



City of Hampton

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

Council Approved Minutes - Final City Council Work Session

Mayor Donnie R. Tuck
Vice Mayor Linda D. Curtis
Councilmember Jimmy Gray
Councilmember W.H. "Billy" Hobbs
Councilmember Will Moffett
Councilmember Teresa V. Schmidt
Councilmember Chris Snead

STAFF: Mary Bunting, City Manager
Vanessa T. Valldejuli, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, September 13, 2017

1:00 PM

Community
Development
Conference Room, 5th
Floor, City Hall

CALL TO ORDER

Mayor Tuck called the meeting to order at 1 p.m. with all members of the City Council present. Patricia Melochick, Senior Deputy City Attorney, is sitting for the City Attorney who is out on medical leave.

Present 7 - Vice Mayor Linda D. Curtis, Councilmember Jimmy Gray, Councilmember Billy Hobbs, Councilmember Will Moffett, Councilmember Teresa V. Schmidt, Councilmember Chris Snead, and Mayor Donnie R. Tuck

DONNIE R. TUCK PRESIDED

AGENDA

1. [17-0287](#) High Occupancy Tolling in Hampton Roads

Attachments: [Presentation - HRTAC](#)
[Presentation - VDOT](#)

City Manager Mary Bunting introduced Deputy Secretary of Transportation Grindly Johnson; Mr. James S. Utterback, Hampton Roads District Administrator for the Virginia Department of Transportation (VDOT); Mr. Anthony Gibson, VDOT Program Manager and Local Liaison; and Mr. Kevin B. Page, Executive Director of the Hampton Roads Transportation Accountability Commission (HRTAC), who provided a presentation to Council.

Ms. Johnson stated that tolling in Hampton Roads did not get off to the best start, but the State hopes to rectify that situation. She noted that the Peninsula does not have very many retailers selling E-ZPass transponders, and this is being addressed. She stated that in a lot of cities, the Treasurer's Office sells the transponders.

Ms. Johnson stated that there are two types of E-ZPass transponders, the standard issue, and the E-ZPass Flex. If a citizen is on a High Occupancy Tolling (HOT) lane and has two people in the car, they can travel for free with the Flex transponder by flipping a switch.

Ms. Johnson noted that the High Occupancy Vehicle (HOV) lanes are underutilized in Virginia. It is not an efficient use of the State's resources, so HOV lanes are going to be made into HOT lanes to get the best use of the State's assets. She emphasized that use of the HOT lane is a choice. The State is only able to toll roads that are new capacity. She noted that with the E-ZPass Flex, there is no charge to someone who wishes to use the HOT lane as an HOV lane. There is no cost to upgrade a standard transponder.

Ms. Johnson noted that E-ZPass is just a form of payment. All the money generated will remain in the Hampton Roads corridor. There will be an HOT lane network created after converting all HOV lanes. She stated that it is \$35 to buy the transponder, and comes with \$15 in toll funds already loaded. The citizen will receive the other \$20 to use for tolls after registering the device. There are no maintenance or user fees. She noted that there may be a charge if a citizen gets an E-ZPass Flex and does not use it.

Councilman Gray asked if the standard transponder can be used in HOT lanes. Ms. Johnson confirmed that it could, but noted that a citizen would not be able to travel the lane for free if they had additional passengers.

Ms. Johnson stated that she and Ms. Paula Miller, VDOT Hampton Roads Communications Manager, have launched an E-ZPass education initiative for Hampton Roads. She noted again that not enough transponders are sold on the Peninsula, so an effort is being made to ensure there are places to buy them.

Vice Mayor Curtis asked how the State would ensure there are two people in the car if they are using the transponder to travel the HOT for free. Ms. Johnson stated that right now they are relying on the honor system and strategically placed State troopers, but technology is close to development that will be able to detect that.

Mayor Tuck asked if there would be a jersey barrier installed on the Peninsula.

Mr. Utterback stated that white plastic bollards would be used. There is generally a four-foot buffer between a HOT lane and the general lanes.

Councilwoman Schmidt asked how VDOT plans to address the concern that only those with means will be able to use HOT lanes. Ms. Johnson stated that not everyone will love HOT lanes, but it is a choice to use the service. Every time someone chooses to use the HOT lane, there is one less car causing traffic in the general purpose lanes.

Councilwoman Schmidt asked if there would be variable rates. Ms. Johnson stated that the rate will be variable, but once a citizen enters the HOT lane, they are locked in at the rate posted when they entered.

Councilwoman Snead asked if there were times when there is no charge to use the HOT lanes. Ms. Johnson stated that 64 Express will have times when usage of the HOT lanes is free. The rush hour is from 5:00 a.m. to 9:00 a.m. and 2:00 p.m. to 6:00 p.m.; this is when the toll will be in place. In response to Councilman Gray's question, Ms. Johnson confirmed that the lanes will be free outside of the rush hour times, exactly like the HOV lanes currently operate.

Councilman Gray asked how the HOT lanes will work in the Hampton Roads Bridge Tunnel (HRBT) once that has been expanded. Mr. Utterback stated that there will not be reversible lanes in the tunnel, but rather one HOT lane in each direction. These will be 24 hours a day, 7 days a week HOT lanes.

Ms. Johnson emphasized again that use of the HOT lanes is a choice. When a citizen uses a HOT lane, it frees up space in the general purpose lanes. She noted that some programs available in Norfolk and Portsmouth will not be available to Peninsula users, such as the toll relief program. This funding is being provided from Elizabeth River Crossing in an attempt to rectify the errors they made when previously tolling.

Mr. Utterback stated that these changes will help to provide a more reliable trip to those traveling between the Peninsula and Southside. He noted that Northern Virginia has shown that people do not use HOT lanes every day, but rather just when they need them.

Mr. Gibson provided a presentation with more information on the HOT lanes. He noted that additional road sensors have been added to track how many people are using the HOT lanes. All information can be found at www.64expresslanes.org.

Councilwoman Snead asked if there was a maximum amount that a citizen can pay.

Mr. Gibson stated that there is no maximum toll. The rate is adjusted to ensure that the road maintains a minimum of 45 miles per hour (mph). This is why additional sensors have been added - to provide real-time traffic data. Mr. Utterback stated that the base toll is 50-cents. In the models that have been run, as long as there is nothing unusual occurring, the highest it has gotten is \$2.50.

Vice Mayor Curtis asked if the rate changes were based on the distance travelled or if it was the same price no matter how far you travel the road. Mr. Utterback stated that this section only has one in and one out, so there is no trip segmenting. The goal is to move traffic. This is not intended to be a revenue generator, but is set up to make sure the State does not lose money.

Councilman Gray asked who would be issuing bills for tolling violations. Mr. Utterback stated that they would come from VDOT.

Councilwoman Schmidt noted that she has gotten onto this particular stretch of HOV and missed the airport in Norfolk because there is no exit before the airport. She asked if there was a way to indicate that this was the case. Mr. Utterback stated that there is only one in and one out on this stretch, and they will look into additional signage.

Councilwoman Snead asked if the speed limit will change. Mr. Utterback stated that it will remain 65mph.

Mayor Tuck stated that they installed sensors to try to maintain a minimum speed. He asked why this could not be done for the HRBT. He noted that there are people that travel less than 30mph, even with no cars in front of them. He noted that these people could then be ticketed. He stated if people are fearful of the HRBT, they can use other methods to cross the water. Ms. Johnson stated that this would be a hard sell. Mr. Utterback stated that the HRBT has "Maintain 55mph" signs, but people can sometimes lose momentum when faced with the grade of the tunnel. He noted that what Mayor Tuck suggests would require legislation.

Ms. Johnson noted that the tolling will not begin until December. This is the first time VDOT has done something like this, and they want to ensure that it is done correctly from the beginning.

Ms. Bunting stated that citizens have asked if HOT lanes will be active during busy days, such as when summer beach traffic is particularly heavy. Mr. Utterback stated that it will only be during the posted hours. VDOT looked at doing 24-hour tolling and weekend tolling initially, but the choke point is HRBT, so there was no justification for that type of tolling. Ms. Bunting asked if HRBT will be 24 hours a day, 7 days a

week. Mr. Utterback confirmed that it will be on this section because it will be new capacity.

Councilman Gray asked how VDOT will handle those with multiple violations. Ms. Johnson stated that legislation is in place to dictate how it can be handled, to include that there will be a maximum limit of \$2,200 in fees. They will also be invoicing differently than Elizabeth River Crossing.

It was noted by several Councilmembers that \$2,200 was a significant amount. Ms. Johnson stated that the Elizabeth River Crossing was tolling existing tunnels between Norfolk and Portsmouth before renovations began. It was probably not the best approach, as there were those who had a habit of using that tunnel and continued to do so without paying for the tolls. She noted that the high bills, some totaling \$15,000, that were reported in the newspaper were negotiated down to just the cost of the tolls. She also noted that if a citizen pays the toll, there is not a problem with fees. These fees only affect those who go through the tolls and never bother to pay.

Mr. Page gave a brief HRTAC progress update. He noted that HRTAC is required by law to issue a four-to-six-year funding plan similar to the Commonwealth Transportation Board (CTB)'s six-year improvement plan. He stated that no public comments have come forward as part of the plan development process, because it has been a very transparent process and HRTAC has a great working relationship with the public.

Mr. Page noted that HRTAC has been moving quickly. The HRBT project is being moved into the funding plan, and it did not even exist as a project three years ago. He stated that the debt management plan will be before the board soon.

Mr. Page stated that there have been questions about what HRBT will look like. HRTAC gave VDOT a \$25 million grant, and it will probably be the end of 2017 or early 2018 before engineering plans on that project are brought forward.

Mr. Page noted that the Transportation Planning Organization (TPO) is working on a feasibility study of the projects that were not selected as part of the HRBT plans.

Mr. Page stated that the Smart Scale Funding has been helpful for HRTAC because the Region scored highly in the Statewide competition due to its congestion. HRTAC has been able to recycle funds into other projects because of the funding received from Smart Scale.

Mayor Tuck noted that he read an article about Segment 1 coming in under budget

by approximately \$10 million. He asked if this was a stroke of good luck. Mr. Page stated that there was also approximately \$23 million returned on Segment 2. Ms. Johnson stated that this was due to the great job being done by the VDOT staff. Mr. Utterback stated that this Region is currently in a very competitive market. This can change based on the economy. Mr. Page noted that these returned funds go back into other projects.

Presented by Grindly Johnson, Deputy Secretary of Transportation; James S. Utterback, Hampton Roads District Administrator for the Virginia Department of Transportation (VDOT); Anthony Gibson, Program Manager and Local Liaison for VDOT; and Kevin B. Page, Executive Director of the Hampton Roads Transportation Accountability Commission (HRTAC).

2. [17-0281](#) Hampton Transit Development Plan

Attachments: [Presentation](#)

Ms. Bunting introduced Mr. William Harrell, Hampton Roads Transit (HRT) President and Executive Director, and Mr. Ray Amaruso, HRT Chief Planning and Development Officer, who provided a presentation to Council.

Mr. Harrell noted that Ms. Gaylene Kanoyten, the area's gubernatorial appointment to the HRT board was also present.

Mr. Harrell stated that one of HRT's biggest challenges is that many of the buses run every 60 or 90 minutes. This lack of frequency is a barrier to getting people on public transit. He thanked Council for taking a bus tour of the City's system and noted several other localities are looking at doing the same thing.

Mr. Amaruso noted that on the Peninsula, there are no 15-minute service frequencies during peak rider times on any of the routes. The five available are all permanently funded by Norfolk and Virginia Beach in those localities. He also noted that there have been no route adjustments in 20-30 years, and growth has occurred in areas that were not even on the map 30 years ago.

Mr. Amaruso shared the current bus routes servicing the City, and noted that the City wholly funds these routes, or shares the funding with Newport News. In FY18, the City's share of funding is approximately \$4.5 million, resulting in approximately 117,000 service hours.

Mr. Amaruso stated that the High Frequency Transit Network currently under development has been given the name Core-20, to represent the core routes that

connect the Region's largest economic areas.

Mr. Amaruso noted that HRT is not up-to-date on fare payment technology, still relying on cash payments or pre-purchased fare cards with a magnetic strip. They are looking into upgrades that would allow phones, debit and credit cards, and other pre-paid options.

Mr. Amaruso noted that HRT looks at Census data and information provided from the localities to find out where there are concentrations of employment and households, looking at that information with a strata of income arrangement. He stated that those located in the lower economic quartile of earnings are more dependent on public transportation.

Mr. Amaruso stated that HRT will be looking at identifying the underproductive segments of existing routes and either eliminating them or adjusting them accordingly. They will be brought to the City Manager and staff every year for review.

Mr. Amaruso stated that all of these changes will have significant funding needs, so the changes would be incremental over ten years. He also noted that transit needs a form of dedicated funding in order to accomplish its goals.

Mr. Harrell thanked Ms. Bunting and Mr. Brian DeProfio, Director of Budget and Strategic Initiatives, for assistance in focusing HRT's efforts. He noted that HRT wants to be more efficient and they believe that the Core-20 proposal could be the project that allows them to get dedicated funding. He also noted that HRT will be back to discuss the rapid transit project with a recommended route selection.

Mr. Harrell stated that HRT is looking at a more cost effective way to get environmental work done. He stated that Mr. Amaruso has contacted the Federal Transit Administration, and it appears that they might be able to move the project along at a significantly lower cost. If this is done, HRT will be able to buy more buses and modernize the fleet.

Mayor Tuck asked if the Department of Rail and Public Transportation (DRPT) was being an advocate for HRT dedicated funding. Mr. Amaruso stated that they are an agency that moves grant funding to the awardees, not an advocacy agency. They will provide technical data and resources; they do not take an advocacy position because they are appointed members. They have learned that the legislators are interested in hearing the voices of the riders, so this is what HRT will be doing this year.

Mr. Harrell noted that HRT is also gathering data on the legislators' districts to be able to show number of riders and dollars spent on public transportation. He stated that HRT needs champions to move the project forward.

Presented by William Harrell, President and Chief Executive Officer and Ray Amaruso, Chief Planning and Development Officer, both of Hampton Roads Transit.

REGIONAL ISSUES

There were no regional issues discussed.

NEW BUSINESS

There were no items of new business.

CLOSED SESSION

3. [17-0240](#) Closed session pursuant to Virginia Code Sections 2.2-3711.A.1, .7, and .8 to discuss appointments as listed on the agenda, to consult with legal counsel employed or retained by the City pertaining to actual or probable litigation, and to consult with legal counsel employed by the City pertaining to a zoning matter.

At 2:13 p.m., a motion was made by Vice Mayor Curtis and seconded by Councilmember Snead, that this Closed Session - Motion be approved. The motion carried by the following vote:

Aye: 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead and Mayor Tuck

4. [17-0221](#) Consideration of appointment to Hampton FADA
5. [17-0247](#) Consideration of appointment to Purchasing and Procurement Oversight (PPOC) Committee
6. [17-0261](#) Consideration of appointments to Hampton Economic Development Authority
7. [17-0268](#) Consideration of appointments to Hampton Clean City Commission
8. [17-0278](#) Consideration of appointments to Golf Course Advisory Committee
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9. [17-0282](#) Consideration of appointments to Board of Zoning Appeals
10. [17-0298](#) Consideration of appointment to Virginia Alcohol Safety Action Program (VASAP) Advisory Board
11. [17-0252](#) Consideration of the Appointment of a Delegate, Delegate Alternate, and Staff Assistant to be the Voting Representative of Hampton at the Urban Section Meeting and the Business Meeting of the Virginia Municipal League

CERTIFICATION

12. [17-0241](#) Resolution Certifying Closed Session
- At 4 p.m., a motion was made by Councilmember Moffett and seconded by Councilmember Snead, that this Closed Session - Certification be approved. The motion carried by the following vote:

Aye: 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead and Mayor Tuck

ADJOURNMENT

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____