

CENTRAL VIRGINIA TRANSPORTATION AUTHORITY
MINUTES OF MEETING
Friday, September 23, 2022, 8:30 a.m.
PlanRVA James River Board Room and Zoom
Members Present:

Jurisdiction/ Agency	Member	Present	Absent	Designee	Present	Absent
Town of Ashland	John H. Hodges	X		Daniel McGraw		X
Charles City County	Byron Adkins, Sr.	X		Rhonda Russell	X	
Chesterfield County	Kevin P. Carroll, Chair	X		Vacant		
Goochland County	Neil Spoonhower	X		Vacant		
Hanover County	W. Canova Peterson	X		Sean M. Davis		X
Henrico County	Frank J. Thornton	X		Patricia S. O'Bannon		X
New Kent County	Patricia A. Paige	X		Vacant		
Powhatan County	Michael W. Byerly	X		Steve McClung		X
City of Richmond	Mayor Levar M. Stoney, Vice Chair	X		Cynthia Newbille		X
VA House of Delegates	Delegate Roxann Robinson	X		N/A		
Senate of Virginia	Senator Jennifer L. McClellan	X		N/A		
Commonwealth Transportation Board	Carlos M. Brown	X (virtual)		N/A		

Non-Voting Ex-Officio

Agency	Member	Present	Absent	Designee	Present	Absent
CRAC	Perry J. Miller	X		N/A		
GRTC	Sheryl Adams	X		Vacant		X
RMTA	Joi Taylor Dean		X	N/A		
VDRPT	Jennifer DeBruhl		X	Tiffany Dubinsky	X	
VDOT	Stephen Brich		X	Shane Mann	X	
				Mark Riblett		X
Virginia Port Authority	Stephen A. Edwards		X	Cathie J. Vick		X
				Barbara Nelson (virtual)	X	

The technology used for the CVTA meeting was a web-hosted service created by Zoom and YouTube Live Streaming and was open and accessible for participation by members of the public. A recording of this meeting is available on our [Plan RVA YouTube Channel](#).

Virtual participation of this meeting by members of the authority is authorized under the City of Richmond Res. No. 2020-R025, - declaration of a local emergency due to the potential spread of COVID-19, adopted March 16, 2020. The resolution is available [here](#).

CALL TO ORDER

The Central Virginia Transportation Authority (CVTA) Chairman, Kevin P. Carroll, presided and called the September 23, 2022, Central Virginia Transportation Authority meeting to order at 8:35 a.m.

CERTIFICATION OF MEETING QUORUM

Janice Firestone, Chief Clerk, took attendance by roll call and certified that a quorum was present.

A. ADMINISTRATION

1. Consideration of Amendments to the Meeting Agenda

On motion properly made and seconded, the Authority unanimously approved the September 23, 2022, agenda (voice vote).

2. Approval of July 15, 2022, CVTA Meeting Minutes

On motion of W. Canova Peterson, IV, seconded by Levar M. Stoney, the Authority voted to approve the minutes of the July 15, 2022, CVTA meeting as presented (voice vote).

3. Open Public Comment Period

There were no citizens present in-person or virtually wishing to offer public comments.

4. CVTA Chairman's Report

Chair Carroll announced the passing of Don Sharpe, Goochland County Board of Supervisors member. A moment of silence was observed. Neil Spoonhower expressed his grief and that of Goochland County over the loss Mr. Sharpe.

5. CVTA Bylaws Amendment (Adding Capital Region Airport Commission (CRAC) CEO as an ex officio, nonvoting member) (

On motion of Levar M. Stoney, seconded by Frank J. Thornton, the Authority voted unanimously to approve the bylaws amendment as presented (roll call vote, see Appendix A).

B. COMMITTEE REPORTS

1. CVTA Finance Committee Update

W. Canova Peterson, IV, Finance Committee Chairman, reviewed the items heard by the committee at its September 14, 2022, meeting. There was discussion about the Vaughan Road Overpass Railroad Crossing Elimination Grant Letter of Support. Chair Carroll reported that committee's recommendation was to have a letter of support from the full Authority for the

grant application. He asked members to indicate their support or opposition to the letter of support. Hearing no opposition, Chair Carroll announced the letter would be sent.

Senator Jennifer L. McClellan arrived at 8:45 a.m.

2. CVTA Technical Advisory Committee (TAC) Update

Dironna Moore Clarke, CVTA TAC Chair, reviewed the items heard by the committee at its September 12, 2022, meeting. Chair Carroll noted that all of the Annual Certifications have been received and, going forward, the reports will be sent to Authority members as well as staff.

C. OTHER BUSINESS

1. Request to Reprogram FY23-FY26 CVTA Regional Funds – Goochland County

Mr. Parsons summarized the request to reprogram \$16,814,989 from the Rt 288 SB Aux Lane to the I-64 at Ashland Rd DDI Interchange. The Rt. 288 project is requested to remain open so that future funding can be applied back to it. The traffic study that originally recommended a two lane DDI was not sufficient to account for a proposed distribution center so the additional funding need would help to offset the cost of developing the new capacity at the interchange. He reported on the discussions on the matter that were held at the CVTA TAC and Finance Committee meetings.

Neil Spoonhower explained the history of the project Goochland County is requesting to have funds reprogrammed to (I-64 at Ashland Road interchange). VDOT recently notified the county that the analysis that had been used to determine a single divergent diamond intersection was flawed and could not be used. That single divergent diamond was fully funded. The project will now have a significantly higher cost. Because of that, the county would like to move the funds from the previously approved project (Rt. 288) to this one. The project is crucial in order to have the necessary intersection improvements in place for a major economic development project that is proposed in the county.

On motion by Neil Spoonhower, seconded by Patricia A. Paige, the Authority voted to approve the request to reprogram \$16,814,989 of FY23-FY26 CVTA Regional Funds from the Rt 288 SB Aux Lane to the I-64 at Ashland Rd DDI Interchange (roll call vote, see Appendix A).

There was discussion about what this change would do to the I-64 project's ranking. The importance of having a process in place to follow was also discussed. The CVTA could support Goochland County through conversations with Secretary of Transportation and the Commonwealth Transportation Board to determine if there are other funds available that could be used because of the significance of the project.

2. CVTA/PlanRVA MOU for Support Services

Martha Heeter reviewed the document and described the changes from the previous MOU.

On motion by Levar M. Stoney, seconded by Neil Spoonhower, the Authority voted unanimously to approve the CVTA/PlanRVA MOU for Support Services as amended (roll call vote, see Appendix A).

3. FY22 Annual Certification and FY23 Local Allocation Plan

Mr. Parsons reported that all nine jurisdictions and GRTC have submitted the required certifications. He also reviewed the FY23 Local Allocation Plan.

On motion by W. Canova Peterson, seconded by Frank J. Thornton, the Authority voted unanimously to approve the FY22 Annual Certification and FY23 Local Allocation Plan (roll call vote, see Appendix A).

4. New Business: FOIA Council Guidance: Compliance for Electronic Meetings

a. Proposed Policy for All - Virtual Public Meetings

b. Proposed Policy for Remote Participation of Members

Eric Gregory reviewed the proposed policies and explained the changes in the regulations from the FOIA Council.

On motion by Jennifer L. McClellan, seconded by John H. Hodges, the Authority voted unanimously to adopt the Policy for All Virtual Public Meetings and the Policy for Remote Participation of Members as presented (voice vote).

5. Closed Session

On motion by Frank J. Thornton, seconded by Kevin P. Carroll, the Authority voted to convene in Closed Session pursuant to Virginia Freedom of Information Act Section 2.2-3711(A) (1), discussion of personnel matters concerning PlanRVA and CVTA employees and service to the Authority under the Memorandum of Understanding for Administrative & Technical Support Services, and Section 2.2-3711 (A) (8), consultation with legal counsel regarding specific legal matters.

Authority members entered Closed Session at 9:52 a.m. At the conclusion of the Closed Session, the Chairman called the regular meeting back to order at 10:05 a.m. All members were present except for Carlos M. Brown.

Certification of Closed Session

Frank J. Thornton moved that the Authority certify that during the Closed Session only public business matters lawfully exempted from the open meeting requirement of the Freedom of Information Act and only such public business matters as were identified in the motion for the Closed Session were discussed. The motion was seconded by Patricia A. Paige. Roll call vote, see Appendix A.

On motion by W. Canova Peterson, seconded by Frank J. Thornton, the Authority voted unanimously to appropriate funding in the amount of \$68,295 for compensation of the interim CVTA Executive Director for Fiscal Years 2021, 2022 and 2023 and authorization for PlanRVA to disperse through their payroll system. The funding includes compensation for Fiscal Years 2021 and 2022 to be paid retroactively and for FY2023 to be paid on a monthly basis for the term of services provided. (roll call vote, see Appendix A).

6. CVTA Member Comments

Chairman Carroll reminded those present of the upcoming office relocation. The location of the next meeting will be determined and sent out to members.

Staff will be contacting locality staff to determine a date at an upcoming Board of Supervisors meeting of each locality for the Chairman to attend and give a presentation on CVTA.

D. ADJOURNMENT

Chair Carroll adjourned the meeting at 10:10 p.m.

Motion as presented: Approve amendment to CVTA Bylaws (Adding Capital Region Airport Commission (CRAC) CEO as an ex officio, nonvoting member)

Members	Population*	Weighted Votes	UNWEIGHTED				Voting Check	Population "Yays"	WEIGHTED	
			"Yay"	"Nay"	Abstain	Absent			"Yay"	"Nay"
Ashland	7,873	1	1				Ok	7,873	1	0
Charles City	6,773	1	1				Ok	6,773	1	0
Chesterfield	364,548	4	1				Ok	364,548	4	0
Goochland	24,727	2	1				Ok	24,727	2	0
Hanover	102,106	3	1				Ok	102,106	3	0
Henrico	334,389	4	1				Ok	334,389	4	0
New Kent	22,945	2	1				Ok	22,945	2	0
Powhatan	30,333	2	1				Ok	30,333	2	0
Richmond	226,610	4	1				Ok	226,610	4	0
Delegate		1	1				Ok		1	0
Senator		1	1				Ok		1	0
CTB Member		1	1				Ok		1	0
* Census 2020	1,120,304	26	12	0	0	0	12	1,120,304	26	0

A "Valid" vote requires all 12 members to have their vote marked "Yay", "Nay", "Abstain" or marked "Absent".

OVERALL VOTE = **PASS**

Voting Check	VALID
Quorum Present	YES
4/5 Population in Affirmative	PASS

Quorum:

A majority of the voting members of the Authority (or designees) shall constitute a quorum. There are 12 voting members, therefore at least 7 members must be present to constitute a quorum.

Quorum Present **YES**

Decisions of the Authority shall require an affirmative vote of those present and voting whose votes represent at least four-fifths of the population embraced by the Authority; however, no motion to fund a specific facility or service shall fail because of this population criterion if such facility or service is not located or to be located or provided or to be provided within the county or city whose chief elected officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service to fail to meet the population criterion.

A. Four-fifths of the pop. embraced by the Authority =

896,243

B. Pop. of voting members (cities & counties) present & voting in the affirmative =

1,120,304 ← **PASS**

If B. is greater than or equal than A., motion **PASSES**.

If B. is less than A., vote **FAILS**.

If B. is less than A., motion **FAILS**.

Motion as presented: Approve the request to reprogram \$16,814,989 of FY23-FY26 CVTA Regional Funds from the Rt 288 SB Aux Lane to the I-64 at Ashland Rd DDI Interchange.

Members	Population*	Weighted Votes	UNWEIGHTED				Voting Check	Population "Yays"	WEIGHTED	
			"Yay"	"Nay"	Abstain	Absent			"Yay"	"Nay"
Ashland	7,873	1	1				Ok	7,873	1	0
Charles City	6,773	1	1				Ok	6,773	1	0
Chesterfield	364,548	4	1				Ok	364,548	4	0
Goochland	24,727	2	1				Ok	24,727	2	0
Hanover	102,106	3		1			Ok	-	0	3
Henrico	334,389	4	1				Ok	334,389	4	0
New Kent	22,945	2	1				Ok	22,945	2	0
Powhatan	30,333	2	1				Ok	30,333	2	0
Richmond	226,610	4	1				Ok	226,610	4	0
Delegate		1	1				Ok		1	0
Senator		1	1				Ok		1	0
CTB Member		1	1				Ok		1	0
* Census 2020	1,120,304	26	11	1	0	0	12	1,018,198	23	3

A "Valid" vote requires all 12 members to have their vote marked "Yay", "Nay", "Abstain" or marked "Absent".

OVERALL VOTE = **PASS**

Voting Check	VALID
Quorum Present	YES
4/5 Population in Affirmative	PASS

Quorum:

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Quorum Present **YES**

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896,243
 1,018,198 ← **PASS**

If B. is less than A., vote **FAILS**.

If B. is greater than or equal than A., motion **PASSES**.
 If B. is less than A., motion **FAILS**.

Motion as presented: Approve the CVTA/PlanRVA MOU for Support Services as amended.

Members	Population*	Weighted Votes	UNWEIGHTED				Voting Check	Population "Yays"	WEIGHTED	
			"Yay"	"Nay"	Abstain	Absent			"Yay"	"Nay"
Ashland	7,873	1	1				Ok	7,873	1	0
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Delegate		1	1				Ok		1	0
Senator		1	1				Ok		1	0
CTB Member		1	1				Ok		1	0
* Census 2020	1,120,304	26	12	0	0	0	12	1,120,304	26	0

A "Valid" vote requires all 12 members to have their vote marked "Yay", "Nay", "Abstain" or marked "Absent".

OVERALL VOTE = **PASS**

Voting Check	VALID
Quorum Present	YES
4/5 Population in Affirmative	PASS

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Quorum Present **YES**

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 If B. is greater than or equal than A., motion **PASSES**.
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Motion as presented: Approve the FY22 Annual Certifications and FY23 Local Allocation Plan.

Members	Population*	Weighted Votes	UNWEIGHTED				Voting Check	Population "Yays"	WEIGHTED	
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OVERALL VOTE = **PASS**

Voting Check	VALID
Quorum Present	YES
4/5 Population in Affirmative	PASS

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Motion as presented: Certify that during the Closed Session only public business matters lawfully exempted from the open meeting requirement of the Freedom of Information Act and only such public business matters as were identified in the motion for the Closed Session were discussed.

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Motion as presented: Appropriate funding in the amount of \$68,295 for compensation of the Interim CVTA Executive Director for Fiscal Years 2021, 2022 and 2023 and authorize PlanRVA to disperse the funds through its payroll system. The compensation for FY21 and FY22 is to be paid retroactively and FY23 is to be paid on a monthly basis for the term of services provided.

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1,120,304 ← **PASS**

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