

**RICHMOND AREA**  
**METROPOLITAN PLANNING ORGANIZATION**

**MINUTES OF MEETING**

**June 26, 2007**

**MEMBERS PRESENT**

**REPRESENTING**

Robert R. Setliff, <b>Chairman</b> .....	County of Hanover
Daniel N. Lysy, <b>Secretary</b> (Alternate).....	RRPDC
Jameson T. Auten (Nonvoting).....	RideFinders
Viktoria W. Badger.....	City of Richmond
Robert M. Berry .....	RMA
Malvern R. Butler .....	County of Goochland
E. Todd Eure .....	County of Henrico
Lawrence C. Hagin (Alternate).....	GRTC Transit System
Russell E. Holland .....	County of Powhatan
George Homewood .....	County of New Kent
Robert P. Morris (Nonvoting Alternate).....	CTAC
Stan B. Newcomb (Alternate).....	County of Chesterfield
Patricia O'Bannon.....	County of Henrico
Mark E. Riblett (Alternate).....	VDOT
Ellen F. Robertson .....	City of Richmond
Ivan Rucker (Nonvoting).....	FHWA
John Rutledge.....	CRAC
Barbara K. Smith (Alternate).....	County of Chesterfield
Donald Sowder.....	County of Chesterfield
Stran L. Trout.....	County of New Kent
Joseph E. Vidunas.....	County of Hanover
David T. Williams.....	County of Powhatan

**MEMBERS ABSENT**

**REPRESENTING**

R. M. "Dickie" King, <b>Vice Chairman</b> .....	County of Chesterfield
Charles Badger (Nonvoting).....	VDRPT
Linda G. Broady-Myers (Nonvoting) .....	EDAC
Cliff Burnette (Nonvoting) .....	VDA
Tony Cho (Nonvoting).....	FTA
Gary A. DuVal (Alternate) .....	City of Richmond
Ralph J. "Joe" Emerson .....	County of Henrico
John Gordon.....	County of Hanover
Thomas A. Hawthorne .....	VDOT
Michael Holmes .....	County of Charles City
Joseph T. Lacy .....	County of Goochland
John M. Lewis.....	GRTC Transit System
Sherman W. Litton.....	County of Chesterfield

**MEMBERS ABSENT (Cont.)**

**REPRESENTING**

John McCracken ..... County of Chesterfield  
William C. Nelson, Jr. (Nonvoting)..... CTAC  
William Pantele..... City of Richmond  
Faye O. Prichard ..... Town of Ashland  
H. Charles Rasnick (Nonvoting)..... MPO Chairman Citizen Appointee  
Frank Thornton ..... County of Henrico

**OTHERS PRESENT**

**REPRESENTING**

Deborah Brown..... VDOT  
Liz McAdory..... VDOT  
Ken Myers..... FHWA  
Allyson Finchum..... RRPDC  
Jin Lee..... RRPDC  
Barbara Nelson..... RRPDC  
Archita Rajbhandary ..... RRPDC  
Sharon Robeson ..... RRPDC  
Patricia Villa ..... RRPDC  
Lee Yolton ..... RRPDC

**CALL TO ORDER**

MPO Chairman Robert R. Setliff called the June 26, 2007 meeting of the Richmond Area Metropolitan Planning Organization (MPO) to order at approximately 9:05 a.m. in the 3rd Floor Conference Room of the Henrico County Government Center, Main Administrative Building, 4301 East Parham Road, in Henrico County. Chairman Setliff noted that MPO member Charles M. Badger, Director of Transportation, and MPO alternate member Corey W. Hill, Director of Administration and Capital Projects, are the Virginia Department of Rail and Public Transportation's (VDRPT's) new MPO representatives; however, both were absent from the meeting. [MPO Secretary's note: Meeting minutes prepared based on staff notes; meeting was not recorded.]

**I. ADMINISTRATION**

**A. Certification by MPO Secretary of Meeting Quorum –**

Dan Lysy reported that a quorum was present.

**B. Additions to MPO Agenda –**

No requests were made for additions or changes to the MPO agenda.

**C. Minutes of the April 12, 2007 MPO Meeting –**

On motion by Malvern R. Butler, seconded by Viktoria W. Badger, the April 12, 2007 MPO meeting minutes were unanimously approved as presented.

**D. Open Public Comment Period –**

There were no comments offered and Chairman Setliff closed the Public Comment Period.

**E. MPO Chairman's Report –**

**1. Resolution of Appreciation –**

Chairman Setliff noted the resolution of appreciation for former Virginia Department of Rail and Public Transportation MPO member Felicia Woodruff included in the agenda book and, due to Ms. Woodruff's absence, dispensed with reading the resolution. On motion of Viktoria W. Badger, seconded by Patricia S. O'Bannon, the MPO unanimously approved the following resolution:

**WHEREAS**, Felicia H. Woodruff has provided valuable public service from September 2004 to May 2007 as the Virginia Department of Rail and Public Transportation member to the Richmond Area Metropolitan Planning Organization; and

**WHEREAS**, Felicia H. Woodruff has offered her support and commitment in representing the Department of Rail and Public Transportation and improving regional planning and cooperation during her service as an MPO member;

**NOW, THEREFORE, BE IT RESOLVED**, that the Richmond Area Metropolitan Planning Organization does hereby express its sincere gratitude and appreciation this twenty-sixth day of June 2007 to Felicia H. Woodruff for her services as a member of the Richmond Area Metropolitan Planning Organization.

**2. Cancellation of July 12, 2007 MPO Meeting –**

Chairman Setliff announced that the July 12 MPO meeting is cancelled.

**3. Other Business –**

Chairman Setliff had no other business to report.

**F. RRPDC Transportation Director's Report –**

**1. RRPDC Office Move –**

Dan Lysy reported that the office move is scheduled for Thursday and Friday of this week. He said staff will begin setting up the new office on Monday, July 2.

**2. Other Business –**

Mr. Lysy had no other business to report.

**II. OLD BUSINESS**

No old business was brought forward for consideration.

**III. NEW BUSINESS**

**A. VDOT TIP Amendment Requests –**

Barbara Nelson reported staff received two requests from VDOT to amend the *FY 2006 – FY 2008 Transportation Improvement Program (TIP)* adding two new projects: 1) Pocahontas Parkway Refinancing and 2) I-64 widening from just west of I-295 in Henrico County to approximately one mile west of Route 623 in Goochland County. Ms. Nelson noted material presented in tab three of the agenda package and reported on action taken at the June 19 TAC meeting providing a handout including TAC resolutions. (Note that TAC's meeting was held after the MPO meeting agenda was mailed out.) TAC recommended approval of the I-64 widening project and requested that the MPO review both a comment and a question regarding the proposed Pocahontas Parkway Refinancing project as follows:

1. Please explain the public benefit on use of \$100 million in federal "Innovative Finance and Revenue Operations" funds for a private toll road operation.
2. Will programming of these federal funds for this project have any adverse impact on funding for other projects in the region or the rest of the state?

George Homewood moved the motion presented in the agenda package, seconded by Rudy Butler, and Donald Sowder inquired what assurance we have that this project will not interfere with other potential projects in the region. Deborah Brown, Director of Innovative Finance and Revenue (IFRA) for VDOT, explained that the funds for this project are provided

through a special funding source under the Transportation Infrastructure Finance and Innovation Act (TIFIA) and have no connection to funding for other projects in the region. Transurban, buyers of the Pocahontas Parkway, will finance \$50 million to build the airport connector and will refinance \$100 million in debt for a total investment of \$150 million, which they will repay to the federal government over 35 years for 100 percent payback. Transurban will manage, operate, maintain and collect tolls for the Parkway. In response to a question, Ms. Brown provided a brief history of the Pocahontas Parkway noting its beginning as a PPTA project with the issuance of tax exempt toll revenue bonds through the Pocahontas Parkway Association. She said tolls were projected to pay the debt and VDOT committed to operate and maintain the Parkway; excess tolls were supposed to repay VDOT. However, traffic was significantly less than projected and VDOT received promissory notes for repayment. Ms. Brown said Transurban projects a long-term, 20-year profitability threshold and that VDOT will participate in excess revenues. Several questions were asked and points clarified regarding the commitment being made by VDOT for the Pocahontas Parkway Refinancing project.

Dan Lysy noted that air quality conformity will need to be performed for the I-64 widening project in Henrico and Goochland. Since the proposed TIP amendment is for preliminary engineering, a conformity analysis is not required at this time.

On motion of George M. Homewood, seconded by Malvern R. Butler, the Richmond Area Metropolitan Planning Organization took unanimous action to approve the following resolution:

**RESOLVED**, that the Richmond Area Metropolitan Planning Organization (MPO) amends the *FY 2006 – 2008 Transportation Improvement Program (TIP)* to add the following two new projects: obligating \$100 million in federal IFRO funds in FY07 for the refinancing of the Pocahontas Parkway; and preliminary engineering for the widening of I-64 from four to six lanes between I-295 at Short Pump and Route 623 in Goochland County, including the obligation of \$100,000 in NH funds and including the previous obligation of \$1,010,000 in NH funds for preliminary engineering.

**B. 2026 LRTP Supplement –**

Lee Yolton explained that staff has prepared a Supplement to the 2026 Long-Range Transportation Plan (LRTP) in response to publication of the final rules for SAFETEA-LU, the reauthorized transportation funding act, which became effective March 16, 2007. In order to bring the 2026 LRTP into compliance with SAFETEA-LU requirements, the plan needed to include revisions or additions in three areas. Part One of the Supplement addresses Potential Environmental Mitigation Activities; Part Two

addresses a Safety Element from the *Virginia Strategic Highway Safety Plan*; and Part Three adds a Security Element to the plan drawing from Virginia's *Secure Commonwealth Initiative Strategic Plan*. Mr. Yolton noted that the recently adopted *MPO Public Participation Plan* is also a SAFETEA-LU required element of the LRTP. Mr. Yolton reported that the LRTP Supplement has been through the required public review period, and has been reviewed by TAC, CTAC, and EDAC. He said that in accordance with SAFETEA-LU requirements, Part One of the LRTP Supplement, the environmental mitigation discussion, was distributed to various federal and state environmental and resource agencies for review and comment. Mr. Yolton said TAC recommended approval of the 2026 LRTP Supplement at its June 21 meeting. He provided a handout with copies of comments received and staff responses along with a summary of comments and responses. Mr. Yolton noted there were no comments from the general public, though five comments were received as part of the interagency consultation. He said the comments received will be addressed as part of the upcoming 2031 LRTP.

Pat O'Bannon expressed surprise that no comments were received from the public and asked how the public review period was promoted. Dan Lysy said notice of public review was advertised in the *Richmond Times-Dispatch*, the *Richmond Free Press*, and *Centro de Richmond*, a widely-distributed Hispanic newspaper in the region. In addition, the notice was mailed/e-mailed to TAC, CTAC, and EDAC members, alternates, and other interested parties and was posted on the RRPDC web site. He said this kind of process change in the LRTP document probably would not be of interest to the general public. Mr. Lysy noted that staff is working on holding annual public review meetings and a greater level of effort is made to get public participation and to gather public input when work is being initiated on a new LRTP. George Homewood advised that he had received comments from two citizens regarding bike and pedestrian safety and he apologized for not reporting them to staff in a timely manner. The comments propose adding the words "and controllers/detectors" to the LRTP Supplement on page three of Part Two, item four, bullet point three, so that it will read "Improving signal timings *and controllers/detectors* to provide...." Vickey Badger asked if the approved public participation process had been followed and Mr. Lysy assured her it had. He noted that the Washington Council of Governments in the Northern Virginia/D.C. area held a series of around 20 public meetings for a recent regional plan and had only a total of 50 or so people at all meetings. Ms. O'Bannon expressed concern for meeting federal requirements in light of the upcoming federal triennial review and that being one of the areas of concern from the last review.

On motion of George M. Homewood, seconded by Malvern R. Butler, the Richmond Area Metropolitan Planning Organization took unanimous action to approve the following resolution:

**RESOLVED**, that the Richmond Area Metropolitan Planning Organization (MPO) hereby amends the Richmond area *2026 Long-Range Transportation Plan* (LRTP) with the addition of the Supplement that is enclosed with the MPO's meeting packet for June 26, 2007, and as revised at the meeting in Part II, Pedestrian and Bicycle Safety to include revisions to item four, bullet three, and with said Supplement consisting of a discussion of environmental mitigation, transportation safety, and transportation security, and said Supplement being intended to complete the requirements necessary for the LRTP to comply with SAFETEA-LU.

**C. Socioeconomic Data Report, Years 2000 – 2031 –**

Dan Lysy noted that the draft *Socioeconomic Data Report, Years 2000 – 2031* was mailed as an enclosure with the agenda packet. He said this report was completed earlier in the year; however approval was delayed until after final action was taken by the MPO on the *2026 Long-Range Transportation Plan Supplement* and amendment. He explained that MPO planning regulations require use of the most recently MPO-approved data in the LRTP. With the need to amend the 2026 LRTP before July 1, 2007 in order to be in compliance with new SAFETEA-LU requirements, and with the need to proceed with work on the next (i.e., 2031) LRTP update, MPO action on the Socioeconomic Data Report was held up until after the MPO took action to amend the 2026 LRTP to be in compliance with SAFETEA-LU. If the MPO had approved the Socioeconomic Data Report prior to amending the 2026 LRTP for SAFETEA-LU requirements, the MPO would have been required to use this new data in the 2026 LRTP before it could consider any amendments for proposed projects.

David Williams advised that Powhatan County submitted comments regarding the data being developed for the Regional Mass Transit Study (RMTS) with questions regarding specific TAZs, noting that the forecast doesn't match reality. Lee Yolton advised that Powhatan's comments were submitted to the RMTS consultant for review and consideration in the RMTS. Mr. Yolton noted that under state requirements, the MPO must use data developed by the Virginia Employment Commission (VEC) for the Long-Range Transportation Plan. Mr. Williams responded that the development projected by the VEC for the eastern part of Powhatan County cannot occur in that area. Russ Holland noted that most of the rezoning in Powhatan is occurring in the western part of the county and that most of that area is outside the MPO boundary. Extensive discussion ensued with the following major points being made:

- Revising data in the Socioeconomic Data Report will delay 2031 LRTP development several months and will make it impossible for staff to meet the April 8, 2008 completion deadline for the LRTP update.

- VDOT requires several months to complete the air quality conformity analysis model and any delay now will create a critical delay in having this analysis completed in time to complete the LRTP update by the deadline.
- After April 8, 2008, the 2026 LRTP will not be in compliance with federal requirements and therefore the TIP, which must come from a conforming LRTP, cannot be amended.
- The General Assembly just passed legislation at its 2007 session that requires local governments to designate urban development areas (UDAs).
- The state requires use of VEC data for Long-Range Transportation Plans and possibly other planning efforts as well.
- The socioeconomic data forecasts in the report are based on the best information available from VEC.
- Documentation was provided to the VEC demonstrating inaccuracies in their forecast data and VEC agreed to revise their projections; however, the VEC will not release the data until all updates are made.
- A letter needs to be sent to the VEC from the MPO Chairman with a copy to the Governor's office and to FHWA requesting immediate release of the VEC revised forecast data for use in the 2031 LRTP.
- Staff needs to investigate the impact of not having the 2031 LRTP update completed by the deadline.

On motion of David Williams, seconded by Rudy Butler, the MPO voted unanimously to defer action on this item and to send the report back to TAC for reconsideration of the data, appropriate revisions, and a report and recommendation at the August 9 MPO meeting.

**D. SAFETEA-LU Compliant Transportation Improvement Program (TIP) –**

Barb Nelson reported that one important work task in the FY 07 Unified Work Program (UWP) is development of a SAFETEA-LU compliant TIP with the basic element being four years of planned and programmed obligations. In order to develop these four years of obligations, out year obligations are necessary. The current TIP covers FY 06 to FY 08 and obligations for FYs 09 and 10 projects are needed in order to have four years of planned and programmed obligations. Ms. Nelson said SAFETEA-LU requirements for the TIP are built on a foundation that the MPO, VDOT, and FHWA/FTA will work cooperatively to accomplish this work program element. She said staff has worked diligently for months in consultation with local jurisdictions and agencies, and has requested the required out-year obligations from VDOT, or to know when out-year obligations would be available, with limited response from VDOT. These out year obligations are necessary to develop a SAFETEA-LU compliant TIP.

Ms. Nelson said that until last Friday, it was staff's understanding that without a SAFETEA-LU compliant TIP, after June 30, 2007 only administrative adjustments would be permitted to the TIP and that amendments or addition of new projects would not be permitted. Ms. Nelson said staff received notice on Friday, June 22 that, although the STIP will not be SAFETEA-LU compliant, FHWA and FTA have issued a joint letter stating that amendments to the Statewide Transportation Improvement Program (STIP) would be allowed to continue on a case-by-case-basis. Ms. Nelson distributed copies of the VDOT cover e-mail, Commissioner Ekern's letter, a letter from FHWA/FTA endorsing the strategy, and the proposed FY 09 STIP development schedule. While the memo is silent on the TIP, it is staff's understanding that if the state can amend the STIP, then the MPO would likewise be permitted to amend the TIP. Ms. Nelson reported that VDOT has scheduled a statewide videoconference for July 2 at 10:00 a.m. to brief MPOs on this new strategy with FHWA/FTA and she said she would report findings back to the MPO. Ms. Nelson said that while MPO staff welcomes the opportunity to make amendments to the TIP, staff does not feel the MPO has been the equal partner envisioned in SAFETEA-LU in developing this strategy. Ms. Nelson offered to answer questions and noted that Mark Riblett of VDOT and Ken Meyers of FHWA are both present and available to answer questions. Pat O'Bannon inquired where the videoconference would be held and Ms. Nelson advised it would be at the VDOT Richmond District office in Colonial Heights. There were no other questions or comments.

**E. Report on Close-Out of Previous MPO Allocations for RSTP and CMAQ Funded Projects –**

Barbara Nelson provided an update on action following the April 12 MPO meeting when she reported the lack of action on receiving information on the close-out of previous MPO allocations for RSTP and CMAQ funded projects. Ms. Nelson reported that a letter was sent to Virginia Secretary of Transportation Pierce Homer on April 20 expressing the MPO's concern about the inability to allocate approximately \$7 million, the remaining balance (as estimated by RRPDC staff based on available records) from completed RSTP and CMAQ projects, to other projects in the region. Ms. Nelson said Mr. Lysy submitted the MPO resolution approved at the April 12 meeting and a project status report with the letter. She said Secretary Homer responded with a letter informing that the VDOT Programming Division is leading this effort and will be in touch with findings and to share next steps to complete close-out for these projects and noted that both letters, the resolution, and the project status report are included in the agenda package under tab six. Ms. Nelson reported that a meeting has been scheduled for July 12 to review progress and said some projects have been inactive for a number of years and staff is looking forward to a final report from VDOT on these projects.

**IV. OTHER BUSINESS**

**A. MPO Chairman Closing Remarks –**

Chairman Setliff said it has been a pleasure serving as MPO Chairman and he thanked everyone for their effort and support and expressed special appreciation for the work of staff. He reminded that the July 12 MPO meeting is cancelled and the next meeting will be August 9 at the RRPDC's new Stony Point office.

**B. Other Business –**

No other business was brought forward for consideration.

**V. ADJOURNMENT**

Chairman Setliff adjourned the meeting at approximately 10:30 a.m.