

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #7: SUBMITTED PUBLIC COMMENTS

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

ITEM #8: PUBLIC COMMENT PERIOD

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

ITEM #9: APPROVAL OF REGULAR AGENDA ITEMS

A MINUTES

The Minutes of the HRPDC Annual Commission meeting of October 18, 2012 are attached.

Attachment 9-A - Minutes

RECOMMENDED ACTION:

The HRPDC staff recommends approval of the minutes.

B: TREASURER'S REPORT

SUBJECT:

Monthly financial activity for the HRPDC.

BACKGROUND:

The Balance Sheet and Statement of Revenue and Expenditure for October 2012 activities are attached. These statements reflect the financial status of the HRPDC as a whole.

Attachment 9-B – October Treasurer's Report

RECOMMENDED ACTION:

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

C: REGIONAL REVIEWS – MONTHLY STATUS REPORT

1. PNRS Items (Initial Review)

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

2. Environmental Impact Assessment/Statement Review

The HRPDC staff is routinely involved in the review of environmental impact assessments and statements for projects involving federal funding or permits as well as state development projects. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included in the Agenda. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. There were no outstanding comments as of November 2, 2012 on these projects.

Attachment 9-C2 – Environmental Impact Reviews

RECOMMENDED ACTION:

None required.

**Hampton Roads Planning District Commission
Annual Commission Meeting
Minutes of October 18, 2012**

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

COMMISSIONERS

Thomas Shepperd, Chairman (YK)
Kenneth Wright, Vice Chairman (PO)
Amar Dwarkanath (CH)
Eric Martin (CH)
Ella P. Ward (CH)
Barry Cheatham (FR)
Randy Martin (FR)
Ashley Chriscoe (GL)
Mary Bunting (HA)
Douglas Caskey (IW)
Mary Jones (JC)
McKinley Price (NN)

Thomas Smigiel (NO)
Marcus Jones (NO)*
Kenneth L. Chandler (PO)
J. Randall Wheeler (PQ)*
Selena Cuffee-Glenn (SU)
Tyrone Franklin (SY)
John Seward (SY)
Barbara Henley (VB)
Louis R. Jones (VB)
James Spore (VB)
Jackson C. Tuttle, II (WM)

EXECUTIVE DIRECTOR:

Dwight L. Farmer

COMMISSIONERS (ABSENT)

Scott Matheson (CH)
Debbie Ritter (CH)
Brenda Garton (GL)
Christopher G. Stuart (HA)
Will J. Moffett (HA)
Dee Dee Darden (IW)
Robert Middaugh (JC)
Neil Morgan (NN)
Sharon Scott (NN)
Anthony Burfoot (NO)
Paul Fraim (NO)

Angelia Williams (NO)
W. Eugene Hunt (PQ)
Michael Johnson (SH)
Ronald W. West (SH)
Linda T. Johnson (SU)
Robert Dyer (VB)
John Moss (VB)
John Uhrin (VB)
Harry Diezel (VB)
James O. McReynolds (YK)
Clyde Haulman (WM)

*Late arrival or early departure

OTHERS RECORDED ATTENDING:

Anna D'Antonio (CH); Brian DeProfio, Molly Ward (HA); Beverly Walkup (IW) Jeff Raliski, Ron Williams (NO); Michael King, Jerri Wilson (NN); Eric Nielsen (SU); J. Scott Weldon, Congressman Scott Rigell/Delegate David Yancey; Leslie Roberts, Dixon Hughes Goodman LLP; Wendy James, LeClair Ryan; John Gergely, Newport News Citizen; Ellis James, Sierra Club Observer; Mark Geduldig-Yatrofsky, Portsmouth City Watch Org; Peter Huber, Willcox & Savage; Cathy Aiello, Aiello Enterprises, Inc.; Staff: John Carlock, Camelia Ravanbakht, Shernita Bethea, Curtis Brown, Rick Case, Jennifer Coleman, Nancy Collins, Natalie Easterday, Kathlene Grauberger, Greg Grootendorst, Julia Hillegass, Jim Hummer, Whitney Katchmark, Robert Lawrence, Mike Long, Jai McBride, Ben McFarlane, Kelli Peterson, Joe Turner, Chris Vaigneur.

Chairman Shepperd called the meeting to order as an Executive Committee because of an insufficient quorum for a full Commission meeting.

Commissioners Caskey and Wheeler Arrived

CLOSED SESSION

Chairman Shepperd stated the HRPDC would go into closed session at 9:42 a.m. and read the following statement:

The next item of business before the HRPDC is to advise all members of the COMMISSION present that is in my judgment appropriate to enter into a closed meeting as authorized by the Virginia Freedom of Information Act. This closed meeting will be restricted to only those matters specifically exempted from disclosure pursuant to §2.2-3711(A). The closed meeting is to be held for the purpose of:

- *Personnel matters under §2.2-3711.A.1, to discuss the Executive Director's performance and salary.*

The COMMISSION deems it necessary, as specified by the Virginia Freedom of Information Act, that the following non-members be present during closed meeting:

- *Mayor Molly Ward, chairman of the HRTPO*

It should be noted for the record that a motion to enter into closed meeting for the aforesaid purpose has been made by Commissioner Cheatham and seconded by Commissioner Ward and unanimously approved by an affirmative vote by all voting members present.

The closed session concluded at 9:50 a.m. and the Chairman asked for a motion to certify:

- only public business matters, lawfully exempted from open meeting requirements under this chapter, and

- only such business matters as were proposed under the motion under which the closed meeting was convened were heard, discussed, or considered on the topic of Personnel Matters.

Commissioner Smigiel Moved to terminate the closed session; seconded by Commissioner Chriscoe. A roll call vote was taken:

Mr. Shepperd: Yes
Mr. Smigiel: Aye
Mr. Spore: Aye
Mr. Jones: Aye
Mr. Chandler: Yes
Ms. Cuffee-Glenn: Aye
Mr. Chriscoe: Aye
Ms. Bunting: Aye
Mr. Wheeler: Aye
Mr. Cheatham: Aye
Mr. Martin: Aye
Mr. Seward: Aye
Mr. Franklin: Aye
Mr. Martin: Aye
Mr. Dwarkanath: Aye
Dr. Ward: Aye
Dr. Price: Aye
Mr. Caskey: Aye
Ms. Jones: Aye
Mr. Tuttle: Aye
Mayor Wright: Aye

The Motion Carried

Mayor Molly J. Ward, Chair of the Hampton Roads Transportation Planning Organization, endorsed Mr. Farmer's merit increase because of his service to the community, exemplary work ethic and management abilities of both complex institutions, The Hampton Roads Planning District Commission and The Hampton Roads Transportation Planning Organization.

Chairman Shepperd asked for a motion to approve the Executive Director's 1.5 percent merit increase.

Commissioner Chriscoe Moved to approve the merit increase; seconded by Commissioner Ward. The Motion Carried, with Commissioner Mary Jones voting in opposition.

APPROVAL/MODIFICATION OF AGENDA

Chairman Shepperd asked if there were any modifications or additions/deletions to the agenda. Hearing none, he asked for a motion to approve the agenda.

Commissioner Cuffee-Glenn Moved to approve the agenda; seconded by Commissioner Seward. The Motion Carried.

WORKSHOP AGENDA

LEGISLATIVE AGENDA

Mr. Carlock indicated this was the second year the HRPDC had a draft legislative agenda and included items of continuing concern from the previous year and additional input from member localities and state associations.

Several legislative items include requests for funding such as:

- Water Quality – support full funding for the Water Quality Improvement Fund
- BRAC-Related Acquisition – support BRAC-related land acquisition
- Restoration of PDC Funding – support restoration of funding to FY 2001 level of \$0.24 per capita
- Housing Trust Fund – support continued funding in order to sustain the Trust Fund
- Emergency Management Funding – support effort to establish a dedicated funding stream and support use of state resources to sustain and replace readily deployable regional assets

Other facets of the Legislative Agenda include:

- Emergency Management
- Sea Level Rise and Coastal Flooding
- Environmental Initiatives
- State Government Administration
- General Principles

In order to address the issues of sea level rise and coastal flooding, the HRPDC supports new legislation requiring State natural resource and emergency management agencies to cooperate with the eight coastal PDC's to secure long term funding to assist localities in addressing and developing viable solutions to flooding.

The HRPDC also endorses legislation for the Virginia Department of Transportation (VDOT) to accept maintenance responsibilities for drainage on state secondary roads.

Mr. Carlock noted additional items can be determined based on discussion results from the Commission.

Commissioner Smigiel commented on the need for a stronger emphasis in relation to public school funding in education budgets.

Chairman Shepperd reiterated the localities need to submit individual legislative agendas to assist staff in crafting a tailored document to send the General Assembly.

Commissioner Ward agreed with Commissioner Smigiel on the highlighting of education and public school funding.

Commissioner Seward stated education funding was an inappropriate topic to be included in the Legislative Agenda because it is an area not usually addressed by the HRPDC.

Chairman Shepperd reiterated discussion was encouraged to assist in drafting a sound document in order to secure funds.

Chairman Shepperd indicated VDOT had repealed their stance on drainage easements.

Commissioner Mary Jones paralleled Commissioner Seward's comments on education funding being more suited for localities legislative agendas than the HRPDC's.

READY HAMPTONROADS.ORG PROGRAM

Ms. Easterday explained the purpose of ReadyHamptonRoads is to provide a comprehensive online tool for citizens and emergency managers in the area. Originally funded by the Urban Area Security Initiative (UASI), HRPDC will be assuming responsibility for the program from the Hampton Roads Citizen Corps and ensuring the sustainability of the program.

Commissioner Marcus Jones arrives

The website has two parts, the first being a citizen preparedness guide which includes a calendar of events, local emergency management information that aligns with the Ready Virginia and National Ready Programs. The second is a secure, authorized area for emergency managers, which includes information such as a detailed file library, meeting minutes, after action reports and a training/meeting calendar.

Ms. Easterday noted the HRPDC is applying for a \$35,000 FEMA grant based on the characteristics of innovation, collaboration, sustainability, replication and overall benefits and felt ReadyHamptonRoads.org meets these requirements.

Ms. Easterday emphasized all activities will continue to be organized through local emergency management offices. This website is an additional available resource.

FY 2012 AUDIT REPORT

Ms. Collins informed the Commission the FY 2012 audit resulted in an unqualified opinion with no material weaknesses, significant deficiencies, material non-compliance, material findings, questionable costs or deficiencies in internal controls.

Funded board approved line items, such as the telephone system and the roof have been updated. After accounting for the reserves, the HRPDC has approximately \$400,000 dollars for new initiatives.

Ms. Collins explained the indirect cost rate calculation for overhead expenses for awarded federal and state contracts was 21.17%, the lowest rate by the HRPDC thus far.

REGULAR AGENDA

EMPLOYEE RECOGNITION

Chairman Shepperd acknowledged and thanked Mr. Richard Case, Facilities Superintendent and Mr. Joseph Turner, Communications Manager for their 10 years of service and Mr. Michael Long, General Services Manager, for 25 years of dedication to the HRPDC.

PUBLIC COMMENT

One person requested to address the Hampton Roads Planning District Commission.

Ellis W. James

Thank you, Mr. Chairman, members of the Commission. My name is Ellis W. James. I reside at 2021 Kenlake Place in the city of Norfolk. There are all kinds of abuses that our citizens are subjected to, but I want to focus on something that is becoming almost epidemic right now. Because I move around all of Hampton Roads and much of Virginia, I am now aware of the fact that there are landlords and not all of them are bad. There are agencies, both national and local, who are attempting to intimidate our residents on the question of voting. Although I understand that this Commission is focused on many other issues across a broad spectrum, I would hope and urge each of the towns, counties and cities, to pay close attention to what's happening. Let me give you a couple of examples. Right now as we speak in the city of Chesapeake, there is harassment of one of the political offices underway. I hope that Chesapeake will be able to take a close look at the situation and determine what, if anything, should be done. In my own city, in Norfolk, I have residents who have been told that they cannot exercise their free speech rights by both absentee landlords as well as others. Currently there is an effort under way by the real estate industry to put out false information that we have in the sales tax fees, money going to Obamacare. That is blatantly false, but it is having an impact as I go door to door and talk to people, it is having an impact on people because they're not sure. These kinds of harassments are not what should be happening in the United States of America, and I would hope that at some point, each of the localities will be able to assess what might or might not be happening in their own communities and see if they can't get someone's attention to change the playing field so that all of our citizens, no matter who they support, are welcome to the voting booth. Thank you, Mr. Chairman.

SUBMITTED PUBLIC COMMENTS

Chairman Shepperd noted there were not any submitted public comments.

APPROVAL OF CONSENT ITEMS

- A. Minutes of September 20, 2012 Meeting
- B. Treasurer's Report
- C. Regional Reviews – Monthly Status Report
 - a. PNRS Reviews
 - b. Environmental Impact Assessment/Statement Review
- D. Regional Stormwater Cooperation Report
- E. Environmental Education Report
- F. FY 2012 Audit Report
- G. Urban Areas Security Initiative Grant Acceptance for FY 2011 Regional Training and Exercise Project
- H. FEMA 2012 Community Resilience Innovation Challenge
- I. Regional Catastrophic Planning Grant Task Order
- J. Virginia Preparedness Plan

Commissioner L. Jones Moved to approve the consent items; seconded by Commissioner Cheatham. The Motion Carried.

NOMINATING COMMITTEE REPORT

Commissioner Tuttle stated the Nominating Committee recommends Mr. Shepperd and Mr. Wright retain the positions of Chairman and Vice Chairman respectively.

Commissioner Tuttle Moved to approve the recommendations of the Nominating Committee; seconded by Commissioner Cheatham. The Motion Carried.

HRPDC THREE MONTH TENTATIVE SCHEDULE

Chairman Shepperd underlined the three month agenda schedule. The Regional Bacteria Study and Chesapeake Bay TMDL was emphasized

CORRESPONDENCE OF INTEREST

Chairman Shepperd noted the correspondence of interest section of the agenda

PROJECT STATUS REPORTS

Chairman Shepperd discussed the Project Status Reports and highlighted the Hampton Roads Home Loan Fund Partnership and pet trailers.

FOR YOUR INFORMATION

Chairman Shepperd noted the For Your Information section of the agenda.

OLD/NEW BUSINESS

Commissioner Seward informed the Commission through recent talks with State Delegates, PDC actions are not regarded as high priority. In an effort to repair that opinion of the PDCs, Commissioner Seward suggested the action of “reintroducing” the Commission to the State Legislature.

Chairman Shepperd replied the legislative agenda, the Cities and other organizations such as, VACO and VML assist in that effort.

Commissioner Seward suggested State Legislators be invited to a meeting.

ADJOURNMENT

With no further business to come before the Hampton Roads Planning District Commission, the meeting adjourned at 10:32 a.m.

Thomas G. Shepperd, Jr.
Chairman

Dwight L. Farmer
Executive Director/Secretary

**FISCAL YEAR 2013
10/31/2012
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	324,152	Current Liabilities	1,293,188
Accounts Receivables	1,581,700	Net Assets	4,936,564
Investments	3,038,623		
Other Current Assets	664		
Net Capital Assets	<u>1,284,613</u>		
Total Assets	<u><u>6,229,752</u></u>	Total Liabilities & Equity	<u><u>6,229,752</u></u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	<u>Annual Budget</u>	<u>Current Month</u>	<u>YTD</u>
Grant and Contract Revenue	6,583,611	861,667	1,629,630
VDHCD State Allocation	151,943	37,986	75,971
Interest Income	18,000	575	4,769
Local Jurisdiction Contributions	1,329,440	332,360	664,719
Other Local Assessment	1,661,727	338,457	684,414
Sales and Miscellaneous Revenue	18,150	5,934	16,039
Special Contracts/Pass thru	1,476,185	-	-
Total Revenue	<u><u>11,239,056</u></u>	<u><u>1,576,979</u></u>	<u><u>3,075,542</u></u>
EXPENDITURES			
Personnel	4,532,387	364,584	1,435,302
Standard Contracts	205,405	21,350	74,413
Special Contracts / Pass-Through	5,892,155	293,053	1,078,578
Office Services	609,109	53,084	171,008
Capital Assets	-	-	-
Total Expenses	<u><u>11,239,056</u></u>	<u><u>732,071</u></u>	<u><u>2,759,302</u></u>
Agency Balance	<u><u>-</u></u>	<u><u>844,907</u></u>	<u><u>316,240</u></u>

Environmental Impact Reviews

Received 10/12/2012

Number 12-183F

Name Witchduck Road and Mac Street Roadway Improvements

Sponsor USDOT/Federal Highway Administration

Description

Kerr Environmental Services on behalf of the City of Virginia Beach has submitted a federal consistency certification (FCC) for a roadway improvement project located in the City of Virginia Beach. The project involves the expansion of Witchduck Road from four to six lanes starting at the west bound exist ramp at Interstate 264 and ending at the Virginia Beach Boulevard intersection. The project includes the reconstruction of perpendicular cross streets (Cleveland Street, Southern Boulevard and Mac Street) and will involve acquisition of the right-of-way along the existing road corridor. The area is developed with roads, commercial buildings and associated infrastructure. There is one jurisdictional drainage feature on the project site. According to the FCC, the project will be conducted in a manner consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

Received 10/15/2012

Number 12-182F

Name Lesner Bridge Replacement Project

Sponsor USDOT/Federal Highway Administration

Description

The City of Virginia Beach (Virginia Beach) proposes to replace the existing John A Lesner Bridge over the Lynnhaven River in Virginia Beach. The replacement bridge will be designed to handling six lanes of traffic, if necessary, in the future. The project includes upgrades to the intersection of Shore Drive with East Stratford Road and the intersection of Shore Drive with Vista Circle and aesthetic improvements within the project limits. Each 53'8" bridge section includes two 12-foot wide travel lanes, 10-foot outside and 6-foot inside shoulders, and a 10-foot multi-use path. A seawall will be constructed along the eastern shoreline of the Lynnhaven River, between Point Chesapeake and the Virginia Pilots facility. A temporary bulkhead will be constructed to facilitate construction of the bridge and stabilize the shoreline and adjoining city disposal area, which will also serve as the contractor's lay-down area for the bridge construction. The proposed bulkhead will be removed after construction and the area will be restored to its previous condition naturally over time. The project requires approval by the Federal Highway Administration, and U.S. Army Corps of Engineers permitting. Virginia Beach has submitted a Federal Consistency Certification that finds the proposed action consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

Received 10/16/2012

Number 12-185F

Name Fendering System Upgrade at USCG Station Little Creek

Sponsor DHS/U.S. Coast Guard

Description

The U.S. Coast Guard (USCG) proposes to upgrade the fendering system at USCG Station Little Creek in the City of Virginia Beach. Project activities will consist of the following elements: 1. Removal of eight timber fendering piles and associated hardware. Installation of eight new treated timber fender piles and all necessary wales, chocks, and hardware in-kind. Removal and disposal of four floating fenders and all associated hardware. 2. Construction of twelve new treated timber backer board assemblies consisting of 12-inch x 12-inch walers and 6-inch x 10-inch backer boards and associated stainless steel hardware. 3. Installation of four additional 2-foot diameter by 6-foot long marine fenders and accessories. USCG has submitted a Federal Consistency Determination that finds the proposed project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

Received 10/18/2012

Number 12-186F

Name Installation & Operation of the Z-312 Cogeneration-Retrofit Facility, Naval Station Norfolk

Sponsor DOD/Department of the Navy

Description

The Department of the Navy (Navy) proposes to construct a Z-312 cogeneration Heat Recovery Steam Generating (HRSG) facility at Naval Station Norfolk in the City of Norfolk. The project consists of the installation of three 5-megawatt (MW) multi-fuel (natural gas/biofuel/fuel oil) capable combustion electrical-generating turbines to provide heat recovery steam-generating capacity (i.e. cogeneration). The steam generated would be piped from the HRSG facility to the adjacent plant steam header and distributed from the existing plant to NAVSTA Norfolk. Four natural gas compressors would be installed in a new structure on a site adjacent to the new HRSG facility. Upgrades would be provided to the electrical distribution system to include new transformers and associated switchgear to transform the electrical output to the primary underground high-voltage distribution system. Transformers would be installed adjacent to the existing steam plant building and routed to an existing electrical distribution switch by way of a new underground duct bank. A high bay building would be constructed with a 38-foot ridge height. The total proposed footprint would be approximately 7,000 square feet. The Navy has submitted a Federal Consistency Determination that finds the proposed project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Norfolk

Finding

Comments Sent

Final State Comments Received