as the initial complaint. Anyone found to have acted in a retaliatory manner toward an individual because the individual made a complaint or participated in an investigation is subject to discipline, up to and including termination.

Any questions about the application of this policy should be presented to the Human Resources Administrator or Executive Director for proper clarification. Ultimately, HRTAC expects its employees to be respectful of the rights and interests of others and to strive to maintain a professional and productive work environment at all times.

10. Manager/Supervisor Responsibilities

Employees with supervisory responsibilities, or who direct or assign the work of others, shall comply with and communicate harassment policies to employees and report incidents observed or reported that may be in violation of this policy. In the event a supervisor observes inappropriate behavior, is informed of such behavior, or receives a complaint of discrimination, harassment, or improper behavior, the supervisor is responsible for taking *immediate steps* to prevent such behavior from continuing.

By way of guidance, should a supervisor observe or be informed of inappropriate behavior which may, in the supervisor's judgment, be remedied simply by counseling the employee(s) involved, then the supervisor should do so and document the action taken and forward such documentation to the Human Resources Administrator. Should the behavior continue, or should the supervisor become aware of potentially more serious discrimination or harassment, or should the supervisor receive a complaint of discrimination or possible harassment, then he/she shall immediately contact the Human Resources Administrator or Executive Director. At that time, a determination will be made as to the appropriate course of action, including the nature and scope of any investigation.

11. Investigation of Complaints

HRTAC will investigate complaints of sexual harassment, discrimination, or other prohibited behavior. All complaints will be handled as confidentially as possible, except to the extent necessary to investigate the matter and take appropriate personnel action. Employees shall provide truthful information in connection with any such investigation and shall maintain appropriate confidentiality. At the conclusion of the investigation, management will meet with the employee to review the findings.

If an employee is found to have engaged in inappropriate or improper conduct in violation of this policy or in violation of the Standards of Conduct, the

employee is subject to appropriate disciplinary action, up to and including termination, as warranted by the results of the investigation.

F. Alcohol and Drug-Free Workplace

1. Notification of Policy

Recognizing the inherent dangers and other negative effects associated with the use of unlawful drugs and alcohol by staff, HRTAC, provides and maintains an alcohol and drug-free workplace. Employees are prohibited from manufacturing, distributing, dispensing, possessing, or using a controlled substance in the workplace. Reporting to work under the influence of drugs or alcohol is prohibited. "Under the influence" is defined as having the effect of impairing the employee's ability to perform his/her job functions. This provision shall exclude those individuals who are not impaired but must take a controlled substance during work hours. In such circumstances, the employee may provide documentation to the Human Resources Administrator from the employee's physician to document the employee's need to take a controlled substance during work hours. All employees are covered by this policy and violations of its provisions will result in discipline, up to and including termination of employment.

2. Education

Upon hire, employees will be informed of the HRTAC alcohol and drug-free workplace policy, as defined in Section F.1, and the dangers of alcohol and drug abuse in the workplace through receipt of the Personnel Manual, educational posters, informal group and individual communications. Employees will also be notified of any alcohol and drug counseling, rehabilitation, and employee assistance programs that are available.

3. Employee Assistance Program

Any employee who has a drug or alcohol related problem is encouraged to voluntarily seek treatment through the HRTAC Employee Assistance Program before the problem affects their employment with the organization.

4. Disciplinary Action

Employees who violate this policy are subject to disciplinary action consistent with the offense, up to and including termination, at the discretion of the Executive Director.

5. Acknowledgement

By signing the Employee Acknowledgement of this Personnel Manual, HRTAC employees acknowledge:

- a. They have received the drug-free workplace notification and have received a copy of the HRTAC Personnel Manual which contains the drug-free workplace policy.
- b. that as a condition of employment, employees will abide by the terms of this policy, and shall notify the Executive Director if convicted of any criminal drug statute violation occurring in the workplace no later than five (5) days after such a conviction.
- c. that the HRTAC will notify the Federal sponsoring agency within 10 days after receiving notice that an employee has been convicted of such a violation.
- d. that the Executive Director will take one of the following actions within 30 days of receiving notice of an employee's criminal conviction referenced above:
 - 1) appropriate personnel action against the employee, up to and including termination; or
 - 2) require the employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

G. Weapons & Workplace Violence

HRTAC is dedicated to maintaining a safe working environment for its employees, board members, members of the public, customers and vendors. Consistent with this policy, all acts of violence, including work and equipment sabotage, property damage, and threats of physical violence that affect HRTAC and its employees or that occur on HRTAC controlled property will not be tolerated. Violations of this policy will result in disciplinary action, up to and including termination and may result in arrest and/or prosecution.

1. Weapons in the Workplace

Although possession of firearms is not illegal in Virginia, all employees, including concealed weapons permit holders, are prohibited from carrying weapons during work hours, while in the performance of official HRTAC duties or while on property unless the carrying of such a weapon is approved in writing by the Executive Director. In addition, no employee shall store any weapon on HRTAC controlled property, excluding in locked containers in private vehicles, unless such storage is approved by the Executive Director. Nothing in this section limits an individual who is lawfully authorized to possess a handgun from keeping the gun in a locked container out of view in his/her private vehicle.

For the purposes of this policy, a weapon is defined as any instrument capable of producing bodily harm at a time and place that exhibits intent to do harm or intimidate another person or that warrants alarm for the safety of the other person.

The term “weapon” includes, but is not limited to, the following:

- any pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material;
- any firearm or replicate firearm, loaded or unloaded, assembled or disassembled, including pellet, BB and stun guns/tasers (electronic incapacitation devices);
- any dirk, bowie knife, switchblade knife, any knife with a blade of more than three inches, ballistic knife, machete, razor, slingshot, spring stick, metal knuckles or blackjack;
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as nun chuck, nunchaku, skuriken or fighting chains;
- any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart;
- brass knuckles, metal knuckles and similar weapons;
- bows, crossbows and arrows;
- explosives and explosive devices including fireworks and incendiary devices;
- any weapon that is, by applicable law, illegal to possess;
- any object that has been modified to serve as, or has been employed as, a dangerous weapon.

a. Searches

If HRTAC has reasonable suspicion to believe an employee may be violating this policy by inappropriately possessing weapons, HRTAC reserves the right to conduct investigatory searches, without employee consent, of all areas and property over which HRTAC maintains full control or joint control with the employee. Such areas and property include, but are limited to desks, closets, bookcases, lockers, and file cabinets.

b. Discipline

Employees who violate this policy will be subject to discipline, up to and including termination. Depending on all circumstances, dismissal may be an appropriate sanction even for a first-time infraction. In addition to any discipline or other appropriate action that may be imposed, in appropriate circumstances, HRTAC may institute prosecution against a violator of this policy.

c. Non-Retaliation

Retaliation against an employee who has in good faith filed a complaint of a violation of this policy or who has assisted in an investigation is protected against any form of reprisal or retaliation. Similarly, any employee providing truthful information in connection with the investigation of any such complaint is also protected against retaliation. Employees should report any perceived act of retaliation in violation of this policy. Anyone found to have acted in a retaliatory manner toward an individual because the individual made a complaint or participated in an investigation is subject to discipline, up to and including termination.

2. Workplace Violence

HRTAC is committed to providing a safe environment for all employees and citizens conducting business on HRTAC controlled property. The purpose of this policy is to reduce the risk of violence at HRTAC's workplace, and to establish procedures for dealing with threatening and violent situations.

There are situations where relationships between employees, between an employee and the supervisor, or between a former employee and the supervisor result in strong negative feelings by the individuals involved. In addition, an employee may be involved in a personal dispute with family members or other individuals outside of their employment with HRTAC.

a. Reporting Potentially Violent Situations

It is each employee's responsibility to be alert to potential threats and to immediately report all incidents of threats or violence. If an employee is aware of a threat, the employee shall inform his or her supervisor of the potential for violence. An employee who has secured a Protective Order from a court should make the Executive Director aware of the existence of the Order, and a copy of the Order will be filed with the Human Resources Administrator. An employee who has been threatened or who has witnessed a threat should inform his/her supervisor, the Human Resources Administrator or the Executive Director. Employees should not try to evaluate nor should they ignore the seriousness of a threat. All threats, whether considered serious or not, must be immediately reported.

In the event of an imminent, life-threatening situation, the employee should request immediate assistance from the police and call 911.

b. Investigations

HRTAC will investigate all complaints of violence or threats of violence. Complaints will be handled as confidentially as possible, except to the extent necessary to investigate the matter and take appropriate personnel action. Employees shall provide truthful information in connection with any such investigation and shall maintain appropriate confidentiality.

If an employee is found to have engaged in inappropriate or improper conduct in violation of this policy, the employee is subject to appropriate disciplinary action, up to and including termination, as warranted by the results of the investigation.

c. **Non-Retaliation**

Retaliation against an employee who has in good faith filed a complaint of a violation of this policy or who has assisted in an investigation is protected against any form of reprisal or retaliation. Similarly, any employee providing truthful information in connection with the investigation of any such complaint is also protected against retaliation. Employees should report any perceived act of retaliation in violation of this policy. Anyone found to have acted in a retaliatory manner toward an individual because the individual made a complaint or participated in an investigation is subject to discipline, up to and including termination.

H. Outside Employment

Employees may participate in other gainful, supplemental jobs, providing the service performed in their regular HRTAC position is not impaired. Employees working on a second job must notify and have approval of the Executive Director. This approval will be noted in the employee's personnel file.

No employee of HRTAC shall engage in or accept other public or private employment, or render services for other interests, when such employment or service may be incompatible with the proper discharge of his/her independence of judgment or action in the performance of official HRTAC duties.

I. Political Activity

Every HRTAC employee is encouraged to exercise his or her right to vote and to express private opinions of candidates and issues. To assure and to maintain this right and responsibility free from interference, solicitation or dictation by fellow employees, supervisors or officials, political activities during working hours or when officially representing HRTAC are prohibited. These restrictions include:

1. Participation in political campaigns during work hours or while in the performance of official HRTAC duties.
2. Participation as a candidate for a political election/office in any jurisdiction within the boundary of HRTAC.
3. Use of the prestige of employment with HRTAC by the employee on behalf of any political candidate, faction, or party.

4. Promise by an employee an appointment to or employment with HRTAC any of its subcontractors, or any of the governmental units in the HRTAC area, as a reward for any political activity.

Should an employee have any questions about whether his/her political activity may be in violation of this policy or state law, he/she should discuss the activity with the Human Resources Administrator or Executive Director before engaging in the activity.

IV. WAGE & SALARY INFORMATION

A. Position Classifications

The HRTAC classifies staff positions according to similarities of responsibilities and requisite qualifications. This policy provides position equity within the wage structure. The Executive Director (Commission Board for the Executive Director) shall have the sole authority to adopt position titles and assign salaries appropriate to the duties to be performed for each position.

A periodic review and update of position classifications assists in maintaining an equitable system. On occasion, the Executive Director may ask employees to review and/or complete a description of their assignments. Those comments may be used in any evaluation of the position and classification. Reclassification of an employee may result if, following an evaluation, the Executive Director determines that changes in job content are significant enough to merit changing the employee to another classification.

An employee who believes his or her actual duties and responsibilities are not described accurately in the current position classification should bring this opinion to the attention of the Executive Director. The Executive Director may then ask the Human Resources Administrator to review the classification.

If an employee believes that the requested position reevaluation has been unjustly denied by the supervisor through the "Open Door" policy, the employee may use the formal grievance procedure established under Section XII.

1. Full-time Employee

A regular full-time employee, which includes the Executive Director, generally works an average of 40 hours per week all year and is classified as exempt or non-exempt as defined by the Fair Labor Standards Act (FLSA). Regular full-time employees, which includes the Executive Director, are eligible for mandated and non-mandated benefits as defined in this Personnel Manual.

2. Part-time Employee

A regular part-time employee works an average of 39 hours or less per week on a routine basis. Compensation for such an employee is normally proportional to

comparable full-time salaries but paid on an hourly basis. Regular part-time employees are eligible for only those non-mandated fringe benefits as defined in this Personnel Manual.

3. Temporary Employee

- a. A temporary part-time employee works up to 29 hours per week at an hourly rate for a predetermined amount of time. Temporary part-time employees are ineligible for non-mandated fringe benefits.
- b. A temporary full-time employee works a 40-hour week, but is hired for only a limited period of time, e.g., summer employment. An employee may not be employed on a temporary full-time basis for more than three consecutive months. Temporary full-time employees are only eligible for mandated benefits (i.e., Social Security, Worker's Compensation, and holidays). Temporary full-time employees are compensated for holidays in the same manner as regular full-time employees. They are not eligible for leave, retirement or other benefits.

B. Payroll Deductions

The HRTAC withholds funds from personnel salaries each pay period and credits them to the proper benefit account for the employee.

1. Mandatory Deductions

The following deductions are mandatory deductions from personnel salaries each pay period:

- a. Federal withholding tax based on employee exemptions, claims and applicable tax laws;
- b. Virginia withholding tax in accordance with state law;
- c. Social Security (FICA) based on the employee's salary and the applicable federal formula;
- d. Medicare;
- e. Virginia Retirement System (regular, full-time employees only)

2. Optional Deductions

HRTAC also offers various automatic optional deductions, depending on employee status. Eligible employees and may choose automatic deductions and payments for:

- a. Supplementary Medical/Hospital Insurance coverage for family and authorized dependents in excess of the basic employee coverage which is underwritten as a fringe benefit by HRTAC.

- b. Additional deductions may be authorized should additional benefits be offered by HRTAC. Questions regarding deductions and fringe benefits should be directed to the Human Resources Administrator.

C. Pay Plan

1. Salary Determination

The level of salary paid to an employee is one agreed upon between the employee and the Executive Director. The salary level is determined by considering not only the employee's education and experience, but also any other qualifications which may affect the value of the employee to the HRTAC. The Executive Director will consider these factors but has discretion and authority to make final determinations regarding employee compensation.

2. Cost of Living Adjustments

HRTAC employees may receive a Cost-of-Living Adjustment (COLA) at the discretion of the Executive Director and Commission.

3. Survey of Market Conditions

As recommended by the Executive Director, on an as needed basis, the current market value of each individual position is evaluated to determine salaries and to reestablish a minimum and maximum market salary range for each position. The data sources for the market survey may include the HRTAC member jurisdictions, other regional planning and public agencies, and selected private companies. Each employee's salary is then reviewed and adjusted if market conditions so indicate. A salary increase may also be granted based on an increase in the employee's value to the organization. Increases are determined by the Executive Director and the employee's supervisor, if necessary. Factors that would contribute to consideration for such an increase would be, but are not limited to, significant additional educational attainment in the form of advanced degrees or specialized training over and above that normally required by HRTAC or recognition through professional registration or certification.

D. Time Records & Payroll

1. Payroll Record-keeping

Time records, payrolls and payments for staff salaries are processed on the 15th and last day of each month, based upon properly executed Time Records filed by each employee with the Accounting Department through their supervisors. Employees are required to accurately and honestly record their time worked on these Time Records. No salary payments will be processed without a properly filed Time Record unless specifically authorized by the Executive Director. Regular full- and part-time employees must select a financial institution and

provide the necessary information to the Accounting Department in order to arrange direct deposit of paychecks.

Time Records must reflect actual hours worked and any leave taken during the pay period. Any leave taken at the end of a pay period after the submission of time records must be recorded on the time record for the next pay period. Non-exempt employees must not work more than 40 hours in a workweek without prior authorization. Time Records are records of HRTAC, and any type of falsification by an employee of such records is grounds for corrective action up to or including termination.

E. Overtime & Compensatory Time

1. Policy

The standard workweek for employees of HRTAC is a 40-hour period, Monday through Friday, with core hours of operation from 8:00 A.M. to 4:30 P.M. A thirty-minute lunch should be taken between 11:30 AM and 2:00 P.M. whenever possible. Overtime will be calculated on hours worked between 12:01 AM Saturday of one week to midnight Friday of the next week.

Most HRTAC employees are exempt from the overtime and compensatory time regulations contained in the Fair Labor Standards Act (FLSA) of 1938 as amended with specific exceptions. Such employees may be required to attend occasional evening meetings on behalf of the organization and/or work beyond the core hours of the organization. There is no legal requirement that HRTAC pay overtime or compensatory time to its exempt executive, administrative or professional employees as described in the FLSA Exemption Tests. Overtime and compensatory time may be granted to non-exempt employees at the discretion of the Executive Director and subject to the eligibility limitations cited in E.2.

Overtime may be necessary to relieve specific peak workloads and emergencies. Overtime work in excess of the normal 40-hour workweek and must be authorized by the Executive Director in advance.

2. Eligibility

Staff employees in the following positions are classified as Non-Exempt employees under the Fair Labor Standards Act (FLSA) and are therefore subject to all minimum wage and overtime provisions of the Act:

- Non-Exempt Employees

Employees in these positions are eligible for authorized overtime pay.

Time spent at preauthorized tasks outside normal work hours will be reimbursed on a documented overtime pay basis when authorized by the Executive Director. Nothing in this policy precludes a supervisor from adjusting a non-exempt employee's normal schedule during the workweek to ensure adherence to the 40-hour workweek. Non-exempt employees who work in excess of the normal 40-hour workweek without prior approval may be subject to disciplinary action.

3. Rate

Overtime pay, for non-exempt employees, when authorized by the Executive Director shall be at one and one half times the employee's normal hourly rate of pay.

4. Compensatory Time

There is no formal compensatory time at HRTAC. However, some discretion is granted to supervisors for exempt employees for non-recurring circumstances with the approval of the Executive Director.

F. Garnishment

It is the responsibility of each employee to see that his or her personal financial matters are in order. HRTAC does not wish to be involved in such matters. All requests or orders for garnishment must be sent to the Human Resources Administrator who will coordinate the garnishment with the Accounting Department. Such requests or orders for garnishment of an employee's wages will be brought to the attention of the employee and the Executive Director and shall be noted in the employee's personnel file. Two requests for garnishment of an employee's pay within a twelve-month period may result in disciplinary action and/or dismissal of the employee. Whenever possible, HRTAC will provide an employee with, or refer an employee to, a proper agency for personal financial and management budgeting assistance, when an employee seeks assistance in this area.

V. RECRUITING & SELECTION

A. Recruitment & Application

1. Recruitment

It is the responsibility of each supervisor to report promptly to the Executive Director any vacancy that may occur. If it is known in advance a position will become vacant through resignation, retirement, or other cause, the Executive Director should be sent a written notice prior to the time the incumbent will leave the position.

The supervisor, in consultation with the Executive Director, should review the vacant position description and determine if any changes in education,

knowledge, skills, abilities or occupational requirements need to occur in order to reflect current duties and responsibilities.

HRTAC may use one of three options when conducting recruitment for vacant positions:

- a. Internal/Functional Recruitment: Only the department's current employees may apply;
- b. Organizational Recruitment: Only current employees may apply;
- c. Open Recruitment: All current employees and the general public may apply

Departments should select the recruitment option that best fits their needs before posting a vacancy. Decisions should be based on factors such the availability of qualified candidates and diversity of the organization's workforce. If the initial recruitment process does not provide adequate candidates, the recruitment process can be reopened.

A notice of all job openings, listing the title, starting salary, qualifications, and a brief description of the position will be posted on the HRTAC website and any other site(s) determined appropriate by the supervisor, and Executive Director.

2. Application

A person seeking employment with HRTAC may submit a resume in person, by mail or by e-mail to the Human Resources Administrator. All resumes will be logged and forwarded to the Executive Director. The Executive Director will review all applications submitted, maintain a file of eligible applicants, and select the best suited highest qualified applicants for an interview seeking the vacant position.

B. Advertisement

Job vacancy announcements will generally be posted for 14 calendar days, but in no case will announcements be posted for less than a minimum of seven (7) calendar days. Advertising for extended periods may be warranted for unique or hard-to-fill positions.

Advertisements for all positions, depending on type of placement required (professional, support, clerical) will be made using a variety of recruitment tools. Such tools include, but are not limited to: posting through various websites including career placement sites, **or** professional organization sites, **or** college placement offices; **or** advertising in local or national newspapers; **or** posting on the HRTAC website; **or** a combination of any or all of the above. The hiring supervisor should coordinate with the Human Resources Administrator as to the methods of and sites for advertising available positions. All advertisements and notices of employment opportunities shall state that HRTAC is an equal opportunity employer.

C. Interviews & Selection

It is the responsibility of the hiring supervisor to inform the Human Resources Administrator of the candidates selected for an interview. The Human Resources Administrator will contact all applicants to schedule a time and date for all employment interviews.

Any number of applicants may be interviewed. If an applicant cannot be contacted or fails to appear for a scheduled interview, the hiring supervisor and/or interviewer should document this fact. In a case where all applicants chosen by the supervisor and/or interviewer are found to be unacceptable for employment, he or she will choose new applicants and the process will begin again.

Supervisors with the vacancy will conduct the interviews and will make written recommendations to the Executive Director. The hiring supervisor must document each employment interview and record the reasons the applicants were found acceptable or unacceptable. Each applicant who has been interviewed will be informed of the action taken with regard to his or her application for employment. The names of applicants not selected will be kept on file for six months and referred to again if another appropriate vacancy occurs within that period.

D. Offers of Employment

The Executive Director has final responsibility in selecting and assigning staff members. The person selected to fill the position will be notified in writing by the Executive Director and instructed on when and where to report for duty. The selected candidate will be requested to respond in writing as to his/her acceptance.

E. Reference Checks

Appropriate references will be checked prior to an offer of employment. Reference checks will be conducted by the Human Resources Administrator and may include, but are not limited to:

1. Employment checks including verification of employment dates and work performed;
2. Evaluation of performance, conduct, and attendance records;
3. Personal references;
4. Education verification

Prior to a final decision and preferably at the time of the interview, the hiring supervisor should request the candidate provide the names and phone numbers of current and/or former supervisors, co-workers and subordinates, if applicable. Additional work references may be developed from the primary references provided by the candidate.

F. Pre-employment Background Checks

All applicants interviewed will be notified of the requirement of a background check prior to employment with HRTAC. Employment will be contingent upon the results of the background investigation. If selected as the final candidate for a position, the applicant must sign an acknowledgement indicating his/her receipt and understanding of HRTAC's policy of background investigations. A refusal by the applicant to complete the form will result in the withdrawal of the offer of employment.

G. Orientation

During a new employee's first day of employment, he/she shall attend a formal orientation program conducted by the Human Resources Administrator. The orientation program will generally provide information on what employees can expect from HRTAC, and what HRTAC expects from an employee. The benefits to which employees are entitled will be outlined and a copy of the Personnel Manual will be furnished. The orientation will include a question-and-answer period.

Supervisors are the employees' main source of information. In accordance with HRTAC's "Open Door" policy, employees are encouraged to discuss their questions and concerns with their supervisor. It is the responsibility of the supervisor to help their employees, either by working with the employee toward solving the problem or by referring the employee to an appropriate resource.

H. Probationary Status

All employees hired to fill regular, full-time and part-time positions serve a probationary period of six months. The probationary period is a span of time during which an employee is evaluated by his/her supervisor on the performance of the duties of the position, and on those qualities which comprise the overall makeup of an employee, including such things as attendance, tardiness, reliability, trustworthiness, etc.

The probationary period should be viewed as a trial period not only by HRTAC in evaluating the new employee, but also by the employee in evaluating his/her employment with HRTAC. If at any time during the probationary period an employee becomes dissatisfied with his/her position and does not feel that the situation is going to improve to his/her satisfaction, the employee may resign from HRTAC without prejudice.

Supervisors should periodically meet with their employee during this probationary status to discuss their performance. If the evaluation, at the end of the employee's probationary period, indicates satisfactory performance, the employee will achieve the status of a regular full-time or part-time employee and will be so notified by the Executive Director. All employment at HRTAC is at-will per statutory regulations of the Commonwealth of Virginia.

If an employee is discharged during the probationary period, the discharge is without recourse to the grievance procedure. The reasons for separation of any employee who is within the probationary period must be submitted to the Executive Director and will be placed in the employee's personnel file.

Employees promoted to a higher classification are not subject to the same six-month probationary period. However, unsatisfactory performance may result in demotion to the employee's former position and rate of pay without recourse to the grievance procedure. An employee may return to his or her former position and rate of pay without prejudice.

VI. EMPLOYEE LEAVE POLICY (Adopted December 14, 2023)

All regular full-time and regular part-time HRTAC employees shall be eligible to receive and use paid leave benefits as described below or as described in an employment contract agreement. Leave benefits accrue from the first day of employment. Employees are encouraged to use their leave to meet their personal and family needs. The Executive Director will make every reasonable effort to grant requests for leave provided operational and staffing requirements can be met. Employees are responsible for managing their leave within established parameters. Employees are not permitted to carry a negative leave balance unless approved in advance by the Executive Director.

A. Annual Leave - Full-time Employees - VRS Plan 1 & Plan 2 Employees Only

1. Accrual Rate

All regular full-time employees who participate in VRS Plans 1 & 2 are eligible to accumulate annual leave. Annual leave is intended to cover vacations and absences for personal business and is accrued according to length of service as follows:

Months of Continuous Service	Accrual Rate Per Month (hours)	Annual Accrual (Hours/Days)
< 60	8	96/12
60 - 119	10	120/15
120 - 179	12	144/18
180 - 239	14	168/21
240+	16	192/24

If at any time an employee is on unpaid leave, annual leave accrual will be pro-rated based on the number of hours worked each pay period.

2. Maximum Amount of Leave Accrual

An employee is not required to use the annual leave credited each year, but no more than twice the annual entitlement may be carried forward after December 31st of each year or be compensated for upon separation from HRTAC without written authorization from the Executive Director.

3. Anniversary/Leave Accrual Increase

Leave accrual will increase every fifth year of continuous employment with HRTAC through the 20th year based on the month the employee was hired. If an employee is hired between the first and fifteenth (15) day of the month, the accrual rate will increase on the first day of the anniversary month. If an employee is hired between the 16th and last day of the month, the accrual rate will increase on the 16th of the anniversary month.

4. Requests for Leave

All annual leave must be requested from and approved by the Executive Director. The minimum amount of annual leave that can be authorized is one hour and must be taken in full-hour increments.

5. Payment Upon Termination

Unused annual leave will be paid for on a one-for-one basis upon termination of employment. Should an employee die while on active status at HRTAC, any unused annual leave will be paid to his or her estate in accordance with the payment policy in effect at time the of death.

B. Sick Leave – Full Time Employees – VRS Plan 1 & Plan 2 Employees Only

1. Accrual Rate

All regular full-time employees in VRS Plans 1 & 2 are eligible to accumulate hours of sick leave. Sick leave is credited to the employee annually in accordance with this manual. If at any time an employee is on unpaid leave, sick leave accrual will be pro-rated based on the number of hours worked each pay period.

Employees are encouraged to use their leave to meet personal and family needs. Sick leave may be used to care for the employee's immediate family (father/stepfather, mother/stepmother, sister, brother, husband, wife, child, grandchild, grandparent, parent-in-law, guardian, or close relative residing in the same household as the employee). Employees are responsible for managing their leave within established parameters. Employees are not permitted to carry a negative leave balance.

2. Maximum Amount of Leave Accrual

There is no limit to the number of sick leave days an employee can accumulate.

3. Requests for Leave

All sick leave must be requested from and approved by the Executive Director. The minimum amount of annual leave that can be authorized is one hour and must be taken in full-hour increments.

4. Medical Documentation

A doctor’s certificate/medical documentation shall be required from the employee if requested by the Executive Director for any sick leave request of more than 24 hours.

5. Payment Upon Termination

Unused accumulated sick leave at the time of retirement, resignation, or uncontested termination, will be reimbursed based on the following schedule:

- a. All regular full-time employees of HRTAC who participate in VRS Plans 1 and 2 are eligible to receive payment at their rate of pay at separation for any accumulated but unused sick leave balance based on the following schedule:

Years of Continuous Service*	% of Balance	Maximum \$
Less than 5 years of continuous service	0	0
Over 5 years of continuous service,* but less than 10 years	25%	\$2,500
Over 10 years of continuous service, but less than 15 years	25%	\$3,500
Over 15 years of continuous service, but less than 20 years	25%	\$5,000
Over 20 years of continuous service, But less than 25 years	25%	\$6,500
Over 25 years of continuous service	25%	\$7,500

*Service begins at the date of full-time hire for all employees.

Should an employee die while on active status at HRTAC, unused sick leave will be paid to his or her estate in accordance with the payment policy in effect at the time of death.

6. Family Medical Leave Act

When it becomes evident an employee will be unable to be at work for more than five (5) consecutive workdays or must take intermittent leave due to reasons applicable under the Family Medical Leave Act, the Executive Director will notify the Human Resources Administrator and paperwork will be initiated.

HRTAC may request a physician’s statement indicating the expected date on which the employee will be able to return and perform normal work duties, with or without accommodation.

C. Paid Time Off – VRS Hybrid Plan Employees Only

All regular full-time employees of HRTAC who participate in the VRS Hybrid Retirement Plan are eligible to accrue paid time off (PTO). PTO is intended to cover vacations, illnesses, and absences for personal business. Employees are responsible for managing their leave within established parameters and are not permitted to carry a negative leave balance.

1. Accrual Rate

All full-time, regular employees of HRTAC who participate in the VRS Hybrid Retirement Plan will accrue PTO according to length of service.

Months of Continuous Service	Accrual Rate Per Month (hours)	Annual Accrual (Hours/Days)
< 60	12	144/18
60 – 119	14	168/21
120 – 179	16	192/24
180 – 239	18	216/27
240+	20	240/30

If at any time an employee is on unpaid leave for reasons unrelated to short-term disability under the Virginia Local Disability Program, PTO accrual will be pro-rated based on the number of hours worked each pay period. PTO will not accrue during approved periods of short-term disability under the Virginia Local Disability Program (VLDP). PTO accrual will resume once an employee returns to work, either on a part-time or full-time basis.

2. Maximum Amount of Leave Accrual

An employee is not required to use the PTO credited each year, but no more than twice the annual entitlement may be carried forward after December 31st of each year or be compensated for upon separation from HRTAC without written authorization from the Executive Director.

3. Requests for Leave

All PTO must be requested from the Executive Director. The minimum amount of PTO that can be authorized is one hour and must be taken in full hour increments.

4. Family Medical Leave Act

When it becomes evident an employee will be unable to be at work for more than five (5) consecutive workdays or must take intermittent leave due to reasons applicable under the Family Medical Leave Act, the Executive Director will notify the Human Resources Administrator and paperwork will be initiated. HRTAC may request a physician's statement indicating the expected date on which the employee will be able to return and perform normal work duties, with or without accommodation.

5. Medical Documentation

A doctor's certificate/medical documentation shall be required from the employee if requested by the Executive Director for any PTO leave request of more than 24 hours due to illness or reasons applicable under the FMLA.

6. Payment Upon Termination

Unused PTO will be paid for on a one-for-one basis upon termination of employment up to the maximum accrual allowed. Should an employee die while on active status at HRTAC, any unused PTO will be paid to the employee's estate in accordance with the payment policy in effect at the time of death.

D. Family Leave – All Full-time Employees

1. Accrual Rate

All regular full-time employees are eligible to receive 40 hours of family leave a year. Family leave is intended to cover vacations, family, sick, and absences for personal business. Family leave is credited to the employee on January 1st each year at the rate of 40 hours or 5 days per year.

2. Maximum Amount of Family Leave Accrual

A maximum of 80 hours family leave may be accumulated and carried over by an employee. Accumulated Family leave balances in excess of 80 hours prior to January 1, 2024 will be classified as Grandfathered Family Leave and available for use by the employee.

3. Requests for Leave

All family leave must be requested from and approved by the Executive Director. The minimum amount of family leave that can be authorized is one hour and must be taken in full-hour increments.

4. Payment Upon Termination

Unused Family leave will be paid for on a one-for-one basis upon termination of employment for up to the maximum accumulated balance plus any Grandfathered Family Leave balance. Should an employee die while on active

status at HRTAC, any unused annual leave will be paid to his or her estate in accordance with the payment policy in effect at time the of death.

E. Anniversary/Leave Increase Policy

The following defines specific dates on which leave accruals are based:

1. Employment Date: The actual date on which original employment began. This date never changes. For full-time staff, this affects VRS career credit;
2. Annual/PTO Leave Accrual Increase Date: The 1st or 16th day of the month, depending on whether the employee entered his/her original full-time employment between the 1st and the 15th of the month, or between the 16th and the last day of the month.

This is an example of the relationship between the two dates:

If the Employment Date is:	Increase in annual leave is:
1st-15th	1st
16th-Month End	16th

A change in position will have no effect on the Annual Leave Date. Annual leave increases remain relative to the original full-time employment date. Should an employee change from part-time to full-time status, the pro-rated years worked in the part-time position will be calculated to determine the annual leave increase date.

F. Civil Leave

An employee summoned or required to render jury service or who has been subpoenaed as a witness in any court or other proceeding before an agency empowered to issue subpoenas, will be continued on the HRTAC payroll without penalty while serving. The maximum amount of paid civil leave in any one year shall be ten days of paid leave. The employee must submit a copy of the official summons for jury duty or witness subpoena to their supervisor and the Human Resources Administrator prior to the beginning date of such service. Such leave shall not be granted in any instance when the proceeding involves personal interests of the employee or in any instance when litigation is instituted by them or an organization of which they are members.

Any fees derived from jury duty may be retained by the employee. If jury duty requires four hours or less, the employee is expected to return to work for the remainder of the day. Civil leave must be verified and recorded on the employee's timesheet.

G. Military Duty Leave

HRTAC supports the military obligations of all employees and grants leave for uniformed service in accordance with the Uniformed Services Employment and Reemployment Rights Act and state law. Any employee who needs time off for uniformed service should immediately notify his or her manager. If an employee is unable to provide notice before leaving on uniformed service, a family member should notify the manager as soon as possible.

Upon return from military leave, employees will retain certain rights with respect to reinstatement, seniority, layoffs, compensation, length of service promotions, and length of service pay increases. Failure to report to work within the prescribed time after completion of military service will be considered a voluntary termination.

Additionally, for Employees who have worked for HRTAC for more than six months, the Executive Director may approve full HRTAC pay and benefits for up to fifteen days per year for time spent by the employee on leave for “active duty for training”.

H. Funeral Leave

Funeral leave is defined as leave with pay granted to regular employees upon the death of an immediate family member. A maximum of three days funeral leave will be granted to the employee upon request. If more than three days is required, the employee may use accrued paid time off, annual or sick leave. For purposes of this policy, immediate family is defined as father/stepfather, mother/stepmother, sister, sister-in-law, brother, brother-in-law, husband, wife, child, grandchild, grandparent, parent-in-law, grandparent-in-law, guardian, or close relative residing in the same household as the employee.

I. Leave Without Pay

The Executive Director has discretion to grant leave without pay for a period not to exceed thirty (30) days where there is insufficient accumulation of annual leave or sick leave to cover an authorized absence. Leave without pay is an approved absence from duty without pay, during which time the employee retains employee status without loss of certain employment benefits, such as health and life insurance coverage, or administrative conveniences that normally cease upon termination of employment.

Leave without pay must be requested in advance and in writing from the employee. For reasons other than those that fall under the Family Medical Leave Act, the request must state the reason, the starting date and the probable date of return. Any leave not authorized will be considered leave without pay. No holiday leave will be paid while on Leave Without Pay status.

An employee on leave without pay during any month shall not earn credit for retirement in the Virginia Retirement System nor will employee or employer contributions be made to VRS.

It is the employee's responsibility to make arrangements with the Accounting Department for payment of any regular deductions typically withheld from their pay that are used for additional benefits, such as Health Insurance and Optional Life Insurance.

J. Special Leave

The Executive Director has discretion to grant an employee an extended leave without pay for special reasons such as study or illness. No salary will be paid during a special leave, nor will benefits to the employee (retirement, Social Security, health premiums, etc.) be paid or accrued. At the expiration of a Special Leave, employees may be reinstated to their former staff position in accordance with a written agreement signed by the employee and Executive Director. Special Leave may be granted for no more than one year. It is not intended to supplement or replace general leave. No holiday leave will be paid while on Special Leave.

Because the absence of an employee for more than a month can adversely affect the operations of HRTAC, it must be understood that requests for Special Leave must be carefully reviewed.

K. Unscheduled Leave

In general, HRTAC follows the practice of its member local governments and federal government agencies with regard to excused absence of staff in order to vote, attend required religious services, etc. All leave needs to be confirmed and approved by the Executive Director.

L. Holidays

Regular full-time employees of HRTAC will follow the Commonwealth of Virginia's holiday schedule and receive certain days off with pay as holidays. If a holiday falls in a period of other authorized leave, it will not be counted as leave time. Full-time employees must work both the day before and the day after a holiday or be on authorized paid leave to receive holiday pay. If a holiday falls on a Sunday, it will be observed the following Monday; if it falls on a Saturday, the preceding Friday will be the day off. The following are standard HRTAC holidays:

- New Year's Day (January first)
- Martin Luther King Day (third Monday in January)
- Presidents' Day (third Monday in February)

- Memorial Day (last Monday in May)
- Juneteenth (Nineteenth of June)
- Independence Day (Fourth of July)
- Labor Day (first Monday in September)
- Columbus Day (second Monday in October)
- Election Day (First Tuesday in November)
- Veteran’s Day (Eleventh of November)
- Thanksgiving Day (fourth Thursday of November)
- Thanksgiving Friday (day after Thanksgiving)
- Christmas Day (December twenty-fifth)

In addition, should the Governor announce extra state holidays, HRTAC may follow the Governor’s announcement.

M. Parental Leave

HRTAC offers its employees parental leave in accordance with the policy attached as [Appendix F](#).

VII. EMPLOYEE INSURANCE

A. Health Insurance

1. Full-time employees

All regular full-time HRTAC employees, including the Executive Director, shall be eligible to or as described in an employment contract agreement to join a group health insurance plan carried by HRTAC. The employer pays the coverage offered premium for the employee based on the highest valued benefit and provides contribution to the expanded coverage participation to include eligible dependents. Employee’s share of the premium are pre-tax dollars.

2. Enrollment

Eligible employees may select the healthcare plan that best meets their needs. In order to receive health insurance offered by HRTAC, eligible employees must select their health insurance plan within 30 days of initial date of hire. Coverage takes effect on the first day of the first full month of employment. Information outlining the benefit plan options is provided to employees upon employment with the HRTAC and prior to the open enrollment period. Employees who waive initial enrollment in the HRTAC health plan will be ineligible to participate or make changes until the next open enrollment period.

3. Qualifying Events

Employees and qualified beneficiaries (spouse and dependents) may experience qualifying events during the plan year unrelated to employment. Such events may include marriage, divorce, loss of dependent status, reduction in work hours, death, retirement, disability determination and loss of disability status. If an employee experiences a qualifying event, the employee and/or qualified beneficiaries may be able to make changes to their healthcare plans. Please see the Human Resources Administrator for more information on qualifying events.

B. Virginia Retirement System

1. Retirement disability – *VRS Plan 1 & Plan 2 Employees Only*

All regular full-time employees, including the Executive Director, participating in VRS Retirement Plans 1 & 2 are covered by the VRS Group Disability Insurance as part of being a member of the Virginia Retirement System. HRTAC pays the full premium for this coverage. Once an employee is vested in the Retirement System, they are eligible for permanent disability benefits. This program is administered through the Virginia Retirement System. Full details of this program are available from the Human Resources Administrator.

2. Short-term disability – *VRS Hybrid Plan Employees Only*

All regular full-time employees participating in the VRS Hybrid Retirement Plan are covered by the VRS Virginia Local Disability Program (VLDP) which provides income protection if an employee cannot work because of a non-work related or work-related illness, injury or other condition, such as surgery, pregnancy, complications from pregnancy or a catastrophic or major chronic condition. HRTAC pays for this coverage. VRS is responsible for the administration of the program. VLDP short-term disability will be coordinated with HRTAC FMLA and/or worker's compensation policies as appropriate and will run concurrently with these policies. PTO will not accrue while an employee is on approved short-term disability. Please see the Human Resources Administrator for more information on VLDP short-term disability benefits.

3. Long-term disability – *VRS Hybrid Plan Employees Only*

All regular full-time employees participating in the VRS Hybrid Retirement Plan are covered by the VRS Virginia Local Disability Program (VLDP). Long-term disability provides income replacement if an employee becomes disabled and cannot work after the expiration of the maximum period of short-term disability. The employer pays for this coverage. VRS is responsible for the administration of the program. Please see the Human Resources Administrator for more information on VLDP long-term disability benefits.

4. Long-term care – *VRS Hybrid Plan Employees Only*

All regular full-time employees participating in the VRS Hybrid Retirement Plan are covered by the VRS Virginia Local Disability Program (VLDP), which provides long-term care benefits for employees who need help with everyday life tasks because of a prolonged health problem or following a major illness or injury. VRS is responsible for the administration of the program. Please see the Human Resources Administrator for more information on the long-term care benefits.

5. Life Insurance

All regular full-time employees, including the Executive Director, are eligible and required to be covered by the VRS Group Term Life Insurance. This group term program provides a death benefit equal to the employee's annual salary rounded up to the next higher thousand and then doubled; in case of accidental death, the benefit is twice this amount. HRTAC pays 100% of the premium for this coverage.

The employee is also eligible to increase their own coverage and/or cover their dependents at the employee's expense. Please see the Human Resources Administrator for more information.

C. Worker's Compensation

HRTAC employees are covered under the Virginia Workers' Compensation Act which governs benefits for occupational injury or illness in qualifying circumstances.

1. Reporting Injuries

If an employee has an accident or injury on the job, the employee must report the situation to their supervisor, or Executive Director *and* the Human Resources Administrator immediately, or as soon after the injury as practicable. Failure to report an accident or injury in a timely manner may prevent an employee from becoming eligible for reimbursement for medical expenses or other applicable benefits. Every accident or injury on the job must be reported.

2. Workers' Compensation Benefits

Workers' Compensation benefits will be provided in accordance with applicable state law. Workers' Compensation benefits, when approved, will pay two-thirds of an employee's take-home pay each week an employee is out of work.

When out of work due to a work-related injury, VRS Plan 1 and Plan 2 Employees may take sick or annual leave to cover the difference between pay received through workers' compensation and the employee's full salary, as long as the employee has sick or annual leave accrued. The employee is responsible for requesting use of their annual or sick leave for the difference.

When out of work due to a work-related injury, VRS Hybrid Plan Employees workers' compensation benefits will be coordinated with the employee's VRS short-term disability benefit.

Workers' compensation leave and FMLA leave will run concurrently provided the reason for the absence is due to an employee's qualifying serious illness or injury under FMLA. HRTAC will notify the employee in writing if their workers' compensation leave will be counted as FMLA leave.

3. Panel of Physicians

HRTAC maintains a Panel of Physicians for work-related injuries and illnesses through the Virginia Municipal League (VML). A physician from the panel must be used if medical treatment is needed. If a panel physician is unavailable at the time of an emergency, the employee may use an emergency facility for treatment. However, all follow-up care must be rendered by a physician chosen by the employee from the Panel of Physicians. The employee's Panel Physician can refer the employee to a specialist if needed; the employee may not choose the specialist himself.

If an employee does not receive treatment from a Panel Physician, workers' compensation benefits may be terminated, and the employee's medical bills will not be paid. If an employee sustains a compensable work injury, HRTAC Workers' Compensation Administrator will only be responsible for bills from the following:

- Panel Physicians;
- Authorized treating specialist;
- An emergency facility in a true emergency

Employees can obtain the list of panel physicians from the Human Resources Administrator.

D. Miscellaneous Insurance Policies

1. Directors and Officers Insurance

Purchased as needed by HRTAC.

VIII. STAFF DEVELOPMENT

HRTAC provides opportunities for employees to upgrade their technical or professional competence through educational programs relevant to their work at HRTAC. Any regular full-time employee may participate contingent upon the eligibility requirements described in each section. Such opportunities must be planned, coordinated and conducted to maximize the effectiveness of available training and education funds. It is the employee's responsibility to coordinate with their supervisor

and the Executive Director during the budget process for any development opportunities they wish to pursue. Development opportunities may include, but are not limited to conferences, workshops and seminars; testing for job-related certifications; academic courses; and academic programs of study leading to certificates or degrees. All staff development activities must be submitted in writing and have prior approval from the employee's supervisor, and the Executive Director. The final written approval must be submitted to the Human Resources Administrator for inclusion in the employee's personnel file. While participation in career development opportunities is encouraged and is expected to enhance employee performance and professional abilities, HRTAC cannot guarantee participation will lead to a promotion, change in job assignment or salary increase.

A. Conferences, Workshops and Seminars

Conference, workshop and seminar activities are approved on an as-needed basis and must be related to the employee's current responsibilities at HRTAC. These activities are generally provided by sources outside of HRTAC for a fee and cover specific topics pertaining to a field or discipline. All regular full-time employees are eligible and must request prior approval for attendance from their supervisor, and Executive Director. Fees for workshops and seminars are generally paid by HRTAC in advance. Upon completion of a seminar or workshop, the employee must submit proof of completion for inclusion in the employee's personnel record. If an employee does not attend or complete a pre-paid seminar or workshop, the employee will be responsible for repayment of all registration fees.

B. Job-related Certifications & Licenses

Job-related certifications and licenses are generally provided by professional associations and require testing to determine knowledge in a specific discipline or field. Any regular full-time employee having been employed for at least one year is eligible to request approval for reimbursement for a job-related certification. Testing fees for certifications will be reimbursed only after successful completion of the certification/licensing program and if approved at least 30 days in advance by the employee's supervisor, and the Executive Director if reimbursement is desired. Verification of successful completion is required. Certification/licensing study guides and other similar materials are the responsibility of the employee and are generally not reimbursable by HRTAC.

While not guaranteed, an increase to an employee's base salary may be granted after the receipt of a professionally recognized certification or license at the sole discretion of the Executive Director. An employee will be eligible for no more than two (2) salary adjustments for professional licenses or certifications during their tenure with the HRTAC.

C. Academic Courses/Programs

Employees are provided the opportunity to upgrade their professional competence through educational opportunities relevant to their work at HRTAC. The HRTAC Educational Reimbursement Plan provides details on the various types of academic courses and programs which may be reimbursed on either a taxable or tax-free basis.

D. Educational Leave

See “Special Leave” under Section VI.J.

IX. RETIREMENT

A. Social Security

HRTAC participates in the Federal Insurance Contributions Act (FICA) program for all employees, including the Executive Director, in accordance with federal law. All employees come under FICA and participation is mandatory. Employee contributions are automatically deducted from their paycheck. HRTAC contributes to Social Security an amount equal to that contributed by the employee, or as required by federal law. Social Security provides, after a sufficient period of coverage, specific income protection for an employee and for the employee’s family, in the event of disability, death, or retirement. Questions related to Social Security should be directed to the local Social Security Administration Office.

B. Virginia Retirement System

The Virginia Retirement System (VRS) provides a retirement benefit for all regular full-time HRTAC employees, which includes the Executive Director. This is in addition to Social Security benefits. All full-time regular employees must contribute five percent (5%) of their annual compensation into VRS and participation is mandatory. HRTAC also contributes a percentage of the employee’s salary into VRS; this rate is set by VRS and may vary. Employees are fully vested after five years of service. Retirement benefits can begin under the various programs at age 50 in accordance with VRS policies. The amount of retirement benefits varies based on factors such as years of covered service, age upon retirement, salary and VRS retirement plan. Full details can be obtained from the Human Resources Administrator.

C. Retiree Health Insurance

HRTAC offers eligible retirees, which includes the Executive Director, specific health insurance benefits effective upon retirement. Retirees are able to choose from existing health insurance plans offered by HRTAC to its active employees. A summary of each plan offered is available from the Human Resources Administrator.

An employee is eligible to receive such healthcare benefits when he/she has completed five (5) full years of continuous service with HRTAC and retires from HRTAC under the Virginia Retirement System.

1. Participation Options

The retiree may elect to receive individual coverage only or coverage for the retiree and the retiree's spouse, through HRTAC's existing program.

a. Participation under HRTAC health insurance programs

- 1) If the retiree elects to remain with a plan offered by HRTAC, HRTAC will contribute an amount equal to the current active employee or employee/spouse premium for the plan selected. The retiree shall pay to HRTAC any amount of the actual retiree premium(s) which exceed that paid by the HRTAC for the retiree and spouse, provided the retiree chooses to remain with a plan offered by HRTAC. Under this option, the HRTAC contribution is non-taxable.
- 2) For a retiree or his/her spouse who are MEDICARE eligible, HRTAC will contribute an amount equal to the current premium for the program plan designed to complement MEDICARE coverage. Meanwhile, the standard HRTAC contribution, indicated in paragraph (1) above, will continue for the remaining spouse until he/she is MEDICARE eligible. At such time, HRTAC will contribute to the remaining spouse's premium an amount equal to the current premium for the plan designed to complement MEDICARE coverage.
- 3) Retirees may participate in the annual Open Enrollment period in accordance with Healthcare Plan Administrator's policies.
- 4) If any break occurs in the retiree's continuous coverage under the Health Benefits Program, such as participation in a private policy for any period, the retiree and spouse may not return to coverage under any HRTAC offered healthcare plan.

2. Retiree Application for Coverage

An eligible retiree must apply for coverage, via the Human Resources Administrator, ninety (90) days prior to his/her retirement date.

3. Premium Payment

For retirees who select coverage under HRTAC health benefits plans, the retirees shall pay contributions for their health benefits coverage directly to HRTAC, not later than the 20th of each month during the period of coverage.

The retiree's contribution shall be the amount of the actual premium for the retiree and spouse not specifically paid by HRTAC. Failure to make the premium payment on time may be cause for termination of coverage.

4. Notification Requirements

Benefit recipients under this program, or their designated agent, shall advise HRTAC within 30 days of any change in address of the retiree and spouse, the death of a benefit recipient, or any other status change of which the employer would not normally be aware.

5. Amendment & Termination

HRTAC has the right to amend or terminate this program at any time without the consent of any retiree or other person.

6. Death of HRTAC Retiree

Any spouse covered at the time of the retiree's death may continue coverage until such time it is no longer necessary. Cost of this coverage will continue under the same formula as if the retiree were still alive: with the HRTAC being responsible for a portion of the premium as described above.

X. PERFORMANCE STANDARDS

A. Performance Policy

Performance management is intended to create a climate in which employees are valued, motivated, and recognized for their contributions to HRTAC and given the opportunity to further develop professionally. Communication is an essential part of the supervisor/employee relationship. The job to be done, the measures of success to be used, the tools and support needed, and how the employee is performing all need to be stated clearly and understood by both parties.

B. Performance Standards

Annual tasks and levels of performance are agreed to between the employee, supervisor, and Executive Director prior to each year. Performance standards are the mechanisms by which the employee's performance is judged. Goals and objectives should be set annually as they help demonstrate where the employee is expected to be in terms of job accomplishment and level of performance. Goals and objectives may vary widely from one type of job to another.

C. Distinguishing Between Poor Performance & Misconduct

When an employee fails to meet performance expectations or behaves in an inappropriate manner, it may become necessary to initiate actions to correct the

performance and/or conduct or end the employment relationship. Poor performance is defined as the inability or unwillingness to meet acceptable work expectations due to lack of skills, training, education, or other circumstances. Misconduct is defined as willful disregard of HRTAC's standards of conduct or policies. In addition to the discipline outlined in Section XI, alternative strategies for dealing with poor performance such as formal coaching and individual performance improvement plans may be used. When using such alternative strategies, the employee must be given specific instructions regarding expectations and dates to meet the expectations. The employee should be clearly told that failure to meet the requirements of the action plan may result in further disciplinary action or termination. A written action plan with due dates is the best tool for defining performance improvement needs.

D. Employee Assistance Program

HRTAC provides an Employee Assistance Program (EAP) to eligible employees and immediate family members at no cost to the employee as part of the total benefits package. Among other areas, the program provides assistance in the areas of job performance problems through access to a professional provider. An employee may be encouraged by a supervisor to contact the EAP to address job performance problems. It is the employee's choice to act on the suggestion. The employee may contact the EAP directly to access services or, upon the employee's request, the employee's supervisor may assist in this process. No information is exchanged between the EAP and the employer with regard to a suggested referral.

In cases of poor performance or misconduct, HRTAC may require that an employee be referred to the EAP for assessment and appropriate intervention. The employee may be subject to appropriate action for the performance problem however, when the Executive Director determines it is in the best interest of the organization and the employee, any personnel action may be held in abeyance pending successful outcome of the intervention. Since a directed referral is the result of an employee's poor performance or misconduct and may involve a subsequent personnel action, some tracking information will be exchanged between HRTAC and the EAP. The EAP provider will inform the Human Resources Administrator in writing as to whether the employee followed through with the referral to the EAP and whether the employee complied with the recommendations made by the EAP provider. Such written communications will be marked "confidential." The Human Resources Administrator may discuss the information with the Executive Director. Due to the nature of the directed referral, these communications will be maintained in a confidential file maintained by the Human Resources Administrator. In compliance with HIPAA Medical Privacy Rules, HRTAC will obtain the employee's permission for communication with the provider regarding or dissemination of individually identifiable health information.

XI. DISCIPLINE

A. Policy

Employment with HRTAC is in the nature of at-will employment meaning that an employee has the right to terminate his/her own employment just as HRTAC reserves the right to terminate employment, at any time, for any reason allowed under the law with or without cause.

HRTAC desires to maintain a workplace that is conducive to good relationships and excellent performance of work. The disciplinary process provides supervisors with a fair and objective guide for determining the seriousness of an employee's unsatisfactory work performance or misconduct and selecting the appropriate disciplinary action to correct unacceptable behavior or performance. Poor performance is defined as the inability or unwillingness to meet acceptable work expectations due to lack of skills, training, education, or other circumstances. Misconduct is defined as willful disregard of HRTAC's standards of conduct or departmental rules. All employees are covered under this policy and shall be disciplined by the same process.

Accordingly, HRTAC may utilize various means of disciplinary action for misconduct and poor performance that may take any of the following forms and are not necessarily restricted to the order set forth below:

- Verbal Reprimand
- Written Reprimand
- Suspension
- Demotion
- Termination

Disciplinary actions may be subject to employee appeal through the approved grievance procedure by those eligible to use the grievance procedure.

B. Available Disciplinary Actions

Disciplinary action is to be in proportion to the seriousness of the violation and is generally administered in a progressive manner although not required or mandated. Employees will often be reminded about accepted standards and rules of conduct before more severe disciplinary action is taken. However, even in the absence of prior disciplinary measures, any infraction may incur serious disciplinary action up to and including dismissal.

1. Verbal Reprimands

Verbal reprimands are defined as a discussion between a supervisor and the employee where the employee is advised and cautioned about unsatisfactory work performance or conduct. A supervisor may orally reprimand an employee for any cause. The violation is generally considered minor and the warning or reprimand can be expected to resolve the problem or alert the employee of

expected future conduct and the consequences of reoccurrence of the behavior in question. Verbal reprimands should be noted in writing by the supervisor for the supervisor's use in the event that further discipline is needed. Verbal reprimands may also be documented, dated and transmitted to the Human Resources Administrator for placement in the employee's personnel file.

2. Written Reprimands

Written reprimands are written documentation to the employee from the supervisor where the employee is advised and cautioned about unsatisfactory work performance, accumulated infractions, or misconduct. This measure is generally used for more significant first violations or repeated minor infractions. Written reprimands must be coordinated with the Executive Director prior to meeting with the employee. The supervisor will meet with the employee and discuss disciplinary action and the employee will be asked to sign the written documentation acknowledging that he/she has received the warning. All written reprimands will be forwarded to Human Resources for inclusion in the employee's personnel file.

3. Suspensions

Suspensions are temporary separations from employment for the purpose of reprimanding an employee for inappropriate conduct for one or more full workdays. An employee may be suspended with or without pay while an investigation is pending. Such action is taken by the Executive Director, in consultation with the employee's supervisor. A written record of the action will be placed in the employee's personnel file with a copy provided to the employee and the Human Resources Administrator who shall process the without pay provision.

4. Demotion

An employee may be demoted by the Executive Director after consultation with the employee's supervisor. A written notice of demotion will be transmitted to the employee within fifteen days of the effective date of the demotion. This notice will specify the reason(s) for the demotion and a copy will be placed in the employee's personnel folder.

5. Termination

An employee may be terminated from employment at any time for any reason allowed under the law, with or without cause, by the Executive Director after consultation with the employee's supervisor. A written notice of dismissal will be transmitted to the employee, depending on the nature of the discharge, and a copy will be placed in the employee's personnel file.

C. Reasons for Disciplinary Measures

Any action by an employee that negatively reflects on or otherwise discredits HRTAC, or is a direct hindrance to effective performance of an employee or HRTAC, may result in disciplinary action.

Examples of unacceptable conduct are listed below and should be used only as a guide as it is not all-inclusive.

1. Offensive, abusive, threatening, coercive language or conduct towards supervisors, other employees, customers, the public, HRTAC or related officials;
2. Physical violence;
3. Insubordination;
4. Discrimination, sexual harassment or other forms of harassment;
5. Failure to perform the duties and responsibilities of the position;
6. Inadequate or unsatisfactory job performance;
7. Negligence in the care and handling of HRTAC property;
8. Falsification of records, including, but not limited to reports, insurance claims, time records, leave records, expense reports or other official HRTAC documents;
9. Theft or unauthorized removal of HRTAC property;
10. Conviction of a felony or crime of moral turpitude;
11. Recurring tardiness or unauthorized absences from the job;
12. Fraud, deceit, dishonesty or misrepresentations;
13. Retaliation, discrimination or harassment against an employee for filing a complaint of discrimination, harassment or other similar complaint or for participating in the complaint of another employee;
14. Violation of any provision of the HRTAC rules, regulations or procedures whether established through written policy or by standard practice;

D. Disciplinary Guidelines

The severity of the discipline chosen must fit the seriousness of the offense. The following principles shall be observed when considering disciplinary action:

1. Management shall consider prior disciplinary actions taken against the employee, including the date, severity and circumstances of the prior actions;
2. The disciplinary action shall be situationally appropriate and shall be consistent with the expectations of the employee's position;

3. Management shall consider the special needs of HRTAC and/or the employee's department and the seriousness of the employee's behavior or performance;
4. Employees are responsible and accountable for knowing the performance or behavioral expectations of HRTAC;
5. In determining the severity of the disciplinary action, it should be established whether there has been repetition of the same or similar performance or behavior.

If there are mitigating circumstances, supervisors in consultation with the Executive Director, may recommend reduced discipline, but must state their reasons for such action.

Procedural steps for imposing discipline are set out in XI.E. The failure of a supervisor to follow these procedural steps will not, by itself, make the discipline invalid or improper, but an employee may separately grieve a supervisor's failure to follow appropriate procedure, provided that such grievance is filed timely. The sole remedy for such grievance shall be correction of the procedural error.

E. Disciplinary Procedures

Authority to initiate disciplinary actions shall generally be the responsibility of the supervisor. Management is responsible for ensuring that discipline is administered in a fair and consistent manner. Verbal reprimands may be noted in writing by the supervisor for the supervisor's use in the event that further discipline is needed; documentation may be forwarded to the Human Resources Administrator for inclusion in the employee's personnel file. All other levels of recommended discipline shall be in writing from the supervisor to the Deputy Executive Director and Executive Director and shall have the following elements:

1. A statement of the reason(s) for the disciplinary action;
2. A statement of whether the employee has received previous counseling or disciplinary action for this or a similar offense, date(s) of the offense(s) and the action taken to correct the problem in the past;
3. A statement as to the employee's oral response and/or the employee's original written response

All written disciplinary actions must be coordinated by the supervisor with the Executive Director. Employees will be granted an opportunity to respond to allegations before final disciplinary action is taken by the Executive Director. Upon the final determination of disciplinary action, the employee shall be advised in writing of his rights to appeal through the Grievance Procedure, if applicable. All documentation concerning the disciplinary action shall be forwarded to the Human Resources Administrator for inclusion in the employee's personnel file.

XII. GRIEVANCE PROCESS

A. Open Door Policy

HRTAC maintains a policy of open communications among employees and various levels of supervision in order to foster cooperation and understanding.. This Open Door Policy helps to build efficient working relations among employees and furthers the professional quality of the work performed by HRTAC. Employees are encouraged to talk to their supervisor if you feel you have been treated unfairly or not in accordance with the Personnel Manual. Higher levels of HRTAC management are also accessible through this Open Door Policy to discuss employee concerns. HRTAC expects that utilization of this Open Door Policy will largely alleviate the need for a formal grievance procedure.

B. Grievance Procedure

In addition to the Open Door Policy described above, HRTAC offers a formal grievance procedure to facilitate resolution of employee grievances. Grievances are complaints or disputes of employees concerning their employment at HRTAC. Complaints involving conditions of employment, including employee discipline, discrimination, or harassment, may be addressed through the grievance procedure. The following issues are excluded from the formal grievance procedure:

1. Complaints or disputes concerning wages, salaries, pay increases, or employee benefits;
2. Complaints or disputes concerning conditions of employment agreed to by the employee;
3. Separation, demotion, or layoff because of lack of work, reduction in force, or job abolition;
4. Challenges to HRTAC's Personnel Manual (an employee may file a grievance concerning unfair or improper application of a policy but may not file a grievance challenging the existence or advisability of a policy contained in the Personnel Manual);
5. Discretionary matters discussed in the HRTAC Personnel Manual, such as requests for Special Leave, unless such matters are in violation of law or existing HRTAC policy.

If there is a question concerning whether a particular issue may be addressed through the formal grievance procedure, the Human Resources Administrator, in consultation with the Executive Director, will make a determination as to whether the issue is grievable. This formal grievance procedure is available to all employees who have completed their probationary period. Employees who have not completed their probationary period and employees who have concerns regarding issues excluded from the formal grievance procedure may utilize the Open Door Policy to address their concerns. The determination that an employee's complaint

is not grievable under the formal grievance procedure shall in no way infringe upon that employee's rights as defined by any applicable federal, state, or local law.

HRTAC's Grievance Policy and Procedure is to obtain understanding and resolution of employee problems at the most direct level possible or appropriate for the circumstances. Although HRTAC aims to resolve each problem within the department in which it arises whenever feasible, an employee may pursue a grievance through proper channels up to the highest level of management when necessary.

C. Grievance Procedure Steps

The following steps apply to employee grievances involving issues other than those excluded from the grievance procedure as described above:

1. Step 1 Oral Notice to Immediate Supervisor

The aggrieved employee (grievant) will present an oral grievance to the employee's immediate supervisor within ten working days of the occurrence of the situation giving rise to the grievance. Barring extenuating circumstances, the supervisor will provide an oral answer within five working days of the employee's presentation of the grievance.

2. Step 2 Written Notice to Immediate Supervisor

If a grievance is not satisfactorily resolved through Step 1 above, the grievant may submit the grievance in writing to the immediate supervisor within five working days of the oral response. The written grievance must be signed by the grievant. Barring extenuating circumstances, the supervisor will respond with a written decision within five working days of receipt of the written grievance.

3. Step 3 Appeal to Executive Director

If a grievance is not satisfactorily resolved through Step 2 above, the grievant may submit a written appeal to the Executive Director within five working days of the response issued in Step 2. The notification must include a signed statement as to the basis on which the grievant will contend that the response provided in Step 2 should be reversed or modified. Barring extenuating circumstances, the Executive Director will reply to the appeal with a decision in writing within five working days of receipt of the written appeal.

4. Step 4 Appeal to Grievance Review Panel

If a grievance is not satisfactorily resolved through Steps 1, 2, and 3 above, the grievant may appeal the decision to a Grievance Review Panel. Within five working days of the response issued in Step 3 above, the grievant must submit written notification to the Human Resources Administrator of the grievant's

request for a Grievance Review Panel. The notification must include a signed statement as to the basis on which the grievant will contend that the decision of the Executive Director should be reversed or modified. The notification shall include a list of any employees or witnesses whom the grievant feels should be called to testify on the employee's behalf at the Grievance Review Panel hearing.

The notification and request for a Grievance Review Panel must be submitted to the Human Resources Administrator who will arrange for a hearing time and notify all affected parties of the date and place of the hearing. Barring extenuating circumstances, the hearing will be scheduled to occur more than five and less than fifteen working days after the date on which the parties are notified of the hearing.

a. Composition of Grievance Review Panel

The Panel will consist of three members, selected as follows: The grievant will select one representative from among the employees of HRTAC, and the supervisor will select one representative from among the employees of HRTAC. The third member of the Panel will be selected by the first two members from among the employees of HRTAC. The third member will chair the Panel.

b. Conduct of Grievance Review Panel Hearing

The Panel will determine the propriety of attendance at the hearing of persons other than the parties.

The Panel may ask for statements at the initiation of the hearing to clarify the issues involved.

The Panel will determine the relevance and materiality of any evidence offered.

The Panel may receive exhibits, including documents relating to previous steps in the grievance procedure, which will be marked, received in evidence, and made part of the record.

The Panel shall afford full and equal opportunity to all parties for presentation of relevant facts, evidence, and other relevant material. However, the Panel may choose to exclude evidence that would be unnecessarily cumulative.

Evidence must be presented in the presence of the Panel and the parties.

The Panel's determinations concerning procedural and evidentiary matters will be made by majority decision of the three members.

The Chair of the Panel, upon completion of presentation of the evidence offered by the parties, shall ask the parties whether they have any further evidence to offer or witnesses to be heard. Upon negative replies to this inquiry, the Chair shall declare the hearing closed.

The Panel shall issue findings by majority decision and shall present the findings in writing to all parties and to the Executive Director within 15 working days of the close of the hearing.

5. Step 5 Review and Final Determination by Executive Director

The findings of the Grievance Review Panel will be reviewed by the Executive Director of HRTAC , who will issue a final written determination within ten days of receipt of the Panel's findings. The Executive Director may review the record of evidence presented to the Panel and other pertinent information in reaching the final determination. The Panel's findings are not binding on the Executive Director.

D. Grievance Rights & Conditions

1. At any Step following Step 1 of the Grievance Procedure, a party may be accompanied by a representative or attorney at the party's own expense.
2. Failure by the grievant to process the grievance within the time limits provided above shall terminate the grievance. If the designated supervisor fails to respond to a grievance within the time limits provided above, the grievant may proceed to the next Step in the Grievance Procedure.
3. In extenuating circumstances, the Executive Director may extend the time limits provided in the Grievance Procedure.
4. The term "working days" as used in this Grievance Procedure includes any day on which HRTAC is open for business, without regard to whether the grievant reports to work on any such day.
5. Employees who pursue grievances or participate in the grievance process are protected against reprisal or retaliation for such actions. This protection, however, does not give any grievant or witness a right to put forth knowingly false claims or information in connection with a grievance or to make slanderous or libelous statements. If an employee feels he or she has suffered retaliation because of participation in the grievance process, the employee may file a grievance to address these concerns.
6. The Grievance Review Panel does not have authority to add to, delete from, amend, or disregard HRTAC policies, procedures, rules, or regulations.

7. Management of HRTAC reserves exclusive right to: manage the affairs and operations of the HRTAC; direct the methods, means, and personnel by which the work of HRTAC is to be performed; and determine similar matters customarily reserved to the discretion of management. Responses to employee grievances shall give due regard to such prerogatives of management while seeking equitable enforcement and application of HRTAC policies.

E. Applicant Grievance

Applicants for positions at HRTAC that are governed by federal agencies such as the Department of Transportation will be advised of any additional recourse provided by such agency, where applicable, with respect to applicant grievances or complaints.

XIII. TRAVEL POLICY

The travel policy applies to travel both within the geographical area of HRTAC jurisdictions and outside the jurisdiction area. Vouchers must be completed for reimbursement claims for all staff travel expenses. Reimbursement is limited to travel expenses of HRTAC employees on official business duties.

A. In-area Travel

1. Reimbursement

- a. Mileage

Reimbursement for mileage is determined by the reimbursement policy of the Commonwealth. A private automobile must be covered with proper insurance to at least the minimum required by the State.

- b. Meals & Related Expenses

Employees will be reimbursed for related expenses such as tolls and parking. Reimbursement for meals and related expenses is not permitted except where it is necessary for an employee to attend an authorized breakfast, luncheon, or dinner meeting.

B. Out-of-area Travel

All out-of-area travel must be approved in advance by the employee's supervisor and the Executive Director and substantiated by receipts to assure reimbursement. Charges and procedures will follow the administrative policies set by the Executive Director as follows:

1. Transportation

The most economical and efficient form of transportation should be used, as determined by the nature and urgency of the travel, the number of persons making the trip, the distance to be traveled, and the relative cost of transportation, including time involved.

a. Commercial Air Travel

Commercial air travel should be used whenever it is most economical, especially when distance to be traveled is over 250 miles. Tourist class accommodations are to be used, except when not available. A receipt must be presented for reimbursement.

b. Personal Vehicle/Rental Cars

A private automobile may be used when public transportation is not feasible, or convenient.,

A rental automobile may be used when appropriate, e.g., when ground transportation costs (taxies, etc.) would exceed the cost of renting an automobile. Actual expenses supported by receipts will be reimbursed. Comprehensive insurance coverage is always to be ordered when renting vehicles.

c. Other

Other travel by public transportation may be authorized. A receipt must be presented for reimbursement.

2. Lodging

The cost of lodging for authorized personnel will be reimbursed based on the standard room rate and submission of all receipts. All lodging rates are governed by the U.S. General Services Administration rates currently effective and employees must search for his/her travel destination using the following website: <http://gsa.gov/portal/content/104877>. Lodging guidelines EXCLUDE taxes and surcharges. Taxes and surcharges are reimbursable.

3. Meals

a. Actual expenses for meals supported by receipts, including tips (not to exceed 20%), will be reimbursed to employees on official travel. Employees should refer <http://gsa.gov/portal/content/101518> for maximum reimbursement rates in selected areas.

b. Meal expense claims are subject to approval by the employee's supervisor and the Executive Director and shall be submitted in accordance with HRTAC administrative policies.

- c. Meal costs will only be reimbursed by HRTAC in the case of overnight travel. Meal costs incurred during day trips out of the area will not be reimbursed, except for attendance at an authorized breakfast, luncheon, or dinner meeting. No alcoholic beverage charges will be reimbursed.

4. Incidental Expenses

Incidental expenses such as ferry, bridge, road and tunnel tolls, conference and convention registration fees, telephone and internet charges, and tips and gratuities will be reimbursed at cost unless otherwise specified in this travel policy.

B. Travel Vouchers & Authorization

Authorization of the submitted Travel Reimbursement form for reimbursement of travel expenses is approved by the Executive Director HRTAC Travel Reimbursement form.

C. Travel Reservations & Payment Procedures

4. Travel Advance

Employees may obtain an advance of funds to cover the estimated cost of travel expenses by presenting the Travel Authorization to their immediate supervisor and Executive Director with an estimation of needs. Requests must be submitted to Accounting ten (10) business days prior to date needed.

5. Personal Credit Card

Employees can use their personal credit card to make the reservation, pay for the room, and all other costs, and request reimbursement immediately upon return to work. The employee will receive a reimbursement check within ten (10) business days of submittal to Accounting, so funds would be available before the credit card bill arrives. All receipts are necessary for the employee to be reimbursed.

D. Reimbursement

All requests for reimbursement for local travel should be made at the end of each month. Out of town travel reimbursement may be requested upon completion of the trip. If a travel advance has been made, any differences between the amount of the advance and the actual expenses must be settled within five (5) business days after completion of the trip. Requests for reimbursements are made to your immediate supervisor and approved by the Executive Director.

XIV. EXTERNAL COMMUNICATIONS

A. Purpose

HRTAC seeks to inform their localities, agencies, and residents by engaging in pro-active and interactive communications. HRTAC's External Communications Policy recognizes that the most effective and quickest methods to communicate agency policies and activities to the public is by working in partnership with the traditional news media, while also directly communicating with constituents through digital media platforms, such as the website and third-party social media applications. HRTAC has an overriding interest and expectation in deciding what is "spoken" on their behalf to the media/general public and on social media sites, therefore, it is important that all agency communication tools be used in ways that provide clear communication, maximize transparency, maintain the security of the network, and are appropriately professional.

This policy sets guidelines for the establishment and use by the agencies and their employees of communicating with media outlets/general public and for the use of social media sites as a means of conveying significant information to their localities.

4. Definition of Media

The term "media" refers to all individuals and organizations who maintain print, broadcast, or digital communication vehicles for public consumption. This definition includes:

- a. Newspapers
- b. Magazines
- c. Television
- d. Digital news sites
- e. Websites
- f. E-newsletters
- g. Other vehicles

5. Definition of Social Media

The term "social media" is understood to be content created by individuals, using accessible, expandable, and upgradeable publishing technologies, through and on the Internet. Examples of social media include:

- a. Facebook
- b. Blogs
- c. MySpace
- d. RSS
- e. YouTube
- f. X
- g. LinkedIn
- h. Flickr
- i. Pinterest
- j. Other social networking sites

B. Communicating with Media Outlets

4. Routine Media Requests

A routine request for information from HRTAC is one that seeks basic facts. Calls or visits from the media/public should always be referred immediately to the Executive Director or appropriate employee if the Executive Director is not available. employee will notify the Executive Director of any media request even if it is a routine request. All staff may communicate basic and routine information that is readily available to the public and is in relation to their specific responsibilities. Examples include:

- a. seeking general information about HRTAC programs or projects;
- b. seeking general information about services offered;
- c. or other requests seeking information that is readily available and non-controversial.

5. Non-routine Media Requests

A non-routine request may be of a sensitive or controversial nature and include responses that require the interpretation of policy, employee records, and public record requests for detailed records, legal action, or emergency situations. These types of issues often become headlines in the media and have the ability to become viral online. This provision provides the framework for HRTAC's Executive Director to respond appropriately and as soon as possible to these issues. HRTAC staff shall notify the Executive Director immediately when a sensitive or controversial issue pertaining to operations HRTAC is identified, or when an emergency situation occurs (i.e. those that will have an impact on a large number of residents could potentially generate great media interest and those that involve high-profile individuals or departments). Immediate notification is critical in order for the Executive Director to prepare for, and to respond to, media inquiries.

Sensitive or Controversial Issues may include, but are not limited to:

- a. issues that may affect HRTAC's public image or citizen confidence;
- b. personnel issue regarding any employee, such as performance evaluation, reasons for termination, reasons for not hiring, or harassment claims;
- c. legal claims or lawsuits filed against HRTAC or any of its employees or agents

Sensitive and controversial issues of interest to the media may be best assessed by asking the following:

- Is the issue a threat, existing or potential, to life, health or property?
- Could the issue likely be interpreted to negatively affect public confidence in/or opinion of HRTAC?
- Is the issue of particular interest to the general public?

- Are there legal ramifications, existing or potential, raised by the issue?
- Has more than one member of the media inquired about the same issue?
- Has someone threatened to go to the media about the issue?
- Is there unusual or inappropriate interest by a person or small group of people about a seemingly routine issue?

6. HRTAC Spokespersons

Inquiries from media outlets are given a high priority by HRTAC and should be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate. For commission wide inquiries, the spokesperson, unless previously authorized, will be the Executive Director

7. HRTAC Initiated Communications

Proactive media contact is sometimes initiated as a means of notifying the public of important information or upcoming events. This may be through news releases, media advisories, news briefings, news conferences, personal contacts with reporters, etc. Employees will work with the Executive Director and the HRTAC Public Involvement & Title VI Administrator for scheduling media events and/or submission of media releases/advisories. All proposed communications shall be reviewed and approved by the Executive Director before release.

C. Social Media

4. HRTAC Website

- a. The authorized website of HRTAC is www.hrtac.org. The website is to be used as communications, awareness building, and image enhancement tools for the agencies, as well as an online portal for agencies' services. HRTAC should utilize the website as an effective means to communicate with residents and targeted groups, including community leaders and organizations, local and potential businesses, current and potential residents, and employees. The website should highlight HRTAC's accomplishments, educate the community about the role of HRTAC as they relate to local jurisdictions and the community at large, and encourage the public's participation in the agencies' work, as well as serve as a resource for regional data.
- b. The website is coordinated by HRTAC requests for web design work and for posting on the agencies' website will be coordinated between HRTAC and the HRTAC Public Communications Department.
- c. Content should fall within the parameters of agency policies and state and federal law, including copyright laws.

- d. Departments may not develop separate sites with separate web addresses (URLs) without written authorization from the Executive Director.
 - e. Links to other websites are limited to government or public agencies; local organizations that receive HRTAC funding; or non-profit websites that have a formal, distinct and project-specific relationship with the agency.
5. Social Networking
- a. Official sites for HRTAC through social media and other digital applications carry the same weight as the agencies' official websites and must be treated with the same respect. Emerging online collaboration platforms are fundamentally changing the way local government is able to work and engage with citizens and community partners. Social networking can improve interactivity between government agencies and the public, and often reaches new and different populations from traditional media.
 - b. Before a site is created the Executive Director will be consulted to discuss the need for the creation of a site(s) such as Facebook, YouTube, X, MySpace, Blogs, etc. A business case must be provided for the need and for a social networking application. All sites must receive final approval from the Executive Director.
 - c. Pages should be set up as the organization's page, not as an individual pages.
 - d. No photos, video or documents will be posted to the site without the approval of the Executive Director.
 - e. When working in an official capacity while online, employees are still representing HRTAC and must abide by our standards of ethical conduct. Set forth below are several general areas of concern.
 1. Do not say anything online that you would not say verbally in your official capacity.;
 2. Do not misuse your position for your own gain or to help others inappropriately;
 3. Do not endorse any product, service, company, non-profit organization or any other enterprise;
 4. Do not divulge non-public information. This includes any information designated as confidential, privileged, or any other type of information that may not be disclosed, even if someone else asks you for it;
 5. Do not engage in any partisan political activity;
 6. Do not fundraise for any charitable organization.

- f. Where possible, social media pages shall clearly indicate they are maintained by the Commission and shall have the Commission contact information prominently displayed.
- g. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of HRTAC.
- h. Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to restrict or remove:
 - 1. Profane, obscene or pornographic language or content or links to such language or content;
 - 2. Solicitation of commerce, including but not limited to advertising of any business or product or sale;
 - 3. Comments in support of, or in opposition to, any political campaigns or ballot measures;
 - 4. Conduct or encouragement of illegal activity;
 - 5. Defamatory or personal attacks;
 - 6. Threats to any person or organization;
 - 7. Conduct that violates any federal, state or local law;
 - 8. Content that promotes, fosters, or perpetuates discrimination on the basis of race, color, creed, sex, age national origin or ancestry, physical or mental disability, veteran status, parentage, marital status, medical condition, sexual identity, sexual orientation as well as any other category protected by federal, state or local laws’
 - 9. Comments on topics or issues not within the jurisdictional purview of HRTAC.
- i. Contact generated from unknown bloggers or other editors of social media sites or digital news sites should be directed immediately to the Executive Director who will evaluate the media outlet and determine an appropriate response. HRTAC reserves the right to restrict or remove any content that is deemed to be in violation of this communications policy or any applicable law.
- j. HRTAC reserves the right to deny to any employee, social media site access for any violation of the HRTAC External Communications Policy, at any time and, without prior notice.
- k. If comments are positive or negative and in the context to the topic at hand, the content should be allowed to remain, regardless of whether it is favorable or unfavorable to HRTAC.
- l. Like e-mail, communication via agency-related social networking sites is a public record. This means that both the posts of the employee and any

feedback by non-employees, including citizens, will become part of the public record.

Because others might not be aware of the public records law, agencies should include the following statement (or some version of it) somewhere on the social networking site: *“Representatives of the Hampton Roads Transportation Accountability Commission communicate via this Web site. Consequently, any communication via this site (whether by a Commission employee or the general public) may be subject to monitoring and disclosure to third parties, including law enforcement.”*

- m. No confidential information shall be posted/transmitted. This includes the prohibiting of posting and/or transmitting of photographs or videos related to agency training, activities, or work-related assignments without express written permission from the Executive Director
- n. The Executive Director has the authority to terminate social media accounts and pages.

D. Records Management & Preservation

- 4. In the spirit of transparency, account administrators who receive messages through the private message service offered by the social media site shall direct the user to contact them at a public e-mail address maintained by their department. Alternatively, account administrators could reply to the inquiry using their HRTAC e-mail account. All privacy settings to moderate and comments expressing an opposing viewpoint must be allowed. HRTAC will remove comments that are spam, comments that would not be acceptable in a public forum such as a public hearing, or comments which fall into the categories of removable content listed above.
- 5. All comments or posts made to HRTAC account walls or pages are public, not private, and are considered a public record under Code of Virginia § 2.2-3704 and will be managed as such.
- 6. HRTAC must assume responsibility for public records and comply with the retention period set forth in their approved retention and disposition schedule. HRTAC must assign their own schedule of collection and disposal for social networking sites according to the administrative value of the record and permanently retain records with historical value.

E. Freedom of Information Act

The Freedom of Information Act, also known as FOIA, is a federal statute that provides the public with the right to request access to records in the possession of government agencies. FOIA establishes a presumption that records are accessible to the people, except for those records protected from disclosure by any of the nine

exemptions contained in the law or by one of three special law enforcement record exclusions. FOIA does not grant an absolute right to examine documents; FOIA establishes the right to request records and to receive a response to the request. If a record cannot be released, the requestor is entitled to be told the reason for the denial. The requester also has a right to appeal the denial and, if necessary, to challenge it in court.

4. Virginia FOIA

The [Virginia Freedom of Information Act \(VFOIA\)](#), § 2.2-3700 et seq. of the Code of Virginia, as amended, guarantees citizens of the Commonwealth and representatives of the media with circulation or broadcasting in or into the Commonwealth access to public records held by public bodies or their officers and employees.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

The purpose of VFOIA is to promote an increased awareness by all persons of governmental activities. In furthering this purpose, VFOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

HRTAC's VFOIA Policy can be found in Appendix C.

F. Personal Use of Media During Working Hours

Letters to the Editor may not be prepared on Commission time, printed on Commission letterhead, mailed at agency expense or emailed from an agency email address. Responses or letters to the media shall not include the employee's official title or imply that comments are made on behalf of HRTAC. You should include a sentence stating that you are speaking as a private citizen. Similar disclaimers must be given if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for a radio or television program unless the employee is officially representing HRTAC.

G. Personal Use of Media Outside of Working Hours

As a citizen, as well as an employee, you can, of course, use social media in all the same ways as anyone else outside of work hours. It is important to recognize however, that what you publish on the Internet may reflect on your employer. HRTAC employees who use social media for personal purposes should be mindful of the Personnel Manual: *"Any action by an employee that negatively reflects on or*

otherwise discredits HRTAC(through speech pursuant to official duties, or related to matters of personal interest), or which is a direct hindrance to effective performance of an employee or HRTAC, may result in disciplinary action". Therefore, while HRTAC employees are free to express themselves as private citizens on social media sites; such communications should not impair working relationships, impede the performance of duties, impair discipline and harmony among coworkers, or unduly impede the performance and abilities of HRTAC

When using social media, HRTAC personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to HRTAC's prohibition on harassment and discrimination is strongly recommended in the personal use of social media. Employees who use social media for personal purposes should:

- Use a disclaimer anywhere there may be uncertainty about the capacity in which they are acting. A disclaimer, such as: "The postings on this site are my own and do not represent the views or opinions of my employer" can help protect you;
- Recognize that anything posted on the Internet is there for good. Even if you attempt to delete the post, photo, comment, etc., it is likely that it has been stored in any number of other places. Content posted to the Internet should be thought of as permanent;
- Avoid sharing confidential or otherwise sensitive government material in a personal space. Try and keep your personal online presence and your work online presence separate;
- Respect copyright and fair use;
- Above all, use common sense

For Individuals who hold senior positions, or who work in politically sensitive areas, a disclaimer does not by itself exempt them from special responsibility when posting online. By virtue of their position, these individuals should consider whether personal thoughts they publish may be misunderstood as expressing the positions or opinions of HRTAC. For individuals in positions like this, caution is especially advisable.

H. Security Guidelines

1. From a security standpoint, social media users should be mindful of how to best prevent fraud or unauthorized access to either social media sites or HRTAC electronically shared services. In almost every case where an attacker accesses a system without authorization, they do so with the intent to cause harm. The harm intended may be mild, such as: making unofficial posts, tweets or messages—possibly of an embarrassing nature—that will be seen by the public as official messages, using the compromised site to spread malware, or encouraging users to either click links or download unwanted applications that the attacker has added to the site.

2. In general, users should show caution when interacting with external entities, those both known and unknown to the user. If at all in doubt of the legitimacy of any information sent to you, please avoid linking to external sites.

4. In order to prevent potential harm, users of social networking sites should minimize the amount of information an attacker is likely to gain from a successful attack. For example, individual user IDs and passwords should not be duplicated across multiple sites. In this way, if one site is compromised, the attacker cannot also gain access to other sites for which the user is authorized. For added security, the following guidelines should be adhered to:
 - a. Refrain from adding, installing, attaching or linking to any additional external services or applications that may potentially grant or enable access to the content, information or posts within the Social Media account.
 - b. Use caution when accessing links received from External Entities.
 - c. Exercise caution when utilizing shortened links (links that have been shortened for ease of relaying the original link), as these may lead to a malicious site. Avoid clicking on shortened links. Consider requesting the link be re-sent in another form.
 - d. Be watchful for spoofed emails and/or website (seemingly official-looking communications that lead the user to a malicious website or attempt to solicit the user's personal or financial information)..
 - e. If there is ever a breach of computer security that compromises personal information, you must contact the Executive Director immediately, as HRTAC may have a duty to notify the individuals whose information was compromised.

I. Policy Violations

Violation of the standards of this External Communications Policy may result in disciplinary action, up to and including dismissal, as determined by the Executive Director in accordance with the HRTAC Personnel Manual.

This Policy will not be applied in a manner that violates the legal rights of any party pursuant to applicable law.

XV. INFORMATION TECHNOLOGY

HRTAC recognizes that computer workstations and access to the Internet are valuable and useful tools for employees to use in the performance of their daily responsibilities. The efficiency, reliability, and availability of computers and network resources depend

largely upon employee cooperation and compliance with IT policies. It is important to protect technology and encourage its appropriate use.

This policy applies to all employees, both regular and temporary, and all contractors, consultants, vendors, interns, volunteers and others who use the resources owned or leased by HRTAC. Employees are required to comply with HRTAC policies, local, state and federal laws and are responsible for using these resources in an appropriate, ethical, and lawful manner.

Appendix C of this Personnel Manual contains the full policy on the use of Information Technology and is designed to assist employees in understanding expectations regarding the use of HRTAC communications resources and electronic equipment. **Employees should understand that they have no right to, or reasonable expectation of, privacy in their use of the Internet or HRTAC's other electronic communication resources, including e-mail. HRTAC reserves the right to monitor and review any employee's access and use of the Internet or other electronic communications resources for any reason at any time.** All electronic messages and other files created on or transmitted through the HRTAC computer network are the property of HRTAC. The employee's signature on the Acknowledgement page of this Personnel Manual indicates that he/she has received, read and agreed to abide by the terms of the policy on Information Technology. Employees who violate this policy will be subject to disciplinary action consistent with the offense, up to and including termination, at the discretion of the Executive Director.

XVI. EQUIPMENT & VEHICLES

A. Equipment

HRTAC has portable computer and video equipment available for use by employees. Employees are responsible for all equipment assigned to him/her. In the event that equipment is lost, damaged or stolen, please report this to the Executive Director. Inappropriate use of agency equipment may result in disciplinary action or termination.

XVII. RECORDS RETENTION

Public records are defined as all writings made, maintained, or kept by HRTAC for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. Electronic files are treated the same as paper files and, like paper files, are considered to be public records and may be subject to inspections under the Virginia Freedom of Information Act unless they are covered by a specific exemption.

Due to the legal consequences of non-compliance in records retention of all types, HRTAC must retain all records that require temporary and/or permanent retention in hard copy or electronic format according to the subject matter involved. HRTAC

follows the records retention and disposition schedules set forth by the Library of Virginia

All incoming original correspondence and copies of outgoing correspondence and related materials are kept in central files. Employees shall not keep original correspondence but shall forward all original correspondence to the Executive Assistant or responsible HRTAC employee to be filed. To assist with proper coding and filing of information, a list of file codes is maintained. Employees may keep copies of correspondence for their personal working files if desired.

Please see the HRTAC Adopted Records Retention Policy incorporated in the Accounting Manual for a guide for determining the retention and destruction of general administrative, personnel, IT, general services and fiscal records of HRTAC. If in doubt, always retain. All employees must retain records and documents in accordance with HRTAC policy and Virginia law. Failure to follow this policy may result in disciplinary action up to and including termination.

XVIII. RESIGNATION & TERMINATION

A. Resignation

A resignation shall be defined as a voluntary separation, initiated by the employee, from employment with HRTAC through written notification. Each employee who voluntarily terminates employment with HRTAC must notify the organization as far in advance as possible of the effective resignation date. The employee shall provide written notice to the Executive Director, stating the effective resignation date, and the reason for termination. The written notice should be delivered by professional employees at least 30 working days prior to the effective date and by nonprofessional employees at least 15 days prior to the effective date. This allows some time for the recruitment, selection and training of the replacement. All resignation notices shall be sent to the Human Resources Administrator for inclusion in the employee's personnel file.

For other aspects of the resignation policy, including benefits, retirement, etc., see the appropriate sections of this manual.

B. Exit Interviews

A The Executive Director and/or the Human Resources Administrator will interview an employee who voluntarily terminates his/her employment with HRTAC. The purpose of the exit interview is to gain information to aid HRTAC in developing effective programs to reduce employee turnover and improve employer/employee relations. An exit interview shall be conducted whenever possible when an employee terminates employment for any reason. The interview shall be conducted on or before the employee's last day of work during normal working hours, if possible. The interview shall be confidential and information

resulting from exit interviews shall be released only in summary form to the Executive Director to maintain confidentiality.

C. Termination

Employment is always at-will and may be terminated by either HRTAC or the employee at any time, with or without cause, and with or without notice. The at-will nature of employment at HRTAC cannot be altered by verbal statements or by representations made by persons without authority. Only the Executive Director has the authority to terminate a staff member's employment with HRTAC.

XIX. MISCELLANEOUS

A. Employee Recognition

As employees reach milestone anniversaries (5, 10, 15, etc., years) the Commission Chairman will recognize their service to the HRTAC. Recognition will be for employees who have reached the landmark anniversaries between the time of the previous year's Annual Meeting and the current year's Annual Meeting.

B. Personnel Records

Personnel files are under the supervision of the Human Resources Administrator. An employee has the right to review his/her own file for any reason. All files will be reviewed in the office and at the convenience of the Human Resources Administrator. No files will leave the office of the Human Resources Administrator except to be reviewed by a Grievance Review Panel, if a formal grievance is submitted. Employee records will contain the resume, personal reference letters, letter of offer, position descriptions, updated salary increase information, and other official personnel information discussed in this manual and as authorized by the Executive Director. Annual employee evaluations are kept in a separate file but are available upon request and will be reviewed under the same provisions as all other personnel records.

Supervisors may review the files of any employee under their supervision in the Human Resources Administrator's office.

C. Hazardous Weather & Emergency Situations

The Executive Director has the discretion to close HRTAC offices when a situation exists that endangers life, HRTAC property, involves the safety and welfare of employees or otherwise warrants such action.

4. Closure Notifications

Should the Executive Director authorize the closing of the HRTAC office because of an emergency or inclement weather situation, they will notify employees via phone, text or email to advise whether the office will be opened late or not at all that day.

It is important that all staff members receive notification prior to 6:00 A.M. on days when weather conditions are marginal. If a text is the preferred method of contact, employees must confirm receipt of the text. If notification is not received, assume the office will open on time.

5. Closures

If the Executive Director authorizes the full-day closure of the HRTAC office, employees shall be paid their regular rate of pay for the hours they were scheduled to work.

6. Liberal Use of Leave

If the HRTAC office is open but an employee feels it is unsafe for them to report to work during inclement weather or feels they must leave early due to the onset of hazardous weather conditions, liberal use of leave will be allowed, and staff must use either annual, sick or PTO to cover their absence. Employees may also be required to work remotely that day. Employees must follow the normal procedures set forth in this policy manual.

7. Delayed Openings

If the Executive Director authorizes a delayed opening, employees will receive their regular rate of pay from their regularly scheduled start time until the delayed opening. Employees are expected to report to work when conditions permit safe travel.

If an employee reports to work later than the time of the delayed opening, employees must use leave to cover their absence from the time of the delayed opening until their arrival. If an employee does not report to work on the day of a delayed opening, employees must use leave to cover their absence from the time of the delayed opening to the end of their scheduled workday.

Employees must follow the normal call-in procedures when absent from work and notify his/her supervisor of their absence. Employees who voluntarily arrive at work prior to offices opening will be paid at their regular rate and will not be paid overtime or given compensatory leave for such time.

8. Early Closure

If the Executive Director authorizes an early closure of HRTAC offices, employees will receive their regular rate of pay from the time of early closure to the end of their regularly scheduled workday. Employees who leave prior to the early closure must use leave from their time of departure to the start of the early closure.

Employees who voluntarily remain at work after early office closure will be paid at their regular rate and will not be paid overtime or given compensatory leave for such time.

9. Employees on Approved Leave

Employees in any pre-approved leave status (i.e., annual, sick, PTO, LWOP, etc.) on the date of a delayed opening or early closure will remain in that status. Employees on pre-approved leave status on the date in which there is a full day closure will not be charged leave for that day. If the leave has been submitted and timesheets have been closed out, such employees will receive a credit for the day.

D. Ownership of HRTAC Products and Documents

All products and documents produced by any staff member in the course of their employment with HRTAC as part of their duties and responsibilities with the organization shall be the property of and owned by the HRTAC.

XX. Appendices

Appendix A

Family Medical Leave Act (FMLA) and Unpaid Leaves of Absence for Employees Who Are Not Eligible for FMLA

I. INTRODUCTION

The function of this policy is to provide employees with a general description of the rights and obligations provided for by the FMLA as well as to describe the HRTAC family and medical leave policy for those employees who are not eligible for the FMLA. Employees of the HRTAC may or may not be eligible for FMLA depending on the factors described below. When an employee is not eligible for the FMLA, the employee is nevertheless encouraged to apply for non-statutory unpaid family and medical leave. Under appropriate circumstances at HRTAC's discretion, HRTAC may provide non-statutory unpaid family and medical leave similar to that offered under the statutory FMLA. HRTAC's provision of such benefits to ineligible employees does not alter the at-will nature of the employee's relationship with HRTAC, nor does it entitle the employee to all of the legal rights provided for by the FMLA.

II. FMLA ELIGIBLE EMPLOYEES

HRTAC provides FMLA leave to eligible employees for qualified absences. To be eligible for FMLA an employee must meet **all** of the following conditions:

- A. The employee must have worked for HRTAC for 12 months or 52 weeks. The 12 months or 52 weeks generally need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week;
- B. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. Generally hours of paid or unpaid leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA; and

If an employee does not meet the eligibility requirements for the FMLA, HRTAC may still grant a request for a non-statutory family and medical leave of absence.

III. REASONS FOR FMLA LEAVE

HRTAC will generally provide eligible employees FMLA leave for the following reasons:

- A. The birth of a child of the employee and in order to care for and bond with such child within one year of birth.

An employee's entitlement to FMLA leave for birth and bonding expires 12 months after the date of birth. Both mothers and fathers have the same right to take FMLA leave for the birth of a child. Birth and bonding leave must be taken as a continuous block of leave unless HRTAC agrees to allow intermittent leave (e.g., allowing a parent to return to work on a part-time schedule).

- B. The placement of a son or daughter with the employee for adoption or foster care and to care for the newly placed child within one year of placement.

FMLA leave may be taken before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed. For example, the employee may be entitled to FMLA leave to attend counseling sessions, appear in court, consult with his or her attorney or the birth parent's representative, submit to a physical examination, or travel to another country to complete an adoption before the actual date of placement. FMLA leave to bond with a child after placement must be taken as a continuous block of leave unless HRTAC agrees to allow intermittent leave. An employee's entitlement to FMLA leave for the placement of a child for adoption or foster care expires 12 months after the placement.

- C. A serious health condition that makes the employee unable to perform the essential functions of his or her job.

An employee is "unable to perform the functions of the position" where the health care provider finds that the employee is 1) unable to work at all; or 2) unable to perform any one of the essential functions of the employee's position.

An employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

- D. To care for the employee's spouse, or a son, daughter, or parent who has a serious health condition.

An employee must be needed to provide care for his or her spouse, son, daughter, or parent because of the family member's serious health condition in order for the employee to take FMLA leave. An employee may be needed to provide care to the family member, for example:

- when the family member is unable to care for his or her own medical, safety or other needs, because of the serious health condition or needs help in being transported to the doctor; or
- to provide psychological comfort and reassurance to the family member with a serious health condition

Please see the Human Resources Administrator for definitions of spouse, parent and son/daughter.

- E. Any “qualifying exigency” arising out of the fact that the employee’s spouse, son, daughter, or parent is military member on covered active duty.

Qualifying exigencies are situations arising from the military deployment of an employee’s spouse, son, daughter, or parent to a foreign country. Qualifying exigencies for which an employee may take FMLA leave include making alternative child care arrangements for a child of the military member when the deployment of the military member necessitates a change in the existing child care arrangement; attending certain military ceremonies and briefings; taking leave to spend time with a military member on Rest and Recuperation leave during deployment; or making financial or legal arrangements to address a covered military member’s absence; or certain activities related to care of the parent of the military member while the military member is on covered active duty. An employee may take qualifying exigency leave for the deployment of a son or daughter of any age.

- F. To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member (military caregiver leave).

Eligible family members of both current service members and certain veterans are entitled to military caregiver leave.

HRTAC may also grant requests for a non-statutory family and medical leave of absence to employees who are not eligible for the FMLA. Employees making such requests should generally follow the procedures set forth in this policy.

IV. Amount of Leave Available to Eligible Employees under the FMLA

An eligible employee can take up to 12 weeks for FMLA circumstances under this policy during any 12-month period. HRTAC will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, HRTAC will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave and the balance remaining is the amount the eligible employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (military caregiver leave) during a single 12-month period. For this military caregiver leave, HRTAC will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Where HRTAC provides family and medical leave to ineligible employees, the agency will generally (at its discretion) provide a similar amount of leave as would be available for eligible employees.

V. NOTICE BY EMPLOYEES

All employees requesting FMLA leave or non-statutory family and medical leave must complete the Request for FMLA Leave form and provide notice of the need for the leave to the employee's direct supervisor, Human Resources Administrator and Executive Director. Once the request is received, HRTAC will provide the employee with a Notice of Eligibility and Rights within five business days after the employee provides sufficient notice

When leave for planned medical treatment is necessary, employees are required to schedule treatment in order to not unduly disrupt operations, if possible.

An employee using either type of leave is required to report to their supervisor and the Human Resources Administrator any changes in the employee's contact information, including any temporary change in address and telephone number, occurring during use of either type of leave. Employees may also be required to report periodically on the employee's status and intent to return to work.

When the need for the leave is foreseeable, the employee must provide HRTAC with at least 30 days' notice. When an employee becomes aware of a need for either type of leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA or non-statutory family and medical leave is not foreseeable, the employee must comply with HRTAC's usual and customary notice and procedural requirements for requesting leave.

The employee's notice should state the anticipated timing and duration of the leave. Any changes in the timing and duration should be promptly reported in writing to the employee's supervisor and the Human Resources Administrator.

VI. MEDICAL CERTIFICATION

A. Certification of a Serious Health Condition

HRTAC may require medical certification for any leave based on a serious health condition. If requested, the employee must provide this medical certification as soon as possible and no later than within 15 days of the request, absent special circumstances. Failure to provide certification may result in a denial of continuation of leave.

If an employee is seeking FMLA leave, HRTAC has a right to and may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. HRTAC will not use the employee's direct supervisor for this contact. Before HRTAC makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, HRTAC will obtain the employee's permission for clarification of individually identifiable health information.

B. Certification of Qualifying Exigency for Military Family Leave

HRTAC will require certification of the qualifying exigency for military family leave under the FMLA. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

C. Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

HRTAC will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

D. Recertification

If an eligible employee has been granted FMLA leave based on a serious health condition or has been granted non-statutory family and medical leave, HRTAC may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. HRTAC may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA or family and medical absence. HRTAC may provide the employee's health care provider with the employee's attendance

records and ask whether the need for leave is consistent with the employee's serious health condition.

VII. THE HRTAC'S DESIGNATION OF FMLA OR NON-STATUTORY FAMILY AND MEDICAL LEAVE

Generally, within five business days after the employee has submitted an appropriate and sufficient certification form, HRTAC will complete and provide the employee with a written response to the employee's request for FMLA leave, or for non-statutory family and medical leave.

VIII. APPLICATION OF VACATION AND SICK LEAVE

HRTAC will require employees to apply vacation, sick, and/or PTO leave concurrently to leave taken under this policy. Upon request, HRTAC will allow an employee on FMLA to retain up to 40 hours of accrued leave. In addition, employees should understand that family and medical leave, if applicable, runs concurrently during absences associated with claims for workers compensation or disability. In any case, for eligible employees the combination of paid leave and unpaid FMLA leave may not exceed twelve (12) weeks in any twelve-month period or 26 weeks in any twelve-month period for military caregiver leave. This twelve-month period is a rolling period to be measured backward from the date an employee uses any family and medical leave. Generally, FMLA leave is consumed in eight-hour increments, although an employee may have a right to take such leave in smaller increments or intermittently.

After 12 weeks, if an employee is no longer eligible for FMLA yet continues to require leave for any qualifying event outlined in Section III of this policy, AND continues to maintain accrued leave, the employee may request continued leave as outlined in the HRTAC annual, sick and PTO leave policy. All such requests must be made in writing, approved by the Executive Director, and forwarded to the Human Resources Administrator for inclusion in the employee's personnel file.

Generally, an employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave or sick leave (as long as the reason for the absence is covered by HRTAC's sick leave policy) prior to being eligible for unpaid leave. These rules may also apply to similar leave granted under HRTAC's non-statutory family and medical leave policy.

IX. BENEFITS WHILE ON LEAVE

Eligible employees on FMLA leave retain previously accumulated benefits while on leave and will continue to accrue leave benefits while on paid leave. However, benefits during an unpaid period of absence, including vacation, sick and PTO leave, will cease to accrue until the employee returns to work. Coverage under any group health insurance plan continues during leave. If the employee normally pays all or part of the

premiums for such benefits (including payment via payroll deduction), the employee must arrange for continued payment of such premiums during the period of unpaid family medical leave. HRTAC will continue to pay the employee's Optional Life Insurance benefit during unpaid FMLA leave.

If an employee chooses not to return to work for reasons other than a continued serious health condition, HRTAC will require the employee to reimburse HRTAC for the amount it paid for the employee's health insurance premium during the leave period.

X. RETURN TO WORK

HRTAC complies with the FMLA and endeavors to place eligible employees returning from FMLA in their former position or in a position comparable in status and pay, subject to budgetary restrictions, HRTAC's need to fill vacancies, the ability of HRTAC to find qualified temporary replacements, and other considerations of HRTAC. Before being permitted to return from family and medical leave, the employee will be required to present the organization with a certification from their treating physician indicating that they are capable of returning to work and performing the essential functions of their position, with or without reasonable accommodation.

Ineligible employees who are on any form of family and medical leave, whether paid or unpaid, remain at-will employees.

Appendix B

Information Technology

I. Introduction

For purposes of this policy, references to the internet apply to use of both the internet and e-mail. References to electronic communications include messages that are transmitted or stored via computer, e-mail, or other similar devices provided by HRTAC. This policy applies to all employees, both regular and temporary, and all contractors, consultants, vendors, interns, volunteers and others who use the resources owned or leased by HRTAC. All employees are required to comply with HRTAC policies, local, state and federal laws and are responsible for using these resources in an appropriate, ethical, and lawful manner.

II. Purpose

The purposes of this IT policy are to:

- Establish appropriate behavior and awareness of acceptable IT business practices;
- Assist staff in the operation of IT systems in a secure manner;
- Assist management in the implementation and configuration of secure information-handling systems; and,
- Determine that IT policies and practices of HRTAC are followed by employees.

III. Enforcement

HRTAC considers violations of IT policy a matter of serious concern and will act to enforce the policy.

A. Monitoring:

In order to assess and maintain efficiency and security, HRTAC engages in general, system-wide monitoring of its electronic data resources, as well as any other stored or transmitted information created or received by employees on the agency's electronic data resources. Use of HRTAC electronic data resources may be viewed, recorded, logged, and stored along with the source and destination. HRTAC reserves the right to disclose any such information to supervisors as well as others outside HRTAC, unless exempted by law.

1. HRTAC has the right to view employee's use and usage patterns, and to take appropriate action to maintain the security of its electronic data resources and

to assure agency resources are used to promote the highest levels of productivity.

HRTAC reserves the right to monitor and review an employee's access, usage and usage patterns at any time.

2. Supervisors may request an employee's use of HRTAC's electronic data resources be monitored. All requests must be in writing, state the reason for additional monitoring and be directed to the Executive Director. Requests may be made for the following purposes and any other purposes legitimately related to the transaction of HRTAC business:
 - a. to determine compliance with this policy;
 - b. to evaluate the efficiency, quality, or productivity of HRTAC services;
 - c. to evaluate the achievement of service goals;
 - d. to investigate activities that are indicative of attempts to compromise the security of HRTAC electronic data resources;
 - e. to investigate reasonably suspected misconduct and/or violations of HRTAC policies and/or violations of law;
 - f. to comply with a law, regulation, court order or for other legitimate governmental purpose.

B. Filtering

Employee access to internet sites may be blocked when such access is: (1) not reasonably related to an employee's official duties and responsibilities; (2) inconsistent with law or HRTAC policy; or (3) for any other legitimate reason or concern that is inconsistent with an employee's responsibilities or mission and goals of HRTAC.

IV. Privacy

Employees shall have no expectations of privacy regarding their use of the HRTAC system or that any matter, data, equipment, or information created, stored, printed, copied, sent or received using the HRTAC electronic resources is the employee's personal property. Internet related activity, including the identity of each user and the sites visited by each user may be recorded.

V. Usage

HRTAC recognizes workstations and access to the Internet are valuable and useful tools for employees to use in the performance of their daily responsibilities. Internet access is intended for HRTAC business purposes. Employees are responsible for using the internet in a responsible, ethical, and legal manner. Employees are allowed access to Facebook, YouTube, Twitter, as well as other social networking sites as long as it is used for business, educational, or project research. Inappropriate use may result in revocation of the privilege and may include disciplinary action. Employees shall not create proxies in an attempt to circumvent any web filtering appliances. Log files are subject to inspection and audit at any time.

A. Acceptable Use (Not all inclusive)

1. Work directly related to the mission or work task of the employee's assignment;
2. Research, analysis, and/or professional society activities related to local, regional, state, or federal government work, tasks, and duties;
3. Training or education;
4. Announcement of new laws, procedures, policies, rules, services, programs, information, or activities;
5. Use or interaction with folders or files, as necessary, to store messages or documents that may need to be retrieved later. (Employees are responsible for ensuring their electronic files and folders are kept to a minimum to avoid burdening system resources);
6. Personal use of HRTAC electronic data resources is permitted for reasonably brief periods of time, during an employee's rest or break periods or during other periods of time when the employee is not expected to be actively performing his/her official duties. Employees who engage in personal use of HRTAC electronic data resources beyond that permitted herein may have their access revoked, and may be subject to disciplinary action.

B. Prohibited Uses (Not all inclusive)

Employees who are entrusted with any HRTAC facilities or equipment, including, but not limited to, computers, e-mail, internet, telephone and voicemail systems, are prohibited from using any such assets for an improper purpose. Improper purpose and use includes, but is not limited to:

1. Violations of a person's rights of privacy or publicity;
2. Accessing, displaying, viewing, listening, archiving, storing, distributing, editing or recording of obscene, pornographic, or sexually explicit material;
3. Personal use of any equipment that interferes with an employee's productivity and job performance;

4. Unauthorized disclosure of personal and/or confidential information including but not limited to personal contact information, medical information, social security numbers, bank account numbers, etc.;
5. Solicitation;
6. Any transaction that would result in violations of the laws of the United States, Commonwealth of Virginia, or the City of Chesapeake;
7. Sending, receiving, soliciting, printing, copying, or replying to texts or images that disparage others based on their race, religion, color, sex, sexual orientation, national origin, veteran status, disability, ancestry, age or other protected classification;
8. Use of the internet to download entertainment software games or play games against opponents including, but not limited to online gambling, online poker, online bingo, online sporting-betting and online casinos;
9. Sending, receiving soliciting, printing, copying, or replying to messages that are maliciously disparaging or defamatory;
10. Spreading gossip, rumors, and innuendos about employees, clients, suppliers, or other outside parties;
11. Sending, receiving, soliciting, printing, copying, or replying to messages or images that contain foul, obscene, off-color, or adult oriented language;
12. Sending, receiving, soliciting, printing, copying, or replying to messages or images intended to alarm others, embarrass the organization, negatively affect employee productivity or harm employee morale;
13. Installing or attaching any personally purchased software, hardware or non-business software on workstations or any HRTAC computer, PDA, or IT hardware without prior approval from the Executive Director;
14. Copying or sending copies of documents in violation of copyright laws;
15. Use of the Internet to disrupt any discussion group, mailing list or newsgroup with frivolous, vulgar, or repetitious postings by posting a binary, or excessively large, unrelated text file or posting articles that are off-topic according to the charter or other public statement of the forum;
16. Downloading and using personal, computer-grade Instant Messaging software (ex; AOL Instant Messenger, Yahoo, MSN) to transmit IM via the public internet;
17. Use of the internet or HRTAC computer resources to threaten others; intercept e-mail; infiltrate a computer or computing system (e.g., hacking); interfere, clog, or damage the performance, files, data, or software components of a computer or computer system. This includes, but is not limited to: the introduction of malicious code (e.g., creating or propagating viruses, worms, Trojan horses, etc.), disruption of services (e.g., network sniffing, pinging floods, packet spoofing, denial of service attacks, etc.) port or security scanning, damaging files, or to attempt any of the foregoing, is prohibited;

18. Use of computer program(s) to decode or attempt to decode passwords or encrypted information, or to circumvent or attempt to circumvent security or access controls;
19. Misrepresenting, under any circumstances, an employee's true identity;
20. Using another person's User ID(s) and password(s);
21. Disclosing passwords to family members or other persons and/or allowing other persons to access any of HRTAC's electronic data resources;
22. Accessing encrypted, secured, or another individual's data without authorization;
23. Developing or running personal websites on HRTAC's electronic data resources;
24. Altering or reconfiguring any software or hardware of the organization electronic data resources without express authorization of the Executive Director;
25. Sending non-business mail (junk mail) to mailing lists, or to all users, including but not limited to personals, items for sale, pets for sale/adoption, chain emails, and petitions;
26. Creating, copying, installing, or using any software or data files on an HRTAC electronic device in violation of any applicable copyright or license, or without authorization from the Executive Director;
27. Monopolizing systems, overloading networks, or wasting computing resources (e.g., computer time, connect time, over-the-wire modeling, disk space, paper, etc.);
28. Using HRTAC electronic data resources for profit or non-profit activities, including advertising and political purposes that are not work-related;
29. Using HRTAC electronic data resources to purchase, obtain, or offer products or information for HRTAC purchases except as authorized under normal Purchasing Procedures;
30. Connecting privately owned electronic devices to HRTAC electronic data resources, installing personal software on any HRTAC electronic device, or loading HRTAC software on an individual's personal electronic device without permission of the Executive Director;
31. Giving the impression that one is representing, giving opinions, or otherwise speaking on behalf of HRTAC unless expressly authorized to do so by the Executive Director. Where appropriate and/or when necessary to avoid such impression, the following explicit disclaimer shall be used for communications transmitted by the HRTAC electronic mail system:

"The opinions or statements expressed herein are my own and should not be taken as a position, opinion, statement, or endorsement of the Hampton Roads Transportation Accountability Commission."

It is impossible to conceive of every possible action that may be in violation of the standards and policies in this manual, As a result, conduct will be reviewed and may be deemed to be in violation of this manual after a full review by the Executive Director. Conduct in violation of this manual will result in disciplinary action up to and including termination.

VI. Ownership

All components of HRTAC electronic data resources, including but not limited to, electronic devices and other hardware, all applications, programs and data of every kind and description created, stored or transmitted by employees using the HRTAC's electronic data resources, are the sole property of HRTAC. Employees have no expectation that any matter, data or information created, stored, printed, sent or received using HRTAC's electronic resources is considered personal property.

VII. Confidential, Proprietary, and Personal Information

Unless an employee's job function or responsibilities require, or authorized by the Executive Director, employees are prohibited from using email to transmit confidential or proprietary information to outside parties, including through an employee's personal, non-work email account. Employees may not access, send, receive, solicit, print, copy, or reply to confidential or proprietary information about the organization, employees, clients, suppliers, and other business associates. Confidential information includes but is not limited to client lists, credit card numbers, Social Security numbers, employee performance reviews, salary details, passwords, and information that could embarrass HRTAC and its employees were it to be made public.

VIII. Anti-Virus

Due to today's internet-based environment, workstations, servers, and networks are exposed to malicious code. Viruses, worms, and Trojans all pose a threat to HRTAC information systems. Virus scanning programs monitor workstations and servers for any form of malicious code.

HRTAC currently maintains hardware appliances and software to scan e-mail and block internet traffic from virus-producing sites. Currently, a two-tier virus protection program; one at our perimeter, and another at the workstation level. All workstations, laptops, and servers will maintain virus-scanning software that is installed and maintained by. All virus software will be updated as new virus signature files are released. Employees shall not knowingly store, copy, save, or transmit virus-infected files on HRTAC property. Because viruses may hide in executable programs, software should not be downloaded. Peer-to-Peer (P2P) applications that share files or allow access to HRTAC owned computers are not permitted.

Employees shall not disable virus-scanning programs.

Any employee who disables virus-scanning programs will be in violation of policy and will be subject to disciplinary actions up to and including termination.

IX. E-mail

The HRTAC email system is subject to the Virginia Freedom of Information Act. Certain electronic communications using the HRTAC email system may be subject to disclosure as “public records” and copies of messages and attachments can be requested by citizens or the media. Employees shall be responsible for maintaining files and communications consistent with the Records Retention policy of HRTAC.

Employees should use email with the knowledge that HRTAC may from time to time monitor email communications, except messages protected under state or federal law. It is not the policy of HRTAC to regularly monitor the contents of email communications. HRTAC will refrain from accessing an employee’s email unless its reasons for doing so are consistent with the need for security, supervision, operational maintenance, or efficiency in the workplace. All monitoring activity shall be approved in advance by Executive Director.

Electronic Mail (email) is to be used for HRTAC business purposes. All e-mail messages are the property of HRTAC and subject to review by authorized personnel. Staff cannot expect a right to privacy when using the organizations e-mail system. HRTAC reserves the right to access any user’s system and the information stored therein, and employees should not consider any of the materials transmitted via network resources or stored in network resources to be private.

Incoming and outgoing email messages are not private. Employees should take particular caution to carefully screen any personal e-mail received from other sources before deciding to forward such messages within or outside HRTAC. Sending, knowingly receiving, viewing, downloading, or displaying material that might reasonably be determined unlawful or inappropriate, including obscene or pornographic material, is not permitted.

The internet and other HRTAC electronic communications may not be used to send unsolicited bulk email, or otherwise unsolicited messages where the recipient objects to the content of the message or to the receipt of the message in general. No email or other electronic communications may be sent that hides the identity of the sender or that represents the sender as anyone other than the actual sender.

Individual encryption systems that bypass the email server’s virus-checking capability are not authorized on HRTAC workstations. Employees assume responsibility for the content of any message he or she chooses to send, regardless of who originally created the content. Jokes and other messages that contain content that might reasonably be viewed by another person as offensive or discriminatory may not be circulated using

the HRTAC resources. Employees shall promptly disclose to their supervisor any message they believe contains inappropriate content.

Email services shall not be used for purposes that could reasonably be expected to cause, directly or indirectly, excessive strain on the email system or unwarranted or unsolicited interference with others' use of email or the email system. Email is subject to the policies concerning other forms of communication as well as other applicable policies including, but not limited to, confidentiality, conflict of interest, general conduct and sexual harassment. The Executive Director shall evaluate the appropriate use of network resources in HRTAC.

X. Wireless Access

HRTAC wireless access system is for business use only. Business use includes, but is not limited to, use by clients, guests, visitors and vendors, as well as Skype and Polycom video conferencing, and the remote testing of the HRTAC primary network.

XI. Bring Your Own Device (BYOD)

HRTAC grants its employees the privilege of purchasing and using their personal smartphones and tablets at work for their convenience. HRTAC reserves the right to revoke this privilege if an employee does not abide by the policies and procedures outlined below. This policy is intended to protect the security and integrity of HRTAC data and technology infrastructure. Limited exceptions to the policy may occur due to variations in devices and platforms.

Employees must agree to the terms and conditions set forth in this policy in order to connect personal devices to the HRTAC wireless router to gain access to the internet.

A. Acceptable Use

1. Acceptable business use is defined as activities that directly or indirectly support the business of HRTAC;
2. Acceptable personal use on HRTAC time is defined as reasonable and limited personal communication or recreation, such as reading, personal emails, listening to music, or game playing, as long as this is done via the employee's carrier and not conducted over the HRTAC wireless router to gain access to the internet;
3. Because most mobile devices now have cameras and/or video capabilities, discretion with recording images is highly encouraged;
4. Devices may not be used at any time to:
 - a. store or transmit illicit images;

- b. harass others;
- c. engage in outside business activities.

B. Reimbursement

HRTAC will not reimburse employees for the cost of their personal device, monthly reoccurring service costs, long distance or roaming charges, or any associated maintenance plans or contracts the employee may enter in to unless approved in advance by the Executive Director.

C. Mobile Device Security

In order to prevent unauthorized access, personal devices should be password protected using the features of the device regardless whether the phone is connected over the carrier's network, or HRTAC wireless LAN.

1. Rooted (Android) or jailbroken (iOS) devices are strictly forbidden from accessing the network.
2. The employee's device may be remotely wiped if:
 - a. the device is lost or stolen;
 - b. the employee terminates employment with HRTAC;
 - c. IT detects a data or policy breach, virus or similar threat to the security of HRTAC data and technology infrastructure.

D. Risks/Liabilities/Disclaimers

1. HRTAC will take every precaution to prevent the employee's personal data from being lost in the event it must wipe or remote wipe a device; however, it is the employee's responsibility to take additional precautions, such as backing up email, contacts, etc.
2. HRTAC reserves the right to disconnect devices or disable services without notification.
3. Lost or stolen devices must be reported to the Executive Director within 24 hours. Employees are responsible for notifying their carrier immediately upon loss of a device.
4. Employees are expected to use his or her device in an ethical manner at all times and adhere to the HRTAC acceptable use policy.
5. The employee is responsible for all costs associated with his or her device.
6. The employee is responsible for the physical security and location of their device.

7. The employee assumes full liability for risks including, but not limited to, the partial or complete loss of company and personal data due to an operating system crash, errors, bugs, viruses, malware, and/or other software or hardware failures, or programming errors that render the device unusable.

HRTAC reserves the right to take appropriate disciplinary action up to and including termination for noncompliance with this policy.

XII. Intellectual Property

The majority of software for use on HRTAC workstations is protected by federal copyright laws and is generally protected by a license agreement between the purchaser and the software owner. The software provided by HRTAC shall only be used on computing equipment as specified in the software license(s). Employees, clients and contractors shall not copy or reproduce any licensed software on HRTAC equipment, except as expressly permitted by the software license. Unauthorized copies of software shall not be installed on HRTAC-owned equipment. Employees may not send or otherwise provide to any other person any software licensed to HRTAC or data owned or licensed by HRTAC without explicit authorization from the Executive Director.

No software may be installed, copied, or used on HRTAC computer systems except as permitted by the owner of the software and by law and approved by the Executive Director. Unauthorized use of copyright protected material (including, but not limited to, graphic images, movies, music, and software) is a serious matter and is a violation of federal law. Employees who reproduce and/or distributes copyrighted materials without written permission and in excess of “fair use” may be at risk for the penalties associated with copyright infringement. Employees shall not download or store any software on HRTAC owned workstations or servers, for which the organization does not have a valid license. HRTAC prohibits the illegal use of software and/or violations of software license agreements.

XIII. Security

Employees shall respect the integrity of the HRTAC computer systems and electronic information. Employees shall not wrongfully modify or access files, documents, passwords, or data that belong to other users or misrepresent oneself by accessing or using another’s system or individual account. HRTAC maintains a variety of resources (firewall, filtering, monitoring, virus protection, etc.) to protect agency workstations, , users, and data. Employees shall not attempt to disable, defeat, or circumvent any HRTAC security appliance or facility. Employees may not use any encryption device or other security protection device on agency resources without written authorization from the Executive Director.

Entering information in a computer or database that is known to be false and/or unauthorized, or altering an existing database, document, or computer disk with false and/or unauthorized information is prohibited.

Making any modification to HRTAC computer equipment, systems files, or software without specific authorization is prohibited. Modification includes the installation of any software on any HRTAC equipment.

The Executive Director may request an employee's password and access to an employee's account.

XIV. Electronic Media Destruction

In order to meet confidentiality and privacy requirements all electronic storage media (i.e., floppy disks, optical (CD-ROM/RW/DVD, etc.), thumb drives, tape, hard drives, Zip disks, embedded memory systems (routers, PDA, key fobs, smart cards, etc.), shall be erased or destroyed before any transfer or disposal of equipment occurs. Media that contains sensitive data (privacy, financial or personal health information) shall destroyed before disposal by one of the following means:

1. Degaussing;
2. Shredding (physical or electronic);
3. Physical destruction/ impairment beyond reasonable use

In addition to disciplinary actions outlined in this Personnel Manual, disclosure of sensitive, personal, private, confidential or proprietary information may result in civil and criminal penalties.

XV. Employee Responsibilities

Employees are vital frontline defenders of the integrity of HRTAC's electronic data resources. Security of electronic data resources is the responsibility of all employees. Therefore, all employees having access to HRTAC's electronic data resources shall:

- A. Cooperate in the ongoing task of preserving and protecting the HRTAC electronic data resources.
- B. Maintain the confidentiality of their assigned User ID(s) and Password(s). All employees will be held personally accountable for all activities logged to their User ID(s) and Password(s) on the activity logs and violation reports.
- C. Be responsible for visitors, clients, or vendors to whom they grant access to system resources.

D. Abide by this policy by encouraging compliance by fellow employees, reporting violations, and pointing out areas in which this IT policy may be improved.

By their signature of the Acknowledgement page of the Personnel Manual, employees assert that they have read and understand the HRTAC policy on Computer Resources, Internet, and Electronic Communications.

XVI. Conservation of Resources

PCs, monitors, and peripheral devices (such as devices that use wall chargers) should be turned off when not in use or if the user will remain away from their workstation for a substantial length of time. Power settings should be set to create a usable balance between conservation and productivity. All workstations are to be turned off when leaving for the day.

HRTAC requests that employees understand the associated costs of supplies as well as the environmental impact, when possible please print to the PDF format or email as needed.

XVII. Penalties for Violation

Employees should understand that violations of these policies may not only subject them to disciplinary action within HRTAC, but may expose them to civil and/or criminal action. HRTAC will cooperate with the inquiries of any legitimate law enforcement authority relating to employee use of the Internet or other HRTAC computer resources.

Appendix C

Virginia Freedom of Information Act Policy

The Virginia Freedom of Information Act (VFOIA), located § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media with circulation or broadcasting in or into the Commonwealth access to public records held by public bodies or their officers and employees.

The purpose of VFOIA is to promote an increased awareness by all persons of governmental activities. In furthering this purpose, VFOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

Your VFOIA Rights

- You have the right to request to inspect **or** receive copies of public records, or both.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your VFOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with VFOIA. Alternatively, you may contact the VFOIA Advisory Council for a nonbinding advisory opinion.

Making a Request for Records from HRTAC

- You may request records by U.S. Mail, fax, e-mail, in person, or over the phone. VFOIA does not require that your request be in writing, nor do you need to specifically state that you are requesting records under FVOIA. From a practical perspective, it may be helpful to both you and HRTAC to put your request in writing. This allows you to create a record of your request. It also gives HRTAC a clear statement of what records you are requesting, so that there is no misunderstanding over a verbal request. However, HRTAC cannot refuse to respond to your VFOIA request if you elect to not put it in writing.
- Your request must identify the records you are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number

of records that you are requesting; instead, it requires that you be specific enough so HRTAC can identify and locate the records that you are seeking.

- Your request must ask for existing records or documents. VFOIA gives you a right to inspect or copy **records**; it does not apply to a situation where you are asking general questions about the work of HRTAC nor does it require HRTAC to create a record that does not exist.
- You may choose to receive electronic records in any format used by HRTAC in the regular course of business.
- If HRTAC has questions about your request, please cooperate with staff to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a VFOIA request is not an adversarial process, but HRTAC may need to discuss your request with you to ensure that we understand what records you are seeking.

To request records from HRTAC you may direct your request to Jennifer Hodnett, 723 Woodlake Drive, Chesapeake, VA 23320, (757) 420-8300, (757) 523-4881 (Fax), jhodnett@hrtac.org. You may also contact her with questions you have concerning requesting records from HRTAC. In addition, the Virginia Freedom of Information Advisory Council is available to answer any questions you may have about VFOIA. The Advisory Council may be contacted by e-mail at foiacouncil@dls.virginia.gov, or by phone at (804) 225-3056 or [toll free] 1-866-448-4100.

HRTAC Responsibilities in Responding to Your Request

- HRTAC must respond to your request within five working days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends or holidays.
- The reason behind your request for public records from HRTAC is irrelevant, and you do not have to state why you want the records before we respond to your request. VFOIA does, however, allow HRTAC to require you to provide your name and legal address.
- VFOIA requires that HRTAC make one of the following responses to your request within the five-day time period:
 - 1) Provide you with the records that you have requested in their entirety.
 - 2) Withhold all of the records that you have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, HRTAC must send you a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state

the specific section of the Code of Virginia that allows the records to be withheld.

- 3) Provide some of the records that you have requested but withhold other records. HRTAC cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, a portion of the record withheld may be redacted, and you must be provided with the remainder of the record. HRTAC must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
 - 4) Inform you in writing that the requested records cannot be found or do not exist. However, if HRTAC has knowledge of another public body that has the requested records, HRTAC must include contact information for the other public body in our response to you.
 - 5) If it is practically impossible for HRTAC to respond to your request within the five-day period, a written statement will be sent to the requester, explaining the conditions that make the response impossible. This will allow HRTAC seven additional working days to respond to your request, giving HRTAC a total of 12 working days to respond to your request.
- If you make a request for a very large number of records, and HRTAC feels it cannot provide the records to you within 12 working days without disrupting other organizational responsibilities, HRTAC may petition the court for additional time to respond to your request. However, VFOIA requires that HRTAC make a reasonable effort to reach an agreement with you concerning the production of the records before soliciting the court to ask for more time.

Costs

- A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § 2.2-3704 of the Code of Virginia.
- You may have to pay for the records that you request from HRTAC. VFOIA allows requesters to be charged for the actual costs of responding to VFOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. It cannot include general overhead costs.

- If the cost estimate is over \$200.00 to respond to your request, HRTAC may require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request.
- The five days that HRTAC has to respond to your request does not include the time between when a deposit is requested and when you respond.
- You may request an estimate in advance of the charges for supplying the records that you have requested. This will allow you to know about any costs up front, or give you the opportunity to modify your request in an attempt to lower the estimated costs.
- If money is owed from a previous VFOIA request that has remained unpaid for more than 30 days, HRTAC may require payment of the past-due bill before it will respond to your new VFOIA request.

Types of Records

The following is a general description of the types of records held by HRTAC:

- Personnel records concerning employees and officials of HRTAC;
- Records of contracts into which HRTAC has entered; and
- Organizational correspondence authored or received by HRTAC.

If you are unsure whether HRTAC has the record(s) you seek, please contact Jennifer Hodnett, 723 Woodlake Drive, Chesapeake, VA 23320, (757) 420-8300, (757) 523-4881 (Fax), jhodnett@hrtac.org.

Commonly Used Exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. HRTAC commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1(1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1(2)) or attorney work product (§ 2.2-3705.1(3))
- Vendor proprietary information (§ 2.2-3705.1(6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1(12))

Appendix D

Telework Policy

In recognizing the changing nature of the work performed environment, HRTAC is focusing on ways to increase employee productivity and efficiency while helping employees achieve a successful work- life balance. The HRTAC allows telework for qualifying employees to support a productive and performance-driven workplace. Telework provides advantages to the employee (reduced travel time, reduced costs such as gas, and increased job satisfaction), to the organization (continuity during times of emergency, reduced turnover, attracting a highly qualified workforce) and to society as a whole (reduced traffic congestion, improved air quality and energy conservation).

I. Scope & Definition

Telework is a work arrangement that is discretionary on the part of HRTAC management on a case-by-case basis and voluntary on the part of the employee. Participation in teleworking is not guaranteed to an employee. An employee's duties, obligations, responsibilities, and conditions of employment with HRTAC will remain unchanged due to a telework arrangement; all policies and procedures remain in effect and are not impacted or altered by an employee's status as a teleworker. Similarly, a teleworker's salary, benefits, and sponsored insurance coverage will remain unchanged by the teleworking arrangement.

II. Schedules & Accessibility

Telework arrangements involve regular work performed during the employee's normal work hours. An employee's telework schedule must generally be consistent with the eight-hour workday of HRTAC and will not include non-standard evening and weekend schedules. The standard hours of operation for HRTAC are 8:00 AM to 4:30 PM, Monday through Friday. HRTAC has designated the hours of 9:30 AM to 3:00 PM as core hours in which all employees must be working unless on a standard lunch break or approved leave.

Telework arrangements may need to be altered due to departmental leaves of absence, vacations, workloads and agency priorities/deadlines. It is understood that HRTAC deadlines are staff priorities and take precedence regardless of telework schedules.

Supervisors may approve temporary and occasional variations to the work schedule. Exceptions to this policy should be approved in advance whenever possible. Telework arrangements are not automatically transferred from one position or supervisor to another. When an employee transfers positions or is assigned a different supervisor, the employee must request approval from the new supervisor to continue their

telework arrangement. Telework is also available on an ad hoc, situational, short-term basis if approved by the employee's supervisor.

Supervisors must ensure coverage for their departments is maintained during the work week and must provide reasonable assurance that their employees are working when scheduled and absences are properly documented.

III. Employee Eligibility

Telework arrangements are available to employees who meet specific work standards and the employee's job duties are appropriate for telecommuting, and not all positions of HRTAC will be eligible. Meeting one or more of the eligibility requirements does not guarantee approval to telework. All telework arrangements must be approved by the employee's supervisor. The Executive Director has the final determination on all telework arrangements.

Minimum work standard eligibility requirements include, but are not limited to:

- status as a regular, full-time or part-time employee;
- prior performance evaluations and/or job performance that meets or exceeds standards and demonstrates the employee's ability to work independently;
- telework does not impede other employees from performing their job duties; or impact HRTAC's needs or diminish the organization's operations;
- telework does not reduce service to internal or external stakeholders or customers

IV. Employee Participation & Responsibilities

Teleworking is voluntary and offers some flexibility to employees. A teleworking arrangement may be terminated by the employee, their supervisor, or the Executive Director at any time. Employees who are participating in a telework arrangement must:

- complete all work assignments during agreed-upon hours of work in accordance with the telework policy and other applicable policies of HRTAC;
- keep Outlook calendars with work schedule up to date, including, meetings, leave, and day(s) of planned telework;
- abide by all HRTAC policies, including requesting leave;
- safeguard all HRTAC equipment and use it only for official purposes;
- ensure that the remote work-space is a safe working environment;
- respond in a timely manner to supervisor, management, departmental, and public inquiries of HRTAC;
- agree to software installation on agency-owned equipment

While teleworking, the employee must be reachable via telephone, MS Teams and/or email. Teleworkers must have a method for receiving and responding to

communications (phone calls, messages, email, etc.) from other staff, supervisors, and partner stakeholders and/or the public. Generally, employees are expected to respond to all calls and emails within one (1) business day.

An employee who is teleworking may not conduct personal business while in an official duty status at the remote work site. Personal business is described as any activity that distracts an employee from work related tasks for more than 15 minutes in a four-hour period. Leave must be used in these instances.

V. Remote Workplace

If working at home, teleworking employees should have a workspace that is maintained in a safe condition and free of hazards that might endanger the employee or HRTAC equipment. The employee agrees to maintain a workspace that is conducive to an effective and efficient work area.

Teleworkers are not permitted to hold work-related meetings at their home. When participating in an electronic/virtual meeting, externally or internally, employees must present themselves in a professional manner and are expected to follow dress code policies and guidelines as if they were in the office. Teleworkers should also be mindful of any backgrounds used, both real and virtual, during electronic meetings.

VI. Leave

Policies for requesting annual leave, sick leave, PTO, or any other type of leave authorized by policy, remain unchanged.

VII. Equipment, Supplies and Expenses

The teleworker must have a telephone and a workspace with appropriate equipment and supplies to complete the assigned work at the remote workplace. Telework that includes using HRTAC equipment will be evaluated on whether that equipment is already assigned to the employee; is portable in nature; or is otherwise readily available. HRTAC will not pay or be responsible for any increase in the employee's home utility costs incurred because of teleworking.

If the teleworking employee needs internet access to complete work from the remote location, it is the responsibility of the employee to acquire the appropriate service and pay for any costs incurred.

The HRTAC IT Manager or contracted IT Managed Services Provider will do their best to resolve help desk calls, questions and service tickets from teleworkers. To troubleshoot technical problems, employees may need to allow the installation of a temporary client/agent on their personal device. All HRTAC issued equipment will

have the appropriate client/agent pre-installed. If the issue cannot be resolved remotely, the teleworking employee will be expected to come into the office to resolve the issue as needed; IT will not travel to a teleworker's location to resolve a technology issue.

If available, HRTAC may provide teleworking employees with a laptop, tablet, or desktop computer which must be used in telework arrangements. Equipment provided to an employee shall remain the property of HRTAC and shall be returned upon termination of the employee's participation in the telework program or upon separation of employment from the organization. The use of HRTAC equipment, software, data, and supplies is limited to use by authorized HRTAC staff and for purposes related to HRTAC business only. The employee may not alter, add, delete, or disable software on any HRTAC-issued equipment. Inappropriate use of equipment is subject to disciplinary action, up to and including termination. The teleworker is responsible for the security of all items furnished by the organization and must immediately report any lost, stolen, or damaged equipment to their supervisor. If connection to the HRTAC network is necessary, a Virtual Private Network (VPN) will be required on all equipment as appropriate, regardless of ownership.

The teleworker may obtain from the main office all incidental office supplies needed for work. Expenses for supplies regularly available at the main office will not be reimbursed unless pre-purchase approval has been granted by the teleworker's supervisor. The teleworker is responsible for the cost, maintenance, repair and operation of personal equipment not provided by the HRTAC.

VIII. Confidentiality of Information

As with all sensitive information employees may have access to during the course of their employment, teleworkers must ensure the confidentiality of sensitive and personally-identifiable information – both electronic and hard copy. This is defined as information that is not generally available to the public and needs additional security and handling procedures to protect it from unauthorized disclosure. Such information includes, but may not be limited to social security numbers, addresses, bank account and other financial information and telephone numbers. Teleworkers should ensure that all such information is secured and not accessible to unauthorized persons. If a teleworker believes there has been a breach of sensitive or confidential information, the employee must notify a member of the management team and the IT Manager immediately.

IX. Emergency Situations / Inclement Weather

If the HRTAC office is delayed in opening or closes early due to inclement weather or an emergency situation, employees approved for telework are still expected to telework. The employee's telework status is not disrupted by alterations in the HRTAC's office operating hours. The ability to work, whether at the telework site or at the HRTAC office, determines when an employee may be excused from work or required to use leave.

When an emergency affects only the teleworker's remote worksite (i.e., power outage, no internet service, etc.), the employee is expected to report to the HRTAC office or request use of annual leave, sick leave or PTO from their supervisor. If inclement weather or other emergency requires the HRTAC office to be closed for an entire workday, all employees will be granted use of inclement weather/emergency leave and will not be required to use annual leave, sick leave or PTO.

X. Liability for Injuries

While teleworking, the employee is covered under the Virginia Workers' Compensation Act for injuries occurring in the course of the actual performance of official duties at the remote workplace. The teleworker or someone acting on the teleworker's behalf should immediately notify the teleworker's supervisor and Human Resources of any accident or injury that occurs at the remote workplace. Please refer to HRTAC Personnel Manual for more information on reporting injuries while at work.

HRTAC is not liable for damages to the teleworker's personal or real property while the teleworker is working at a remote workplace. In addition, HRTAC is not responsible for injuries to members of the teleworker's family and/or third parties which occur on the employee's premises, nor for injuries to the employee which occur outside of the scheduled workday or outside the scope of employment.

XI. Child & Dependent Care

Teleworking is not intended to serve as a substitute for child or adult care. While working remotely, employees shall devote working hours to HRTAC responsibilities as if working in the office. If children or adults in need of primary care are present in the work location during the employee's work hours, the employee must make reasonable arrangements for alternate primary caregiver responsibilities to ensure the safety and well-being of those in their care. If unable to make appropriate arrangements, the employee must take leave.

XII. Discipline & Revocation of Telework

HRTAC's disciplinary procedures, personnel policies, daily standard operating procedures and drug and alcohol policies remain in effect and are not impacted or altered by an employee's status as a teleworker. Supervisors and HRTAC management may take appropriate disciplinary action if an employee fails to comply with the provisions of this policy.

In addition to any disciplinary action that may be imposed, telework participation may be revoked if an employee violates or abuses telework policies. Violations and abuses include, but are not limited to:

- unsatisfactory work performance or products;
- engaging in breaks that exceed the authorized period without prior approval;
- failure to adhere to accurate time and leave reporting;
- failure to respond to phone calls, emails, etc. in a timely manner;
- frequent instances of unexcused tardiness or absences from work;
- participation in nonwork-related activity (excluding defined break periods) during scheduled work hours;
- failure to work within the required core hours without prior approval

XIII. Section 12.14 Termination of Telework

An employee who wishes to end their telework arrangement may do so at any time. The Executive Director has the discretion to terminate this telework policy at any time.

Appendix E
**Employee Acknowledgement of Receipt of
Personnel Manual**

I have been presented with and am in receipt of the HRTAC Personnel Manual that outlines my privileges, benefits, and conditions of employment as an employee of HRTAC. I have familiarized myself with the information contained in this personnel manual and understand that it governs my employment with HRTAC. I understand that I may refer any questions that I have on these subjects to my supervisor, Executive Director or the Human Resources Administrator.

The information in this manual is subject to periodic review by the HRTAC Personnel Committee and may be changed by action of the full HRTAC Commission. I understand that any changes in the policies listed herein may be made by the Commission and the Executive Director may accordingly modify, supersede, or eliminate the policies outlined in the manual. I understand that any changes that are made will be announced and distributed in writing to all employees of HRTAC for inclusion in the manual and that it is my obligation to keep my manual current.

Employment with HRTAC is at-will. Accordingly, I understand I voluntarily entered into employment, and I am free to resign at any time. Similarly, HRTAC is free to terminate the employment relationship at any time, with or without cause, so long as it is not prohibited by law. I understand that the terms and conditions of the enclosed manual are incorporated in this Acknowledgment, and I hereby consent to its terms and conditions.

Employee Signature

Print Name

Date

Appendix F

Parental Leave Policy

HRTAC believes in creating an inclusive environment for employees at every stage of their lives. HRTAC understands that welcoming a new child into a family requires time for recovery and bonding. And in order to minimize financial stressors during such important times, HRTAC has established a Paid Parental Leave Policy (“Policy”).

Eligibility Criteria:

Employees must meet *all* of the following eligibility criteria:

- Have been employed by HRTAC for at least twelve (12) months (the twelve months do not need to be consecutive);
- Have worked at least 1,250 hours during the twelve (12) consecutive months immediately preceding the date the leave would begin; and
- Be a full- or part-time, regular employee (temporary employees and interns are ineligible for this benefit) who remains actively employed by HRTAC, and who has not given notice of resignation.

In addition, employees must also meet *at least one* of the following eligibility criteria:

- Have given birth to a child;
- Be an eligible parent or person who stands *in loco parentis* to a newborn child; or
- Otherwise be eligible for the special benefit for adoptive/foster parents described below.

Type and Amounts of PPL:

The PPL provided for under this Policy is broken into two types: childbirth leave and bonding leave.

1. **Childbirth Recovery Leave:** Subject to the terms and conditions described in this Policy, eligible birth mothers may receive up to four (4) weeks of paid leave immediately following childbirth to recover from the birth of the child. This leave must be taken in one continuous block in the four weeks immediately following the birth of the child (unless the employee is approved for a special accommodation for intermittent leave from the Executive Director.

As described below, eligible birth mothers may separately be eligible for up to two (2) additional weeks of leave to bond with the child.

2. **Bonding Leave:** Subject to the terms and conditions described in this Policy, all eligible parents (including birth mothers as well as those standing *in loco parentis*) of a newborn child, may take up to two (2) weeks of paid leave to bond with the child. This leave must be taken in one continuous block within the first six (6) weeks following the birth of the child (unless the employee is approved for a special accommodation for intermittent leave from the Executive Director). Similarly, eligible employees may take up to two (2) weeks of paid bonding leave following the placement of a child with the employee for adoption or foster care purposes within the six (6) weeks following adoption or placement of the child. However, adoption of a new spouse's minor children is generally not a qualifying event for bonding leave purposes.

Eligible employees must take childbirth leave or bonding leave as four- and two-week continuous blocks, respectively.

Compensation while on PPL:

The purpose of this policy is to ensure that birth mothers can continue to receive 100% of their base pay in the four (4) weeks following childbirth, and that all eligible parents can receive 100% of their base pay for two (2) weeks at some point during the applicable six- (6) week period following childbirth or placement for adoption or foster care purposes.

As described below, and where permitted under applicable law, when an employee is receiving full or partial wage replacement under a short-term disability (“STD”) insurance plan, applicable family and medical leave insurance law, or other similar wage replacement program or benefits, the PPL provided for under this Policy is intended to run concurrently with said program or benefits and be used to supplement any partial wage replacement such that the employee will receive 100% of the employee's base pay for time spent on PPL.

For example, assume that an employee who has just given birth to a child takes four weeks of childbirth leave and two weeks of bonding leave together for a total of six weeks of PPL following the birth of her child. If the employee participates in an STD insurance plan that provides her with 60% base wage replacement during the third through sixth week following the birth of the child, HRTAC would compensate her at 100% of her base pay for the first two weeks of PPL and 40% of her base pay for the third through sixth week of PPL (assuming that this is permitted under the applicable law and benefit plans or programs). Notwithstanding this partial wage replacement, the employee would still only be entitled to a maximum of six weeks of PPL.

Employees may use accrued PTO once their PPL is exhausted or expired.

Conditions of Use:

Employees must complete a Parental Leave Request Form within two (2) months of the expected date of birth, adoption, or foster care placement, or as soon as is practical, and submit it to HR.

PPL will be added to the employee's time card and paid during the course of normal pay periods. Parental leave will be subject to standard required and voluntary payroll deductions.

PPL may be used once in each twelve- (12) month period, measured backward from the date PPL was last used. For example, if an employee’s last day of PPL for bonding with a newborn child is November 30, 2024, then the employee cannot be approved for new PPL starting before December 1, 2025.

Employees are expected to stay in regular contact with HR and their supervisor(s) at least once every two (2) weeks while on PPL. Any employee who fails to return to work at the end of the employee’s PPL, and who has not requested and been approved for additional leave, will be deemed to have voluntarily resigned from employment with HRTAC.

Coordination with Other Policies:

- PPL taken under this Policy will run concurrently with any leave taken under the Family and Medical Leave Act (“FMLA”) and similar state laws. Accordingly, any leave taken under this Policy that falls under the FMLA definition of circumstances qualifying for leave due to the birth or placement of a child or due to adoption or foster care (or leave for a serious health condition) will be counted against any leave available under the FMLA during a twelve-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed the maximum amount of leave provided for under the FMLA during a twelve-month period.
- As described above, PPL is not intended to result in an employee receiving more than 100% of the employee’s base pay during the employee’s leave. If an employee receives full wage replacement through another program during the PPL period, then the employee will not be entitled to additional pay from HRTAC during this period. If an employee is entitled to partial wage replacement during the PPL period, then the employee would be entitled (to the extent allowed under applicable law and benefit plans or programs) to paid leave that pays the difference between the partial wage replacement and the employee’s full base pay during the PPL period. An example is shown below for an employee who voluntarily chooses to receive benefits under a STD insurance plan while on childbirth and bonding leave following the birth of a child:
 - Weeks 1-2 Following the Birth of the Child: The employee/birth mother is not yet eligible for any wage replacement under the terms of the then-applicable STD plan. If allowed by such plan and applicable law, the employee/birth mother would receive 100% of her base pay from HRTAC pursuant to this Policy, assuming that she is otherwise eligible.
 - Weeks 3-6 Following the Birth of the Child: Under the terms of the then-applicable STD plan in which the employee/birth mother participates, she is entitled to 60% of her base pay related to post-birth recovery. For weeks 3-4, the employee/birth mother would receive 40% of her base pay under this policy from HRTAC and 60% of her base pay as a STD wage replacement. If the employee chose to take two weeks of bonding leave later in the year, at a time when she was no longer eligible for STD or any state benefit, to bond with an adopted child, the employee would receive 100% of her base pay from HRTAC for that later two-week bonding period.

- After an employee has exhausted all PPL (and any STD leave for employees giving birth), the balance of FMLA leave (if applicable) will be permitted to be compensated through the employee's accrued paid time off or sick time, where permitted under applicable law. Upon exhaustion of accrued paid time off, any remaining leave will be unpaid leave. Please refer to HRTAC's Employee Handbook for further guidance on FMLA leave.
- HRTAC will maintain all benefits for eligible employees during the PPL period just as if they were taking any other Company paid leave, such as paid vacation leave or paid sick leave, subject to any terms and conditions under a benefit plan/program or applicable law. Employees are responsible for making benefit premium payments in order to retain coverage during the PPL period.

If a holiday occurs while the employee is on PPL, such day will count as PPL and will not result in an extra day of PPL or paid holiday leave.

6.A. HRTAC Monthly Financial Report



**HAMPTON ROADS TRANSPORTATION FUND and
HAMPTON ROADS REGIONAL TRANSIT FUND
FINANCIAL REPORTS
FY2014 – FY2024**

Period Ending December 31, 2023

The HRTAC staff has prepared the attached December 2023 financial report based on data received to date from the Virginia Department of Transportation.

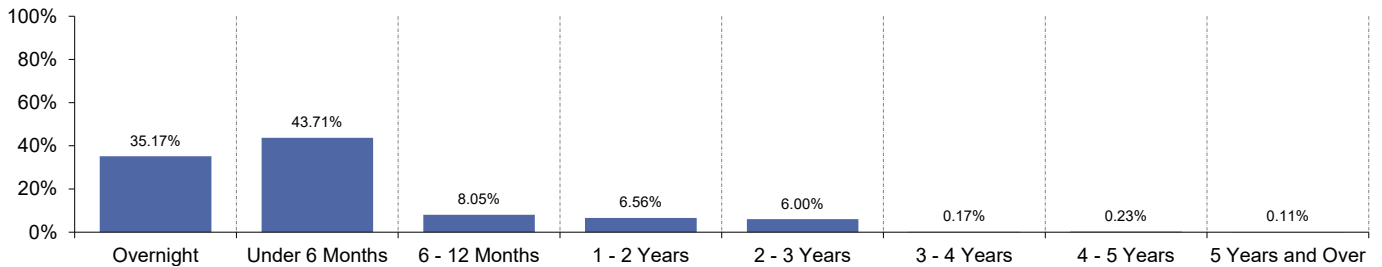
<u>Revenues</u>	<u>Inception to December 2023</u>	<u>FY2024 YTD</u>	<u>December 2023</u>
Total Gross Revenues¹	\$ 5,296,159,549	\$ 357,923,865	\$ 35,200,290
HRTF - State Sales Tax & Local Fuels Tax	2,076,805,599	131,028,928	23,855,442
HRRTF – Fees, Taxes & other Revenue	131,320,528	27,987,157	868,653
Interest and Investment Income	192,188,783	50,268,590	10,463,695
Other Income	771,774	12,500	12,500
Bond and Debt Net Proceeds	2,895,072,865	148,626,690	-
 <u>Expenditures</u>			
Total Expenditures	\$ 3,230,685,714	\$ 185,830,479	\$ 55,087,800
Projects	2,972,785,474	160,598,290	50,423,560
Operating Expenses & Investment Fees	27,590,961	2,143,254	637,850
Bond Interest Expenses	230,309,279	23,088,935	4,026,390
 Modified Cash Position at December 31, 2023	 \$ 2,065,473,835		
 <u>Items not using or providing cash since inception:</u>			
Amortization - Bond Premium and Gain on Defeasance	(130,155,836)		
Purchase of Capital Assets	(4,372)		
Gain not affecting cash	(759,274)		
Capitalized interest added to long-term debt	21,564,058		
Assets not requiring current use of cash	(52,318,129)		
Liabilities not requiring current sources of cash	<u>24,761,289</u>		
 <u>Actual cash and investments at December 31, 2023</u>	 <u>\$ 1,928,561,571</u>		

1 Beginning in June 2020, State Sales Tax and Local Fuels Tax are recorded either one month (sales tax) or two months (fuels tax) earlier than in previous periods, due to additional information received from the Commonwealth of Virginia on the timing of the source transactions for tax revenues.

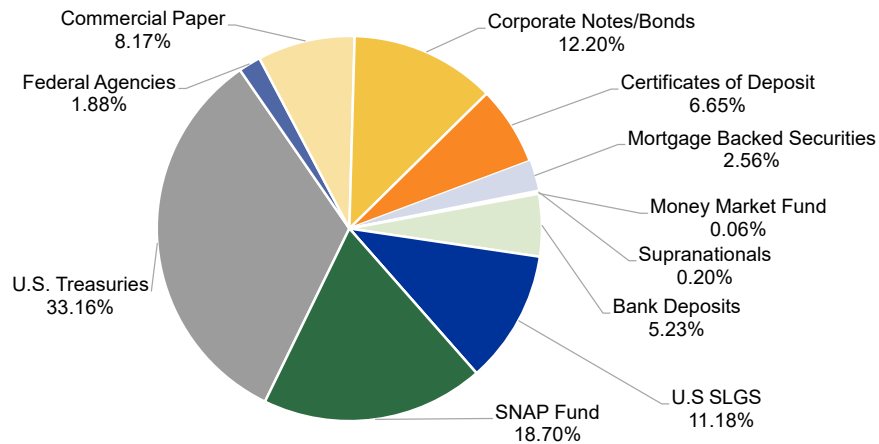
Hampton Roads Transportation Fund Summary of Cash and Investments For December 2023

Portfolio	Yield at Cost	Yield at Market	Balances at Cost	Balances at Market	% of Total
Union Checking	0.00%	0.00%	1,000,000	1,000,000	0.10%
Union Sweep	5.00%	5.00%	8,279,277	8,279,277	0.79%
Union Money Market	5.12%	5.12%	32,793	32,793	0.00%
Union General	5.12%	5.12%	45,375,776	45,375,776	4.34%
Wilmington Trust	Variable	Variable	116,821,628	116,821,628	11.18%
Enhanced Cash Portfolio	4.95%	5.16%	529,052,725	538,802,522	51.55%
Core Portfolio	3.93%	4.50%	139,529,599	139,360,424	13.33%
SNAP Fund	5.63%	5.63%	195,449,879	195,449,879	18.70%
Total			\$ 1,035,541,677	\$ 1,045,122,299	100.00%

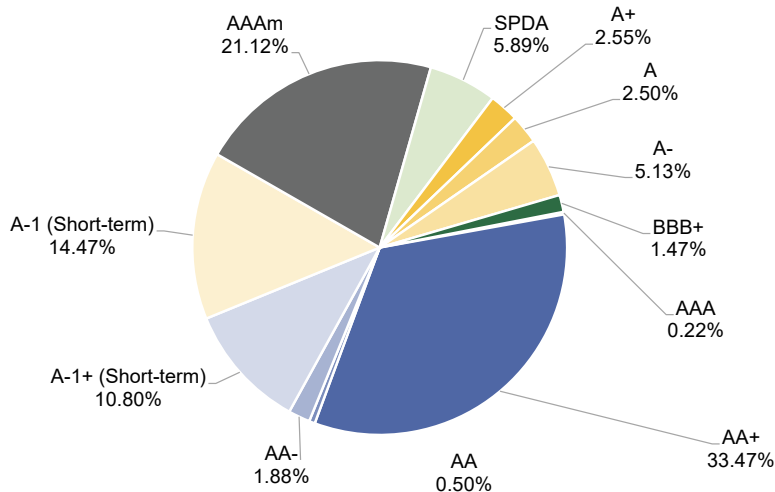
Total Maturity Distribution



Sector Distribution



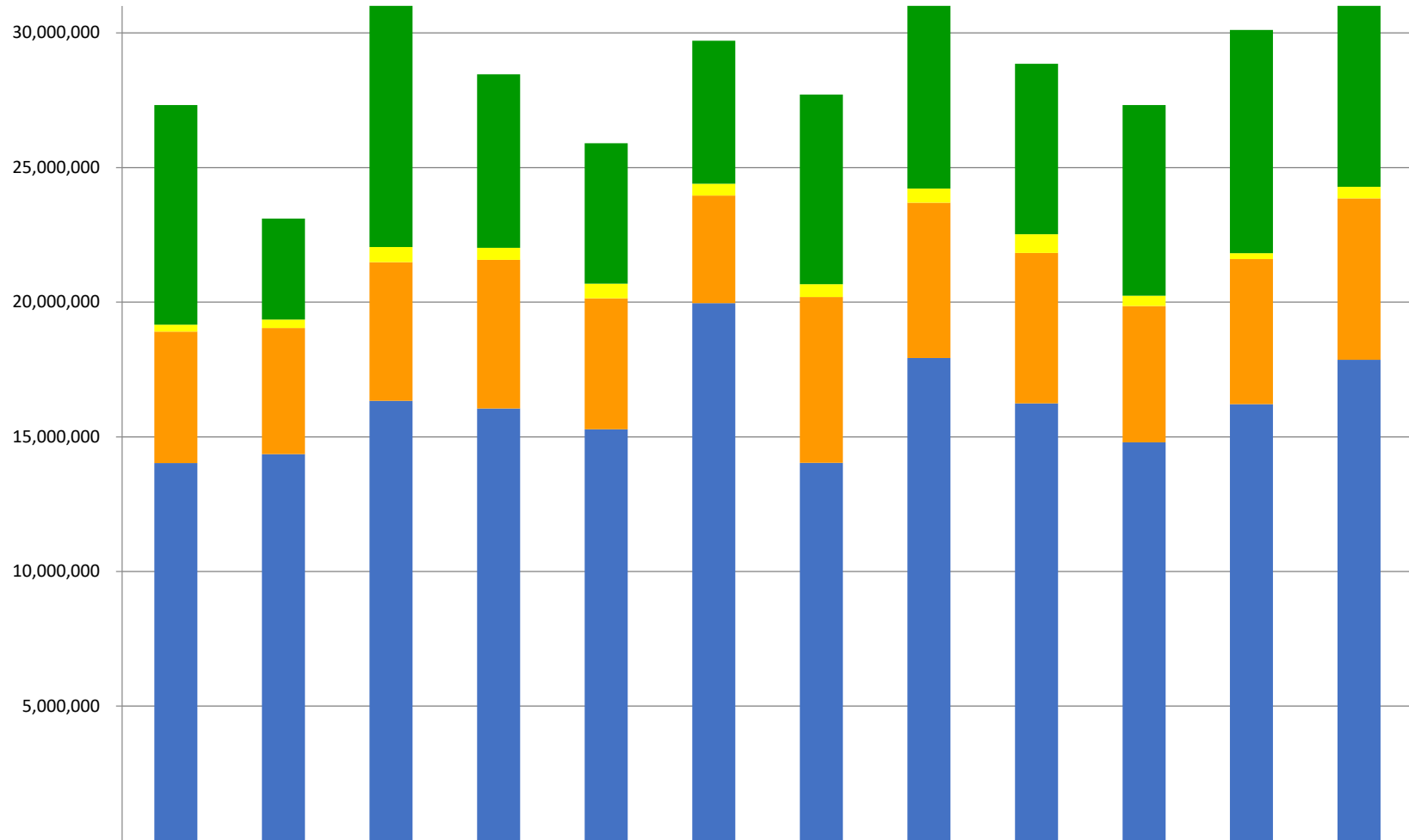
Credit Distribution



All charts are based on market value as of 12/31/23

This material is for general informational purposes only and is not intended to provide specific advice or a specific recommendation.

HRTF Revenue



	January 2023	February 2023	March 2023	April 2023	May 2023	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023
Total	27,320,342	23,107,624	31,959,099	28,467,096	25,899,862	29,712,046	27,712,934	31,194,257	28,851,893	27,319,041	30,108,385	33,865,646
Investment Income	8,157,267	3,755,132	9,910,489	6,443,548	5,210,110	5,315,886	7,047,675	6,975,624	6,329,061	7,080,626	8,288,937	9,584,551
Interest	255,437	307,182	562,384	453,423	543,594	437,481	477,335	522,816	695,023	376,020	219,906	425,653
Fuel Tax	4,879,915	4,683,925	5,151,258	5,514,452	4,865,482	3,997,619	6,156,518	5,764,717	5,587,353	5,063,758	5,384,752	5,994,188
Sales & Use Tax	14,027,723	14,361,384	16,334,967	16,055,673	15,280,675	19,961,061	14,031,406	17,931,101	16,240,455	14,798,638	16,214,789	17,861,253

Notes: November 2018 Wholesale Fuels Tax revenue includes a \$9,865,900 Special Audit Assessment adjustment sourced from vendor audit settlement.
 January 2019 Wholesale Fuels Tax revenue includes \$510,330 in adjustments from a Special Audit Assessment and a vendor audit settlement.
 February 2019 Wholesale Fuels Tax revenue includes \$806,491 from a vendor audit assessment.
 June 2019 Sales & Use Tax includes \$7,424,592 of FY2019 AST Estimated Sales & Use Tax revenue.

Hampton Roads Transportation Fund (HRTF)
Interest and Investment Income
Inception - December 2023

	FY2014 - FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	Total
HRTF Interest Income	\$ 2,277,312	\$ 1,000,093	\$ 669,108	\$ 363,661	\$ 296,307	\$ 3,273,956	\$ 2,716,754	\$ 10,597,190
HRTF Investment Income	<u>14,211,356</u>	<u>29,869,111</u>	<u>26,275,750</u>	<u>3,240,310</u>	<u>(3,394,409)</u>	<u>61,182,839</u>	<u>45,306,475</u>	<u>176,691,431</u>
Total	<u>\$ 16,488,667</u>	<u>\$ 30,869,204</u>	<u>\$ 26,944,858</u>	<u>\$ 3,603,971</u>	<u>\$ (3,098,103)</u>	<u>\$ 64,456,795</u>	<u>\$ 48,023,229</u>	<u>\$ 187,288,621</u>

Notes:

"HRTF Interest Income" includes interest from Union Bank money market, sweep, and general accounts, as well as Regional Tax Interest/Interest Refund Adjustments.

"HRTF Investment Income" in FY2019 includes income from PFMAM (US Bank & TD Wealth) core and enhanced cash, LGIP, and SNAP accounts. FY2014-2018 totals also include income from Sterling and Union Bank.

Hampton Roads Transportation Fund (HRTF)
Total of HRTF Revenue and Expenditures Activities
Summary

	Revenue							Expenditures						Cumulative Balance
	Sales & Use Tax	Fuels Tax	Interest	Investment Income	Other Income	Bond Proceeds	Total	Projects	Dept of Tax Admin Fee	Investment Fees	Bond Expenses	Operating Expenses	Total	7/1/13 - 12/31/23
<i>July 2013 - December 2022</i>	\$ 1,375,554,999	\$ 445,107,537	\$ 5,320,935	\$ 92,592,524	\$ 759,274	\$ 2,750,605,238	\$ 4,669,940,507	\$ 2,411,241,441	\$ 1,042,620	\$ 1,972,446	\$ 187,907,659	\$ 19,961,704	\$ 2,622,125,870	\$ 2,047,814,637
<i>January 2023</i>	14,027,723	4,879,915	255,437	8,157,267	-	-	27,320,342	35,152,026	-	35,221	5,027,635	122,894	40,337,777	2,034,797,202
<i>February 2023</i>	14,361,384	4,683,925	307,182	3,755,132	-	31,000,000	54,107,624	45,170,803	-	31,833	5,051,463	268,036	50,522,135	2,038,382,691
<i>March 2023</i>	16,334,967	5,151,258	562,384	9,910,489	-	(35,159,063)	(3,199,964)	40,595,375	-	35,138	(1,945,362)	265,722	38,950,873	1,996,231,854
<i>April 2023</i>	16,055,673	5,514,452	453,423	6,443,548	-	-	28,467,096	37,983,758	-	34,260	3,726,187	260,159	42,004,363	1,982,694,587
<i>May 2023</i>	15,280,675	4,865,482	543,594	5,210,110	-	-	25,899,862	43,536,542	-	-	3,726,187	238,861	47,501,589	1,961,092,860
<i>June 2023</i>	19,961,061	3,997,619	437,481	5,315,886	-	-	29,712,046	165,483,093	71,429	70,158	3,726,576	417,448	169,768,703	1,821,036,203
<i>July 2023</i>	14,031,406	6,156,518	477,335	7,047,675	-	-	27,712,934	-	-	35,848	3,759,051	117,299	3,912,198	1,844,836,938
<i>August 2023</i>	17,931,101	5,764,717	522,816	6,975,624	-	-	31,194,257	-	93	35,947	3,759,051	114,753	3,909,844	1,872,121,351
<i>September 2023</i>	16,240,455	5,587,353	695,023	6,329,061	-	-	28,851,893	23,725,295	-	34,839	3,759,051	226,681	27,745,866	1,873,227,378
<i>October 2023</i>	14,798,638	5,063,758	376,020	7,080,626	-	-	27,319,041	40,333,110	-	35,039	3,759,051	260,825	44,388,026	1,856,158,394
<i>November 2023</i>	16,214,789	5,384,752	219,906	8,288,937	-	148,626,690	178,735,075	44,242,019	-	35,573	4,026,342	561,906	48,865,840	1,986,027,629
<i>December 2023</i>	17,861,253	5,994,188	425,653	9,584,551	12,500	-	33,878,146	47,358,761	-	36,246	4,026,390	555,963	51,977,360	1,967,928,415
Total 12 Months	\$ 193,099,126	\$ 63,043,937	\$ 5,276,255	\$ 84,098,907	\$ 12,500	\$ 144,467,627	\$ 489,998,352	\$ 523,580,783	\$ 71,522	\$ 420,102	\$ 42,401,620	\$ 3,410,546	\$ 569,884,575	
Grand Totals	\$ 1,568,654,125	\$ 508,151,474	\$ 10,597,190	\$ 176,691,431	\$ 771,774	\$ 2,895,072,865	\$ 5,159,938,859	\$ 2,934,822,224	\$ 1,114,142	\$ 2,392,548	\$ 230,309,279	\$ 23,372,250	\$ 3,192,010,446	
Less Balance of Encumbered (through FY2030)														(2,282,034,324)
Total Net Available *														(314,105,909)

Notes:

* Total Net Available does not include TIFIA loans not drawn on or HRTF future revenues through FY2028.

Table 1 - Total HRTF Revenues

Hampton Roads Transportation Fund (HRTF)

Total of Sales & Use Taxes and Fuels Taxes

Fiscal Year 2024

Locality	Total FY2014 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>Chesapeake</i>	\$ 356,494,992	\$ 18,978,142	\$ 4,263,053	\$ 23,241,195	\$ 379,736,187
<i>Franklin</i>	21,122,685	1,260,829	235,620	1,496,449	22,619,134
<i>Hampton</i>	141,771,513	7,845,117	1,764,727	9,609,844	151,381,357
<i>Isle of Wight</i>	30,993,193	1,701,038	414,992	2,116,030	33,109,223
<i>James City</i>	85,305,886	4,957,248	1,187,903	6,145,152	91,451,038
<i>Newport News</i>	206,892,137	11,029,142	2,549,673	13,578,815	220,470,952
<i>Norfolk</i>	272,988,241	14,978,842	3,256,446	18,235,288	291,223,529
<i>Poquoson</i>	5,324,878	323,398	76,262	399,661	5,724,539
<i>Portsmouth</i>	70,140,988	4,008,721	846,451	4,855,172	74,996,160
<i>Southampton</i>	10,198,426	539,827	221,553	761,380	10,959,806
<i>Suffolk</i>	104,904,026	6,283,236	1,417,149	7,700,385	112,604,411
<i>Virginia Beach</i>	517,936,416	28,899,674	6,206,393	35,106,067	553,042,482
<i>Williamsburg</i>	36,424,494	1,784,703	388,909	2,173,612	38,598,106
<i>York</i>	85,278,796	4,583,569	1,026,309	5,609,877	90,888,673
Total ^d	<u>\$ 1,945,776,671</u>	<u>\$ 107,173,486</u>	<u>\$ 23,855,441</u>	<u>\$ 131,028,927</u>	<u>\$ 2,076,805,598</u>
Interest ^a	7,880,436	2,291,101	425,653	2,716,754	10,597,190
Investment Income(Loss) ^b	131,384,956	35,721,924	9,584,551	45,306,475	176,691,431
Other Income	759,274	-	12,500	12,500	771,774
Bond & TIFIA Proceeds	2,746,446,175	148,626,690	-	148,626,690	2,895,072,865
Total Revenues	<u>\$ 4,832,247,512</u>	<u>\$ 293,813,200</u>	<u>\$ 33,878,145</u>	<u>\$ 327,691,345</u>	<u>\$ 5,159,938,858</u>
Project Expenses	(2,779,163,039)	(108,300,424)	(47,358,761)	(155,659,185)	(2,934,822,224)
DMV & Dept. of Tax Admin Fees	(1,114,049)	(93)	-	(93)	(1,114,142)
Investment Fees (Sterling&PFMAM)	(2,179,055)	(177,247)	(36,246)	(213,493)	(2,392,548)
Bond Interest Expenses	(207,220,344)	(19,062,545)	(4,026,390)	(23,088,935)	(230,309,279)
Operating Expense	(21,534,823)	(1,281,465)	(555,963)	(1,837,427)	(23,372,250)
Modified Cash Position	<u>\$ 1,821,036,202</u>	<u>\$ 164,991,425</u>	<u>\$ (18,099,215)</u>	<u>\$ 146,892,210</u>	<u>\$ 1,967,928,415</u>
Less Balance of Encumbered	<u>(2,364,937,561)</u>				<u>(2,282,034,324)</u>
Net Modified Cash Position	<u>\$ (543,901,359)</u>				<u>\$ (314,105,909)</u>
Updated Forecast	1,855,838,517	111,333,250	24,854,648	136,187,898	1,992,026,415
Total Revenue - Forecast (under)/over	89,938,154	(4,159,764)	(999,207)	(5,158,971)	84,779,183

Table 1A - State Sales & Use Tax

Hampton Roads Transportation Fund (HRTF)

Fiscal Year 2024

Locality	Total FY2014 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>Chesapeake</i>	\$ 267,781,778	\$ 14,024,557	\$ 3,232,330	\$ 17,256,887	\$ 285,038,665
<i>Franklin</i>	10,866,067	548,271	120,266	668,538	11,534,605
<i>Hampton</i>	102,816,728	5,422,662	1,219,804	6,642,465	109,459,193
<i>Isle of Wight</i>	18,692,766	1,121,370	255,210	1,376,580	20,069,346
<i>James City</i>	69,377,167	3,725,361	932,357	4,657,718	74,034,885
<i>Newport News</i>	160,209,027	8,234,087	1,895,321	10,129,408	170,338,435
<i>Norfolk</i>	213,349,044	11,309,507	2,430,427	13,739,934	227,088,978
<i>Poquoson</i>	3,943,361	253,404	64,167	317,571	4,260,932
<i>Portsmouth</i>	49,300,279	2,845,212	629,956	3,475,168	52,775,447
<i>Southampton</i>	4,473,134	250,874	58,715	309,588	4,782,722
<i>Suffolk</i>	68,748,894	4,095,940	955,539	5,051,479	73,800,373
<i>Virginia Beach</i>	409,027,186	22,440,160	4,960,588	27,400,748	436,427,934
<i>Williamsburg</i>	28,657,707	1,562,870	352,614	1,915,484	30,573,191
<i>York</i>	64,333,345	3,382,114	753,960	4,136,074	68,469,419
Total ¹	<u>\$ 1,471,576,483</u>	<u>\$ 79,216,388</u>	<u>\$ 17,861,253</u>	<u>\$ 97,077,642</u>	<u>\$ 1,568,654,125</u>
Updated Forecast	1,378,144,223	82,848,062	19,314,610	102,162,672	1,480,306,895
Diff(under)/over	93,432,260	(3,631,674)	(1,453,357)	(5,085,030)	88,347,230

Table 1B - Local Fuels Tax
Hampton Roads Transportation Fund (HRTF)
Fiscal Year 2024

Locality	Total FY2014 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>Chesapeake</i>	\$ 88,713,218	\$ 4,953,585	\$ 1,030,724	\$ 5,984,309	\$ 94,697,527
<i>Franklin</i>	10,256,619	712,557	115,354	827,911	11,084,530
<i>Hampton</i>	38,954,787	2,422,455	544,924	2,967,379	41,922,166
<i>Isle of Wight</i>	12,300,427	579,668	159,782	739,451	13,039,878
<i>James City</i>	15,928,715	1,231,888	255,546	1,487,434	17,416,149
<i>Newport News</i>	46,683,113	2,795,054	654,352	3,449,407	50,132,520
<i>Norfolk</i>	59,639,196	3,669,336	826,019	4,495,354	64,134,550
<i>Poquoson</i>	1,381,517	69,995	12,096	82,090	1,463,607
<i>Portsmouth</i>	20,840,714	1,163,509	216,495	1,380,004	22,220,718
<i>Southampton</i>	5,725,293	288,953	162,839	451,792	6,177,085
<i>Suffolk</i>	36,155,142	2,187,296	461,610	2,648,906	38,804,048
<i>Virginia Beach</i>	108,909,220	6,459,514	1,245,805	7,705,319	116,614,539
<i>Williamsburg</i>	7,766,782	221,833	36,296	258,128	8,024,910
York	20,945,445	1,201,454	272,349	1,473,804	22,419,249
Total¹	<u>\$ 474,200,188</u>	<u>\$ 27,957,098</u>	<u>\$ 5,994,188</u>	<u>\$ 33,951,286</u>	<u>\$ 508,151,474</u>
Updated Forecast	<u>477,694,293</u>	<u>28,485,188</u>	<u>5,540,038</u>	<u>34,025,226</u>	<u>511,719,519</u>
Diff(under)/over	(3,494,105)	(528,090)	454,150	(73,940)	(3,568,045)

Note: November 2018 Wholesale Fuels Tax revenue included a \$9,865,900 Special Audit Assessment adjustment sourced from vendor audit settlement.

1 Beginning in June 2020, State Sales Tax and Local Fuels Tax are recorded either one month (sales tax) or two months (fuels tax) earlier than in prior accounting periods, due to additional information received from the Commonwealth of Virginia on the timing of the source transactions for tax revenues. The change is retroactive and the prior year amounts have been restated.

Table 2 - Allocations
Hampton Roads Transportation Fund (HRTF)
Fiscal Year 2024

Project	Total FY2014 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
I-64 Peninsula Widening					
UPC 104905 - Segment 1 - Construction	\$ 11,608,385	\$ -	\$ -	\$ -	\$ 11,608,385
UPC 106665 - Segment 2 - PE/ROW/Construction	159,559,703	-	-	-	159,559,703
UPC 109790/106689 - Segment 3 - PE	10,000,000	-	-	-	10,000,000
UPC 109790/106689 - Segment 3 - Construction	112,893,996	-	-	-	112,893,996
UPC 123656 - Denbigh Blvd Interchange Phase 2 East Bound	-	26,643,026	-	26,643,026	26,643,026
I-64/264 Interchange Improvement					
UPC 57048/108042 - Phase I - PE/ROW	15,071,063	-	-	-	15,071,063
UPC 57048/108042 - Phase I - Construction	137,023,653	-	-	-	137,023,653
UPC 17630/108041 - Phase II - PE/ROW	54,592,576	-	-	-	54,592,576
UPC 17630/108041 - Phase II - Construction	73,157,062	-	-	-	73,157,062
UPC 106693 - Phase III - PE & ROW	7,500,000	-	-	-	7,500,000
I-64 Southside Widening/High-Rise Bridge					
UPC 106692 - Phase I - PE	12,200,000	-	-	-	12,200,000
UPC 106692/108990 - Phase I - ROW/Construction	419,756,220	-	-	-	419,756,220
I-64 HRBT Expansion Project					
UPC 115008 - I-64 HRBT Expansion Project D-B Contract	3,004,569,251	-	-	-	3,004,569,251
UPC 115009 - I-64 HRBT Expansion Project Owners Oversight	548,900,330	-	-	-	548,900,330
Hampton Roads Express Lanes Network (HRELN)					
UPC 117840 - Segment 1 Phase 1 - PE	5,621,500	-	-	-	5,621,500
UPC 117839 - Segment 4A/4B Phase 1 - PE	5,916,425	-	-	-	5,916,425
UPC 117841 - Segment 4C Phase 1 - PE	6,062,743	-	-	-	6,062,743
UPC 119637 - Segment 1A - PE/ROW/Construction	92,079,565	-	-	-	92,079,565
UPC 120863 - Segment 1B - PE/ROW/Construction	5,860,180	-	-	-	5,860,180
UPC 119824 - Segment 4A/4B - PE/ROW/Construction	6,074,638	-	-	-	6,074,638
UPC 119638 - Segment 4C - PE/ROW/Construction	399,153,311	-	-	-	399,153,311
UPC 122999 - Transportation Management Plan	8,000,000	-	-	-	8,000,000
UPC 122714 - I-464/I-64 Interchange Improvements - Full Interchange Access Report Development Project	2,500,000	-	-	-	2,500,000
UPC 120375 & 123322 - I-64/I-464 Interchange Exit 291 Flyover Ramp Improvements	-	40,862,923	-	40,862,923	40,862,923
UPC 110577 - SEIS - HRCS Preferred Alternative Refinement - HRBT	30,000,000	-	-	-	30,000,000
UPC 106694 - 460/58/13 Connector Study - PE	1,095,368	-	-	-	1,095,368
UPC 111427 - Bowers Hill Interchange Study	7,904,630	4,000,000	-	4,000,000	11,904,630
UPC 122761 - I-264 Independence Blvd Interchange IAR	1,250,000	-	-	-	1,250,000
HR Regional Connector Study - HRTPO (Remaining Projects of Third Crossing)	7,000,000	-	-	-	7,000,000
Total	\$ 5,145,350,599	\$ 71,505,949	\$ -	\$ 71,505,949	\$ 5,216,856,548

Table 3 - Expenditures
Hampton Roads Transportation Fund (HRTF)
Fiscal Year 2024

Project	Total FY2014 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
I-64 Peninsula Widening					
UPC 104905/111926 - Segment 1 - PE/Construction	\$ 11,608,384	\$ -	\$ -	\$ -	\$ 11,608,384
UPC 106665 - Segment 2 - PE/ROW/Construction	159,559,703	-	-	-	159,559,703
UPC 109790/106689 - Segment 3 - PE	5,754,521	(6,013)	517	(5,495)	5,749,026
UPC 109790/106689 - Segment 3 - Construction	91,846,978	6,013	1,596	7,608	91,854,586
UPC 123656 - Denbigh Blvd Interchange Phase 2 East Bound - Design/ROW	-	-	-	-	-
I-64/264 Interchange Improvement					
UPC 57048/108042 - Phase I - PE/ROW	15,071,063	-	-	-	15,071,063
UPC 57048/108042 - Phase I - Construction	122,235,275	(1,753)	58,822	57,069	122,292,344
UPC 17630/108041 - Phase II - PE/ROW	54,592,576	-	-	-	54,592,576
UPC 17630/108041 - Phase II - Construction	73,157,062	-	-	-	73,157,062
UPC 106693 - Phase III - PE & ROW	6,119,431	-	6,299	6,299	6,125,730
I-64 Southside Widening/High-Rise Bridge					
UPC 106692 - Phase I - PE	12,189,098	-	-	-	12,189,098
UPC 106692/108990 - Phase I - ROW/Construction	360,673,832	2,790,000	(2,611,496)	178,504	360,852,336
I-64 HRBT Expansion Project					
UPC 115008 - I-64 HRBT Expansion Project D-B Contract	1,627,306,147	104,354,375	41,822,471	146,176,846	1,773,482,993
UPC 115009 - I-64 HRBT Expansion Project Owners Oversight	116,275,041	672,716	2,711,258	3,383,974	119,659,015
HRELN Segment 1 Phase 1 PE - UPC					
UPC 117840 - Segment 1 Phase 1 - PE	5,621,500	-	-	-	5,621,500
UPC 117839 - Segment 4A/4B Phase 1 - PE	5,916,425	-	-	-	5,916,425
UPC 117841 - Segment 4C Phase 1 - PE	6,062,743	-	-	-	6,062,743
UPC 119637 - Segment 1A - PE/ROW/Construction	2,671,455	-	-	-	2,671,455
UPC 120863 - Segment 1B - PE/ROW/Construction	1,636,100	-	1,112	1,112	1,637,212
UPC 119824 - Segment 4A/4B - PE/ROW/Construction	1,827,276	-	18,523	18,523	1,845,799
UPC 119638 - Segment 4C - PE/ROW/Construction	57,817,978	485,086	5,140,172	5,625,258	63,443,236
UPC 122999 - Transportation Management Plan	-	-	-	-	-
UPC 122714 - I-464/I-64 Interchange Improvements - Full Interchange Access Report Development Project	-	-	-	-	-
UPC 120375 & 123322 - I-64/I-464 Interchange Exit 291 Flyover Ramp Improvements	-	-	-	-	-
HRCS Preferred Alternative Refinement - HRBT UPC 110577 - SEIS	28,800,287	-	-	-	28,800,287
460/58/13 Connector Study - UPC 106694 - PE	1,095,368	-	-	-	1,095,368
Bowers Hill Interchange Study - UPC 111427	5,905,879	-	72,787	72,787	5,978,666
UPC 122761 - I-264 Independence Blvd Interchange IAR	-	-	-	-	-
HR Regional Connector Study - HRTPO (Remaining Projects of Third Crossing)	5,418,917	-	136,700	136,700	5,555,617
Total	\$ 2,779,163,039	\$ 108,300,424	\$ 47,358,761	\$ 155,659,185	\$ 2,934,822,224

Table 3A - Bond-Reimbursed Expenditures

Hampton Roads Transportation Fund (HRTF)

Fiscal Year 2024

Project	Total FY2014 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>I-64 Peninsula Widening</i>					
<i>UPC 104905/111926 - Segment 1 - PE/Construction</i>	\$ 10,063,882	\$ -	\$ -	\$ -	\$ 10,063,882
<i>UPC 106665 - Segment 2 - PE/ROW/Construction</i>	159,559,703	-	-	-	159,559,703
<i>UPC 109790/106689 - Segment 3 - PE</i>	5,693,804	-	-	-	5,693,804
<i>UPC 109790/106689 - Segment 3 - Construction</i>	87,210,472	-	-	-	87,210,472
<i>UPC 123656 - Denbigh Blvd Interchange Phase 2 East Bound</i>	-	-	-	-	-
<i>I-64/264 Interchange Improvement</i>					
<i>UPC 57048/108042 - Phase I - PE/ROW</i>	15,071,063	-	-	-	15,071,063
<i>UPC 57048/108042 - Phase I - Construction</i>	121,364,711	-	-	-	121,364,711
<i>UPC 17630/108041 - Phase II - PE/ROW</i>	54,592,576	-	-	-	54,592,576
<i>UPC 17630/108041 - Phase II - Construction</i>	65,786,903	-	-	-	65,786,903
<i>UPC 106693 - Phase III - PE & ROW</i>	-	-	-	-	-
<i>I-64 Southside Widening/High-Rise Bridge</i>					
<i>UPC 106692 - Phase I - PE</i>	12,189,098	-	-	-	12,189,098
<i>UPC 106692/108990 - Phase I - ROW/Construction</i>	257,901,644	-	-	-	257,901,644
<i>I-64 HRBT Expansion Project</i>					
<i>UPC 115008 - I-64 HRBT Expansion Project D-B Contract</i>	1,098,111,167	104,354,375	41,822,471	146,176,846	1,244,288,013
<i>UPC 115009 - I-64 HRBT Expansion Project Owners Oversight</i>	72,990,559	672,716	2,711,258	3,383,974	76,374,533
<i>HRELN Segment 1 Phase 1 PE - UPC</i>					
<i>UPC 117840 - Segment 1 Phase 1 - PE</i>	-	-	-	-	-
<i>UPC 117839 - Segment 4A/4B Phase 1 - PE</i>	-	-	-	-	-
<i>UPC 117841 - Segment 4C Phase 1 - PE</i>	-	-	-	-	-
<i>UPC 119637 - Segment 1A - PE/ROW/Construction</i>	-	-	-	-	-
<i>UPC 120863 - Segment 1B - PE/ROW/Construction</i>	-	-	-	-	-
<i>UPC 119824 -Segment 4A/4B - PE/ROW/Construction</i>	-	-	-	-	-
<i>UPC 119638 - Segment 4C - PE/ROW/Construction</i>	-	9,418,773	5,133,825	14,552,598	14,552,598
<i>UPC 122999 - Transportation Management Plan</i>	-	-	-	-	-
<i>UPC 122714 - I-464/I-64 Interchange Improvements - Full Interchange Access Report Development Project</i>	-	-	-	-	-
<i>UPC 120375 & 123322 - I-64/I-464 Interchange Exit 291 Flyover Ramp Improvements</i>	-	-	-	-	-
<i>HRCS Preferred Alternative Refinement - HRBT</i>					
<i>UPC 110577 - SEIS</i>	-	-	-	-	-
<i>460/58/13 Connector Study - UPC 106694 - PE</i>					
<i>UPC 111427</i>	-	-	-	-	-
<i>Bowers Hill Interchange Study - UPC 111427</i>					
<i>UPC 122761 - I-264 Independence Blvd Interchange IAR</i>	-	-	-	-	-
<i>HR Regional Connector Study - HRTPO (Remaining Projects of Third Crossing)</i>					
<i>UPC 122761 - I-264 Independence Blvd Interchange IAR</i>	-	-	-	-	-
Total	\$ 1,960,535,582	\$ 114,445,864	\$ 49,667,554	\$ 164,113,418	\$ 2,124,649,000

Table 3B - Non-Bond Reimbursed Expenditures

Hampton Roads Transportation Fund (HRTF)

Fiscal Year 2024

Project	Total FY2014 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
I-64 Peninsula Widening					
UPC 104905/111926 - Segment 1 - PE/Construction	\$ 1,544,502	\$ -	\$ -	\$ -	\$ 1,544,502
UPC 106665 - Segment 2 - PE/ROW/Construction	-	-	-	-	-
UPC 109790/106689 - Segment 3 - PE	60,716	(6,013)	517	(5,495)	55,221
UPC 109790/106689 - Segment 3 - Construction	4,636,506	6,013	1,596	7,608	4,644,114
UPC 123656 - Denbigh Blvd Interchange Phase 2 East Bound	-	-	-	-	-
I-64/264 Interchange Improvement					
UPC 57048/108042 - Phase I - PE/ROW	-	-	-	-	-
UPC 57048/108042 - Phase I - Construction	870,564	(1,753)	58,822	57,069	927,633
UPC 17630/108041 - Phase II - PE/ROW	-	-	-	-	-
UPC 17630/108041 - Phase II - Construction	7,370,159	-	-	-	7,370,159
UPC 106693 - Phase III - PE & ROW	6,119,431	-	6,299	6,299	6,125,730
I-64 Southside Widening/High-Rise Bridge					
UPC 106692 - Phase I - PE	-	-	-	-	-
UPC 106692/108990 - Phase I - ROW/Construction	102,772,188	2,790,000	(2,611,496)	178,504	102,950,692
I-64 HRBT Expansion Project					
UPC 115008 - I-64 HRBT Expansion Project D-B Contract	529,194,979	-	-	-	529,194,979
UPC 115009 - I-64 HRBT Expansion Project Owners Oversight	43,284,481	-	-	-	43,284,481
HRELN Segment 1 Phase 1 PE - UPC					
UPC 117840 - Segment 1 Phase 1 - PE	5,621,500	-	-	-	5,621,500
UPC 117839 - Segment 4A/4B Phase 1 - PE	5,916,425	-	-	-	5,916,425
UPC 117841 - Segment 4C Phase 1 - PE	6,062,743	-	-	-	6,062,743
UPC 119637 - Segment 1A - PE/ROW/Construction	2,671,455	-	-	-	2,671,455
UPC 120863 - Segment 1B - PE/ROW/Construction	1,636,100	-	1,112	1,112	1,637,212
UPC 119824 - Segment 4A/4B - PE/ROW/Construction	1,827,276	-	18,523	18,523	1,845,799
UPC 119638 - Segment 4C - PE/ROW/Construction	57,817,978	(8,933,687)	6,347	(8,927,340)	48,890,638
UPC 122999 - Transportation Management Plan	-	-	-	-	-
UPC 122714 - I-464/I-64 Interchange Improvements - Full Interchange Access Report Development Project	-	-	-	-	-
UPC 120375 & 123322 - I-64/I-464 Interchange Exit 291 Flyover Ramp Improvements	-	-	-	-	-
HRCS Preferred Alternative Refinement - HRBT UPC 110577 - SEIS	28,800,287	-	-	-	28,800,287
460/58/13 Connector Study - UPC 106694 - PE	1,095,368	-	-	-	1,095,368
Bowers Hill Interchange Study - UPC 111427	5,905,879	-	72,787	72,787	5,978,666
UPC 122761 - I-264 Independence Blvd Interchange IAR	-	-	-	-	-
HR Regional Connector Study - HRTPO (Remaining Projects of Third Crossing)	5,418,917	-	136,700	136,700	5,555,617
Total	\$ 818,627,454	\$ (6,145,440)	\$ (2,308,793)	\$ (8,454,233)	\$ 810,173,221

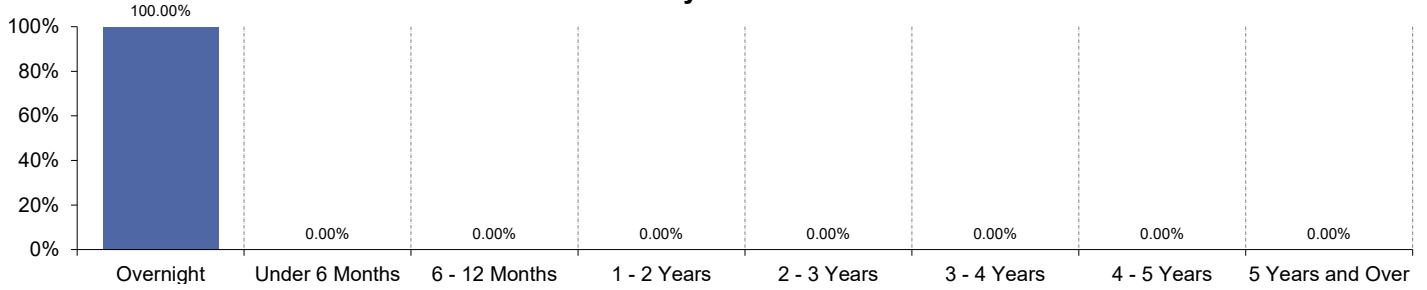
Hampton Roads Regional Transit Fund

Summary of Cash and Investments

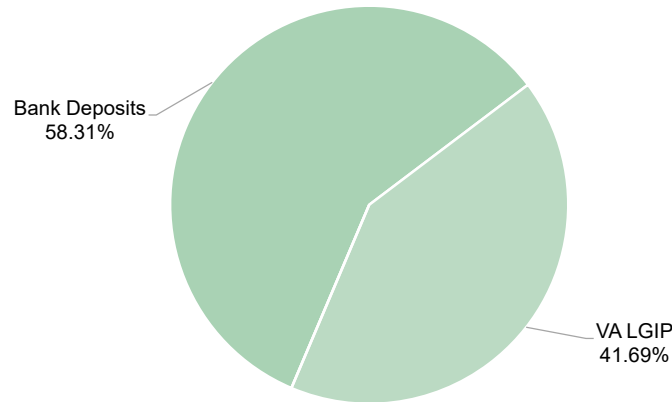
For December 2023

Portfolio	Yield at Cost	Yield at Market	Balances at Cost	Balances at Market	% of Total
Union Checking	0.00%	0.00%	1,000,000	1,000,000	1.04%
Union Sweep	5.00%	5.00%	55,077,620	55,077,620	57.27%
VA LGIP	5.53%	5.53%	40,097,083	40,097,083	41.69%
Total			\$ 96,174,703	\$ 96,174,703	100.00%

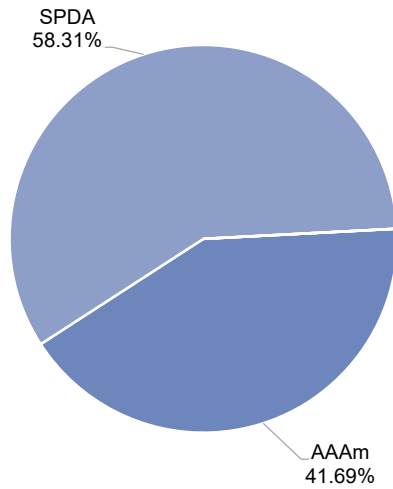
Total Maturity Distribution



Sector Distribution



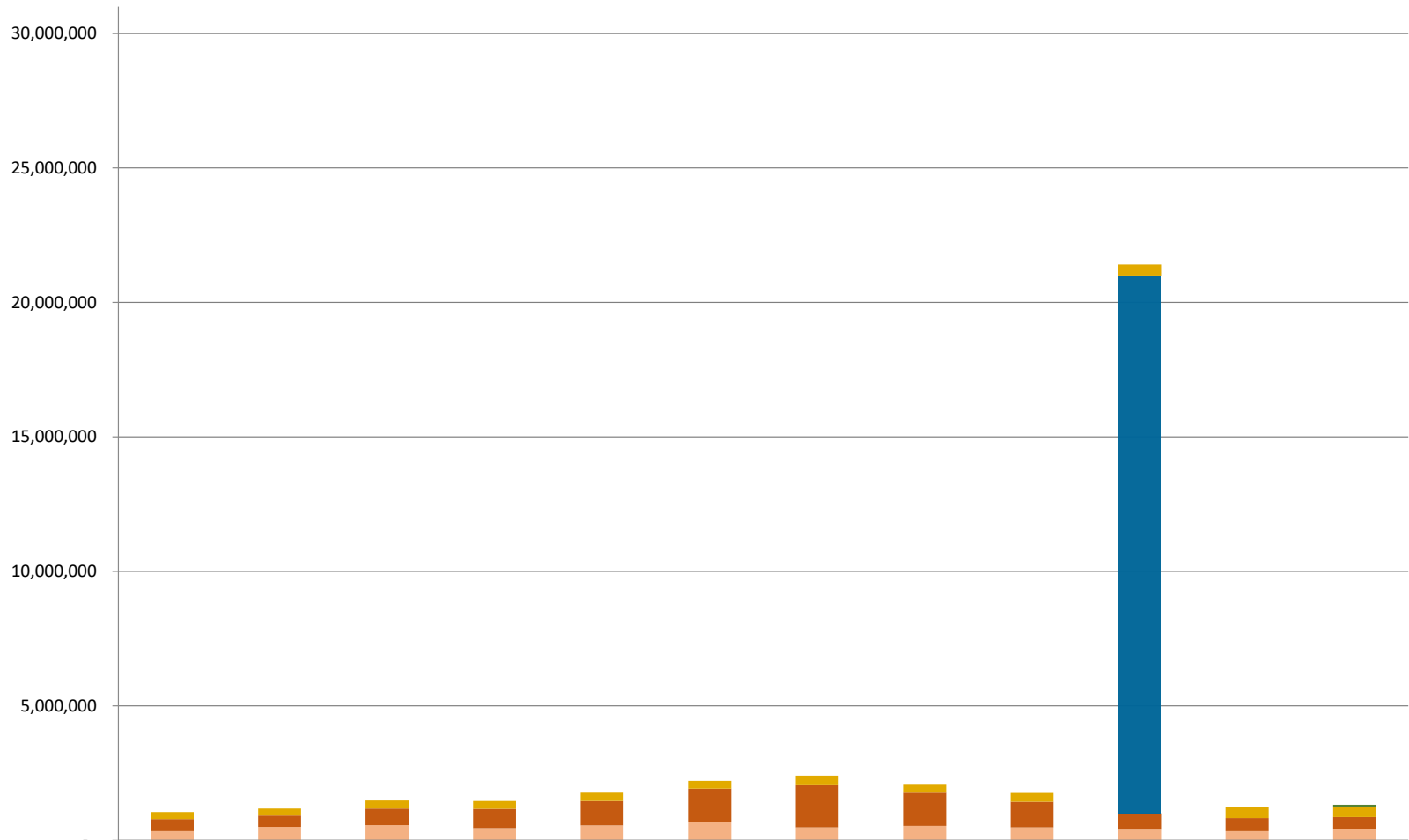
Credit Distribution



All charts are based on market value as of 12/31/23

This material is for general informational purposes only and is not intended to provide specific advice or a specific recommendation.

HRRTF Revenue



	January 2023	February 2023	March 2023	April 2023	May 2023	June 2023	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023
Total	1,055,930	1,182,548	1,479,490	1,459,991	1,772,056	2,211,069	2,404,104	2,100,776	1,756,676	21,413,952	1,234,865	1,322,144
Investments	-	-	-	-	-	-	-	-	-	-	3,069	94,014
Interest	263,335	260,890	298,345	284,002	305,853	294,644	323,638	326,309	324,664	412,384	401,806	359,477
Annual Recordation Tax Distribution	-	-	-	-	-	-	-	-	-	20,000,000	-	-
Transient Occupancy Tax	447,324	423,411	618,829	720,087	907,215	1,233,033	1,593,616	1,232,573	949,529	599,093	485,483	439,656
Regional Transportatation Improv. Fees	345,271	498,247	562,316	455,902	558,988	683,392	486,850	541,894	482,483	402,475	344,508	428,997

Hampton Roads Transportation Accountabiliy Commission
Interest and Investment Income
Inception - December 2023

	FY2021	FY2022	FY2023	FY2024	Total
HRRTF Interest Income	57,044	97,432	2,500,324	2,148,277	4,803,077
HRRTF Investment Income	<u>-</u>	<u>-</u>	<u>-</u>	<u>97,083</u>	<u>97,083</u>
Total	57,044	97,432	2,500,324	2,245,360	4,900,160

Hampton Roads Regional Transit Fund (HRRTF)
Revenue and Expenditures
Summary

	Gross Revenue						Expenditures			Cumulative Balance
	Regional		Annual				Project Expenses	Operating		7/1/20 - 12/31/23
	Transportation Improv. Fees	Transient Occupancy Tax	Recordation Tax Distribution	Interest	Investments	Total Revenue		Expenses	Total	
<i>July 2020 - December 2022</i>	\$ 20,702,604	\$ 15,176,752	\$ 60,000,000	\$ 947,732	\$ -	\$ 96,827,088	\$ 9,698,830	\$ 437,634	\$ 10,136,464	\$ 86,690,624
<i>January 2023</i>	345,271	447,324	-	263,335	-	1,055,930	-	35,117	35,117	87,711,437
<i>February 2023</i>	498,247	423,411	-	260,890	-	1,182,548	-	4,053	4,053	88,889,932
<i>March 2023</i>	562,316	618,829	-	298,345	-	1,479,490	11,550,107	3,036	11,553,142	78,816,280
<i>April 2023</i>	455,902	720,087	-	284,002	-	1,459,991	-	45,164	45,164	80,231,107
<i>May 2023</i>	558,988	907,215	-	305,853	-	1,772,056	-	836	836	82,002,327
<i>June 2023</i>	683,392	1,233,033	-	294,644	-	2,211,069	11,775,210	93,942	11,869,152	72,344,244
<i>July 2023</i>	486,850	1,593,616	-	323,638	-	2,404,104	-	1,620	1,620	74,746,728
<i>August 2023</i>	541,894	1,232,573	-	326,309	-	2,100,776	-	3,214	3,214	76,844,290
<i>September 2023</i>	482,483	949,529	-	324,664	-	1,756,676	-	36,574	36,574	78,564,392
<i>October 2023</i>	402,475	599,093	20,000,000	412,384	-	21,413,952	-	3,353	3,353	99,974,991
<i>November 2023</i>	344,508	485,483	-	401,806	3,069	1,234,865	1,874,305	1,839	1,876,144	99,333,713
<i>December 2023</i>	428,997	439,656	-	359,477	94,014	1,322,144	3,064,799	45,641	3,110,440	97,545,418
Total 12 Months	<u>5,791,323</u>	<u>9,649,849</u>	<u>20,000,000</u>	<u>3,855,345</u>	<u>97,083</u>	<u>39,393,600</u>	<u>28,264,420</u>	<u>274,386</u>	<u>28,538,807</u>	
Total	<u>\$ 26,493,928</u>	<u>\$ 24,826,601</u>	<u>\$ 80,000,000</u>	<u>\$ 4,803,077</u>	<u>\$ 97,083</u>	<u>\$ 136,220,688</u>	<u>\$ 37,963,250</u>	<u>\$ 712,020</u>	<u>\$ 38,675,271</u>	
Less Balance of Encumbered (through FY2028)										(63,893,179)
Total Net Available										<u>\$ 33,652,239</u>

Table 1 - Revenues

Hampton Roads Regional Transit Fund (HRRTF)

Fiscal Year 2024

Locality	Total FY2020 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>Regional Taxes and Fees</i>					
<i>Chesapeake</i>	\$ 7,116,831	\$ 939,530	\$ 135,780	\$ 1,075,310	\$ 8,192,141
<i>Hampton</i>	3,482,206	458,890	79,516	538,406	4,020,612
<i>Newport News</i>	3,653,408	486,803	89,951	576,754	4,230,162
<i>Norfolk</i>	6,515,772	1,088,848	214,227	1,303,075	7,818,847
<i>Portsmouth</i>	1,715,091	266,535	37,203	303,738	2,018,829
<i>Virginia Beach</i>	<u>20,850,062</u>	<u>3,877,898</u>	<u>311,976</u>	<u>4,189,874</u>	<u>25,039,935</u>
Total Transportation Improvement Fees	<u>\$ 43,333,370</u>	<u>7,118,505</u>	<u>868,653</u>	<u>7,987,158</u>	<u>\$ 51,320,528</u>
Annual Recordation Tax Distribution	60,000,000	20,000,000	-	20,000,000	80,000,000
Total Tax and Fees Revenue	<u>\$ 103,333,370</u>	<u>\$ 27,118,505</u>	<u>\$ 868,653</u>	<u>\$ 27,987,158</u>	<u>\$ 131,320,528</u>
Interest	2,654,800	1,788,801	359,477	2,148,277	4,803,077
Investments	-	3,069	94,014	97,083	97,083
Total Revenue	<u>\$ 105,988,170</u>	<u>28,910,374</u>	<u>1,322,144</u>	<u>30,232,519</u>	<u>\$ 136,220,688</u>
Project Expenses	(33,024,146)	(1,874,305)	(3,064,799)	(4,939,104)	\$ (37,963,250)
Operating Expense	<u>(619,780)</u>	<u>(46,600)</u>	<u>(45,641)</u>	<u>(92,240)</u>	<u>\$ (712,020)</u>
Modified Cash Position	<u>\$ 72,344,244</u>	<u>\$ 26,989,469</u>	<u>\$ (1,788,296)</u>	<u>\$ 25,201,174</u>	<u>\$ 97,545,418</u>
Less Balance of Encumbered	(29,180,479)				(63,893,179)
Net Modified Cash Position	<u>\$ 43,163,765</u>				<u>\$ 33,652,239</u>
Forecast	<u>99,155,259</u>	<u>8,537,991</u>	<u>1,031,188</u>	<u>9,569,179</u>	<u>108,724,438</u>
Total Revenue - Forecast (under)/over	4,178,111	18,580,514	(162,535)	18,417,979	22,596,090

Table 1A - Regional Transportation Improvement Fees
Hampton Roads Regional Transit Fund (HRRTF)
Fiscal Year 2024

Locality	Total FY2020 FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>Regional Transit Improvement Fees</i>					
<i>Chesapeake</i>	\$ 5,224,050	\$ 468,155	\$ 70,600	\$ 538,755	\$ 5,762,805
<i>Hampton</i>	2,191,369	160,086	32,914	193,000	2,384,369
<i>Newport News</i>	2,376,102	227,904	42,009	269,913	2,646,015
<i>Norfolk</i>	3,735,275	402,677	115,578	518,255	4,253,530
<i>Portsmouth</i>	1,449,630	178,894	28,153	207,047	1,656,677
<i>Virginia Beach</i>	8,830,294	820,494	139,743	960,237	9,790,531
Total RTI Fees	<u>\$ 23,806,720</u>	<u>\$ 2,258,210</u>	<u>\$ 428,997</u>	<u>\$ 2,687,208</u>	<u>\$ 26,493,928</u>
<i>Forecast</i>	21,700,002	2,923,846	509,811	3,433,657	25,133,659
Total Revenue - Forecast (under)/over	2,106,718	(665,636)	(80,814)	(746,449)	1,360,269

Table 1B - Transient Occupancy Tax
Hampton Roads Regional Transit Fund (HRRTF)
Fiscal Year 2024

Locality	Total FY2020 FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>Transient Occupancy Tax</i>					
<i>Chesapeake</i>	\$ 1,892,781	\$ 471,375	\$ 65,180	\$ 536,555	\$ 2,429,336
<i>Hampton</i>	1,290,837	298,804	46,602	345,406	1,636,243
<i>Newport News</i>	1,277,306	258,899	47,942	306,841	1,584,147
<i>Norfolk</i>	2,780,497	686,171	98,649	784,820	3,565,317
<i>Portsmouth</i>	265,461	87,641	9,050	96,691	362,152
<i>Virginia Beach</i>	<u>12,019,769</u>	<u>3,057,404</u>	<u>172,233</u>	<u>3,229,637</u>	<u>15,249,406</u>
Total	<u>\$ 19,526,651</u>	<u>\$ 4,860,294</u>	<u>\$ 439,656</u>	<u>\$ 5,299,950</u>	<u>\$ 24,826,601</u>
<i>Forecast</i>	<u>17,455,256</u>	<u>5,614,145</u>	<u>521,377</u>	<u>6,135,522</u>	<u>23,590,778</u>
Total Revenue - Forecast (under)/over	2,071,395	(753,851)	(81,721)	(835,572)	1,235,823

Table 2 - Allocations
Hampton Roads Regional Transit Fund (HRRTF)
Fiscal Year 2024

Project	Total FY2020 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>Regional Transit System - 757 Express</i>					
Transit Bus Expansion (Group A) - Project 202101A	\$ 9,306,000	\$ -	\$ -	\$ -	\$ 9,306,000
Transit Bus Expansion (Group B) - Project 202301H	4,380,520	769,142	-	769,142	5,149,662
<i>Bus Stop Amenity Program</i>					
- Project 202101B	3,265,000	-	-	-	3,265,000
- Project 202201F	5,326,000	-	-	-	5,326,000
- Project 202401F	-	1,065,000	-	1,065,000	1,065,000
<i>Regional Transit System Technology</i>					
- Project 202101C	80,000	-	-	-	80,000
- Project 202201G	518,000	-	-	-	518,000
<i>Regional Transit Services</i>					
Operations & Maintenance RTS - Project 202201C	5,730,123	-	-	-	5,730,123
Development & Support Services RTS - Project 202201D	4,946,973	-	-	-	4,946,973
Operations & Maintenance RTS - Project 202301C	18,669,009	-	-	-	18,669,009
Operations & Maintenance RTS - Project 202401C	-	25,975,300	-	25,975,300	25,975,300
<i>Net Center Replacement</i>					
- Project 202101D	62,000	-	-	-	62,000
Robert Hall Blvd (Chesapeake) - Project 202201A	100,000	-	-	-	100,000
Evelyn T. Butts (Norfolk) - Project 202201B	100,000	-	-	-	100,000
<i>New Bus Operating Division - Southside</i>					
- Project 202101E	1,000,000	-	-	-	1,000,000
- Project 202201E	6,708,000	-	-	-	6,708,000
- Project 202301E	597,000	-	-	-	597,000
- Project 202401E	-	11,514,000	-	11,514,000	11,514,000
<i>Non-Revenue Fleet</i>					
- Project 202301J	951,000	292,421	-	292,421	1,243,421
- Project 202401J	-	35,941	-	35,941	35,941
<i>Paratransit Fleet</i>					
- Project 202301I	465,000	-	-	-	465,000
Total Allocations	\$ 62,204,625	\$ 39,651,804	\$ -	\$ 39,651,804	\$ 101,856,429

Table 3 - Expenditures
Hampton Roads Regional Transit Fund (HRRTF)
Fiscal Year 2024

Project	Total FY2020 - FY2023	Previous FY2024	December 2023	FY 2024 YTD	Total
<i>Regional Transit System - 757 Express</i>					
<i>Transit Bus Expansion (Group A) - Project 202101A</i>	\$ 9,099,298	\$ -	\$ -	\$ -	\$ 9,099,298
<i>Transit Bus Expansion (Group B) - Project 202301H</i>	1,406	2,418,707	12,179	2,430,886	2,432,292
<i>Bus Stop Amenity Program</i>					
<i>- Project 202101B</i>	4,495,188	-	-	-	4,495,188
<i>- Project 202201F</i>	609,778	53,963	359,089	413,052	1,022,830
<i>- Project 202401F</i>	-	-	-	-	-
<i>Regional Transit System Technology</i>					
<i>- Project 202101C</i>	143,884	-	-	-	143,884
<i>- Project 202201G</i>	296,664	1,417	1,560	2,976	299,640
<i>Regional Transit Services</i>					
<i>Operations & Maintenance RTS - Project 202201C</i>	3,523,222	-	-	-	3,523,222
<i>Development & Support Services RTS - Project 202201D</i>	1,923,442	-	-	-	1,923,442
<i>Operations & Maintenance RTS - Project 202301C</i>	7,385,807	(618,573)	-	(618,573)	6,767,234
<i>Operations & Maintenance RTS - Project 202401C</i>	-	-	2,381,495	2,381,495	2,381,495
<i>Net Center Replacement</i>					
<i>- Project 202101D</i>	61,869	-	-	-	61,869
<i>Robert Hall Blvd (Chesapeake) - Project 202201A</i>	1,226,271	-	-	-	1,226,271
<i>Evelyn T. Butts (Norfolk) - Project 202201B</i>	-	-	-	-	-
<i>New Bus Operating Division - Southside</i>					
<i>- Project 202101E</i>	1,436,087	-	-	-	1,436,087
<i>- Project 202201E</i>	2,390,426	18,791	-	18,791	2,409,217
<i>- Project 202301E</i>	-	-	-	-	-
<i>- Project 202401E</i>	-	-	-	-	-
<i>Non-Revenue Fleet</i>					
<i>- Project 202301J</i>	-	-	310,476	310,476	310,476
<i>- Project 202401J</i>	-	-	-	-	-
<i>Paratransit Fleet</i>					
<i>- Project 202301I</i>	430,804	-	-	-	430,804
Total Expenditures	\$ 33,024,146	\$ 1,874,305	\$ 3,064,799	\$ 4,939,104	\$ 37,963,250