

**MINUTES OF THE MEETING OF THE
GEORGE WASHINGTON REGIONAL COMMISSION**

January 28, 2019
VDOT Fredericksburg District Auditorium
86 Deacon Road, Fredericksburg Virginia

MEMBERS PRESENT: **Chair** – Meg Bohmke, **Stafford;** Matt Kelly & Billy Withers, **City of Fredericksburg;** **Caroline County:** Nancy Long; **King George County:** Ruby Brabo; **Spotsylvania County:** David Ross & Paul Trampe; and **Stafford County:** Tom Coen

MEMBERS ABSENT: Jeff Black & John Jenkins

OTHERS IN ATTENDANCE: Tim Baroodly & Susanna Finn, City of Fredericksburg; Mark Dudenhefer, Stafford County; Dee Smith, Central Virginia Housing Coalition; Rupert Farley, CTAC; Todd Horsley, DRPT; Scott Hine & Kim McClellan, FAAR; Ivan Rucker, FHWA; Gerald Anderson, League of Women Voters; Meghann Cotter, Micah; Randy Comer, Thrasher Group; & Susan Gardner, Kelly Hanon, Stephen Haynes, Linda LaSut, Marcie Parker & Michelle Shropshire, VDOT

STAFF: Linda Millsaps, Executive Director & Michele Dooling, GWRC; Paul Agnello, Briana Hairfield, Kari Barber, John Bentley & Colin Cate, FAMPO; Kate Gibson & Sam Shoukas, GWRC and Diana Utz; Leigh Anderson & JoAnna Roberson, GWRideConnect

CALL TO ORDER: Ms. Bohmke called the meeting to order at 6:00 p.m. with a quorum present; which was followed by the Pledge of Allegiance.

APPROVAL OF GWRC MEETING AGENDA: Upon motion by Mr. Kelly and seconded by Ms. Long, with all concurring, the January 28th GWRC agenda was approved as submitted.

APPROVAL OF GWRC MEETING MINUTES (November 26, 2018) - (Action Item)

Ms. Bohmke advised she had spoken with staff earlier in the day in regard to some typographical corrections to the minutes. These corrections have been made & the revised amendments will be the one that is posted on the website after conclusion of tonight's meeting. Ms. Bohmke advised that the amendments were strictly typographical in nature and not content related. Upon motion by Mr. Kelly and seconded by Ms. Long, with Mr. Coen, Mr. Ross & Mr. Trampe abstaining, and all others in concurrence, the minutes from the November 26th meeting were approved as submitted with revisions to follow.

PUBLIC INVOLVEMENT - None

DRAFT FINANCIAL REPORT – Michele Dooling

Ms. Dooling advised that included in tonight's agenda packet is the GWRC balance sheet, the Agency-wide Line Item Revenue & Expenditure report; the Financial Report & the Cash Flow statement. Ms. Dooling stated these reports are from July 1, 2018 to December 31, 2018. Ms.

Dooling relayed the GWRC budget is an accrual-based budget and everything has been invoiced; however, to date, not everything has been reimbursed.

a.) Second Quarter FY19 Project Overview

Ms. Dooling advised the Financial Report included in tonight's agenda packet gives the 2nd quarter FY2019 revenue & expenses for FAMPO, GWRideConnect, Planning departments and also gives a combined GWRC summary report. Ms. Dooling asked if there were any questions from the committee members and none were expressed.

b.) Cash Flow Analysis

Ms. Dooling advised that as of December 31, 2018, 55% of the accounts payable totaling \$162,287.15 have been paid that reflects the accounts receivables being at 24% totaling \$390,811.40. Ms. Dooling relayed that 3rd quarter locality dues are outstanding from some of the 5 localities & these will be reconciled in January.

Ms. Dooling advised that the beginning cash on hand balance was \$217,050.88; with 126,524.60 cash in; \$194,925.85 cash out; a negative profit/loss of \$8,656.91 & an ending cash on hand balance of \$148,649.63.

PRESENTATIONS

a.) Staffing Changes – Dr. Linda Millsaps, GWRC

Dr. Millsaps advised that the CoC was awarded a grant today in the amount of \$308,411 in HUD funding that mostly will be awarded to Micah, with a small portion of funding being awarded to GWRC for administrative duties.

Dr. Millsaps relayed that Ms. Shoukas with the CoC conducted the annual point in time count/survey on the 24th of January & final results are still being tabulated. Dr. Millsaps advised that many staff members participated in the point in time counts and there were more volunteers this year than there has been in years past. Dr. Millsaps stated the purpose of the point in time counts are to go to individual camp sites, etc. where citizens are residing on an on-going basis to determine real counts on the region's homeless population.

Dr. Millsaps advised that environmental work on the WIP3 grant is underway. Dr. Millsaps relayed that the WIP3 grant is one that goes to improve the goals of the Chesapeake Bay and GWRC is one of just a few regions who qualify for the grant. Dr. Millsaps stated that each PDC had different targets being requested and the efforts for this region have been well received. Dr. Millsaps stated that as a result of the grant & planning efforts that additional money should be coming to the region.

Ms. Brabo stated that she & Mr. Trampe worked with the National Association of Counties and as a result of their efforts, were able to prevent the EPA from setting local targets throughout the watershed. This would have been extremely costly to localities but instead is now being set by each individual state working with the PDC's and the local planning staffs. Ms. Bohmke expressed

thanks to both Ms. Brabo & Mr. Trampe for serving on this committee and representing the region's requests & concerns.

Dr. Millsaps stated the Go Virginia Region 6 efforts are moving forward. Dr. Millsaps stated that more emphasis is being placed on economic development projects and projects are moving forward. Dr. Millsaps stated GWRC will be requesting to utilize more Go Virginia funding for planning efforts. Dr. Millsaps stated GWRC submitted a project for consideration on behalf of FRA to develop a better enhanced work force program. Dr. Millsaps stated decision will be made on whether the grant was accepted and awarded to GWRC on February 4th.

Dr. Millsaps advised that included in tonight's agenda packet is a copy of the FY2018 GWRC staffing structure and a copy of the new FY2019 organizational chart. Dr. Millsaps stated this staffing chart & organizational structure includes non-FAMPO staff and programs.

Dr. Millsaps advised that as a result of Diana Utz retiring from GWRC after 31 years of service at the end of February, the following staff changes will be implemented. Dr. Millsaps stated that Diana's duties have been divided amongst the existing staff members. Dr. Millsaps relayed she will be responsible for the GWRideConnect outreach initiatives, agency work & committee representation & 5307 funding resource.

Dr. Millsaps stated that Kate Gibson has been promoted as the Deputy Director and will work directly with her. Ms. Gibson will be responsible for submitting the agency's grant proposals, overseeing the CoC program, the Go Virginia program, and the GWRideConnect program, and working on environmental planning issues.

Dr. Millsaps relayed that Leigh Anderson has been promoted to Assistant Director for GWRideConnect & JoAnna Roberson has been promoted to Transportation Demand Management Planner, II. Dr. Millsaps stated that a new hire for position as a Transportation Demand Management Planner, I will be needed at some point later. Dr. Millsaps relayed that GWRC has received additional funding for a full-time new hire Go Virginia coordinator position. Dr. Millsaps stated the duties of this position will be processing application request; reviewing applications; meeting with applicant requestors to ensure a project has value & meets criteria; & ultimately submitting applications for hopeful project approval.

b.) GWRideConnect Grant Proposals – Diana Utz, Director of GWRideConnect

Ms. Utz advised the scope of the GWRideConnect program is as follows:

to serve in the capacity of a TDM agency that is operated by GWRC assisting the citizens of Planning District 16

to ensure that GWRideConnect promotes ridesharing & TDM options that will assist citizens who are seeking other transportation options to their individual work sites

to ensure the program goals of promoting, planning & establishing transportation alternatives to occupancy of a single vehicle that will improve the region's air quality, will reduce congestion & will

improve the citizen's quality of life are being implemented

Ms. Utz advised there are 2 grant resolutions being submitted for member consideration tonight. The first grant request is for funding of the GWRideConnect program & the second one is for the Vanpool Connections program.

i. Resolution 19-02: GWRideConnect Grant Proposal

Resolution No. 19-02 is a request for approval of a program funding grant for the GWRideConnect program. The total program funding is \$513,328. For FY2020, \$310,662 will be received from DRPT; \$125,000 from FAMPO CMAQ resources; & \$77,666 being requested as a 20% local match.

Ms. Utz advised the GWRideConnect program includes the following 8 work components: ridematching; GWRideConnect website; follow-up & data base surveys; carpool formation; support & promotion of all transit options; advertising & rideshare promotions; commuter lots & an outreach program to new residents, regional employers & association of realtors.

Mr. Kelly advised that he serves on multiple transportation commissions and meetings on a state-wide basis & expressed his thanks & appreciation to Ms. Utz on the success of the program. Mr. Kelly stated the GWRideConnect program is recognized as being the best one in Virginia.

Upon motion by Mr. Kelly and seconded by Mr. Coen, with all concurring, Resolution No. 19-02 was adopted by GWRC at its January 28th meeting.

ii. Resolution 19-03: Vanpool Connections Grant Proposal

Ms. Utz advised the second grant being presented tonight for member consideration is the Vanpool Connections funding program. Resolution 19-03 is a request for a total \$107,693 grant request with \$86,154 being allocated from DRPT for FY2020; which leaves a local 20% match of \$21,538.

Ms. Utz advised the 7 work components of the Vanpool Connections program are as follows: ridematching/express matching program; formation, maintenance & assistance for van pool operators in the region; establishing & maintaining a vanpool connections web page; develop vanpool connection marketing program; monitor the ADVANTAGE self-insurance pool program, under the leadership of Division Risk Management at the State level, & oversee this program for the entire state of Virginia; develop vanpool database surveys; & implement both a Van Start & Van Save program.

Ms. Utz advised the Vanpool Alliance program is a partnership between PRTC, NVTC & GWRC. This program encourages vanpools in the regions to report monthly data to PRTC who then reports it to the National Transit database. The van pool operators who participate in this program receive \$200-\$400 as a monthly stipend for reporting their data; this data then generates 5307 funds that goes back into the GW region. The funds can be utilized for transit/TDM capital projects and equals approximately \$1.2m annually and the GWRC committee determines how the money received is to be spent.

Ms. Utz advised the AdVANtage self-insurance pool allows for all vans in the state of Virginia to participate if they so desire & it is the only self-insured program in the country. The program

provides limited liability insurance for private vanpools in the State of Virginia; provides \$1m of liability protection, physical damages, & more. Cost estimates, enrollments, and payments are made available on the AdVANtage website.

Ms. Utz advised the FY2018 GWRideConnect program results are as follows: 1,073 new applicants were served; 13,484 existing applicants were assisted; 44 new van pools were formed; 5,501 existing van pools were assisted; 5,000 applicant & vanpool surveys were distributed; 2,054 FRED bus brochures were distributed; 2,000 VRE & Metro brochures were distributed; 14,374 Facebook followers; & 63,012 GWRideConnect website hits totaling more than 85,000 people receiving assistance in FY2018.

Mr. Ross asked if 1,073 new applicants were assisted, why were only 44 new van pools formed. Ms. Utz advised that not everyone is interested in purchasing and maintaining a van pool for a not for profit status & that not everyone who commutes wants to ride in a van pool – they may want to utilize other forms of transit options that include the bus, the VRE, Metro, car pools or slugging. Ms. Utz stated that 44 new van pools are actually quite high state-wide as most other regions only form 8-10 new van pools each year. Ms. Utz relayed that utilization of van pools, car pools, & buses reduces 12,313 daily work trips & reduces 3,102,876 annual trips.

Upon motion by Mr. Kelly and seconded by Mr. Coen, with all concurring, Resolution No. 19-03 was adopted by the GWRC commission at its January 28 meeting.

c.) Housing in the GWRC Region – Kim McClellan, Director of Public Policy,
Fredericksburg Area Association of Realtors

Ms. McClellan provided a profile & presentation of the demographic, economic & housing market conditions for the region. Ms. McClellan advised that the population increases from 2007 to 2015 for each GWRC locality is as follows: City of Fredericksburg = 25% increase; Caroline County = 11.4% increase; King George County = 15.3% increase; Spotsylvania County = 8.8% increase & Stafford County = 15.7% increase. Ms. McClellan advised that the 2017 population & median incomes for each locality are as follows: City of Fredericksburg = 28,360 in population & \$57,258 in median income; Caroline County = 30,461 in population & \$60,925 in median income; King George County = 26,337 in population & \$84,770 in median income; Spotsylvania County = 133,033 in population & \$81,434 in median income & Stafford County = 146,649 in population & \$103,005 in median income.

Ms. McClellan relayed the statistics versus home owners & renters throughout the region is as follows: City of Fredericksburg = Median Income of owners is \$97,383 versus \$39,347 for renters; Caroline County = Median Income of owners is \$66,728 versus \$43,594 for renters; King George County = Median Income of owners is \$93,157 versus \$56,637 for renters; Spotsylvania County = \$90,872 Median Income for owners versus \$50,869 for renters & for Stafford County = Median Income of owners is \$113,224 versus \$55,679 for renters.

Ms. McClellan stated the housing cost burden which is spending more than 30% on housing expenses per locality is as follows: City of Fredericksburg = 51% renters/21% owners; Caroline County = 48% renters/22% owners; King George County = 36% renters/23% owners; Spotsylvania County = 52% renters/25% owners; & Stafford County = 55% renters/22% owners.

Ms. McClellan advised that there are many options available for renters to consider moving into a home buyer arrangement; however, the region overall continues to fight the battles of having enough affordable housing available to those of median incomes.

Mr. Kelly stated that with median incomes & money for providing down payments on home purchases across the region is difficult and there needs to be a good mix of selections on the market. Mr. Kelly stated that this is an issue that each locality deals with; however, it is also an issue that needs to result in regional solutions. Mr. Kelly stated that one option may be to develop a set of criteria that each developer needs to adhere to region-wide; one solution may be to update/revise existing zoning requirements, etc.

Ms. Brabo stated it is difficult to control the developers and King George County has approached its local developers in building & offering lower-priced housing options. However, this request has gone unaddressed and/or ignored by developers who insist on building huge, high-dollar homes in subdivisions that end up having limited or no homes purchased. Ms. Brabo asked Ms. McClellan if the housing authority has had more successful dealings with the developers. Ms. McClellan stated the response they have received has been positive from the developers.

Mr. Trampe stated that the 30% down payment for Section 8 & other federal housing entities produces opposite contrasts – i.e. 30% is considered a minimum median need to be achieved; however, for the citizens a 30% median is the maximum they are able to afford. Mr. Trampe stated he did not feel a cost burden perspective is being properly addressed. Mr. Trampe stated to the extent that there is limited local housing available versus locality zoning laws, that we are supposed to restrict a citizen but at the same time not increase prices.

i. GWRC Affordable Housing Effort

Dr. Millsaps advised that more than a decade ago GWRC produce a regional affordable housing study. The local housing market has changed substantially and will likely continue to do so; however, new data has made it clear that segments of our population to include the ALICE population, senior citizens, local government employees, etc. are struggling region-wide to find appropriate housing within their means.

Dr. Millsaps stated that some GWRC localities have already considered developing their own affordable housing research & strategy policies; however, suggestions have been made for GWRC to become the lead in seeking new regional affordable housing efforts. This research would include reviewing existing data, reviewing best practices, reviewing existing options, and providing a road map on how to move forward on a regional basis.

Dr. Millsaps advised that GWRC has been made aware of funding opportunities that may be available through VHDA, potentially without a cash match requirement, that would develop such an effort.

Dr. Millsaps stated that as a result of the information relayed tonight from FAAR, the proposal is requesting authorization for the GWRC Executive Director to begin working with each locality staff member representative & FAAR to develop an initial proposal for potential funding grant opportunities with VHDA.

Dr. Millsaps stated the 4 key elements of the proposal would include the following items:

1. Analysis of locality-specific & regional data on demographic & housing characteristics & traits within the GWRC region; to provide a data-driven understanding of the existing housing-related issues & a basis for identifying implementation strategies to address the needs of each community;
2. Development of a menu of strategies for each jurisdiction to consider for its own locality that would range in both limited & more robust options
3. Develop a matrix for each jurisdiction & the region collectively of what options want to be considered for their own specific needs – i.e. – one locality may want general affordability; one may want to focus on housing availability for seniors; & one may want to focus on work force affordability; &
4. Develop an array of best practices & examples for each strategy

Dr. Millsaps stated the proposals would then be reviewed and endorsed by GWRC and then submit to VHDA for potential approvals & grant allocations. Mr. Withers stated that for the City of Fredericksburg since it is strapped with not having accessible open land for building that he would like to see a study done that could provide new/different alternatives for the City to consider. Mr. Kelly stated this is an item that has been discussed over the last 20 years so he too would like to see a more regional effort occur.

Mr. Ross stated he believes in the free market and asked what types of examples are hoped to be received from the study. Dr. Millsaps stated it could result in some simple locality zoning changes that better accommodates the work force community. Ms. Long asked if the report would be something that can be used as a “bargaining” tool to present to developers with a list of an array of best practices to help each locality resolve its specific housing needs. Dr. Millsaps concurred that this could be a result from the regional efforts.

Ms. Brabo stated she was very torn with approval on this request. Ms. Brabo stated she thinks that each locality has already created & developed its own incentives so she does not need to spend money on a study to tell her what the needs are. However, if the study is going to provide workable alternatives & options, then it may be worthwhile in expending the funds for it.

Dr. Millsaps advised other PDC’s have taken advantage of the VHDA funding & it has proven to be very successful – just recently occurred in the Floyd area past Virginia Tech. Ms. Brabo stated she would like to see data & actionable items that resulted from the study in Floyd.

Mr. Ross asked why this request even requires a motion. Dr. Millsaps stated she wanted a motion to insure this is truly the way the region wants to move forward and would thusly give her the approval to work with local county administrators/city managers & locality zoning/planning staff.

Ms. Bohmke stated that as questions have arisen for members during tonight's discussion & combined with the fact that 2 board members (Mr. Black & Mr. Jenkins) are not present, that a request tonight is asking for Dr. Millsaps to work with both FAAR representatives present tonight to bring back a proposal for review at the February meeting. A request was also made for Dr. Millsaps to obtain a copy of the study results from the Floyd area & if possible, to have this distributed to board members for review prior to the February meeting date.

NEW BUSINESS

- a.) Approval of 2019 Meeting Schedule – Meg Bohmke

Ms. Bohmke advised a copy of the proposed FY2019 GWRC Board meeting dates is included in tonight's agenda packet. Ms. Bohmke stated the GWRC meeting dates will coincide with the FAMPO meeting date schedule and GWRC will not be meeting in the months of July & December. Ms. Bohmke asked that committee members make notes on their personal calendars & to also advise their alternates of the meeting date schedule.

Upon motion by Mr. Kelly and seconded by Mr. Ross, with all concurring, the FY2019 GWRC meeting date schedule was approved.

OLD BUSINESS

- a.) Opinion Provided by Hefty, Wiley & Gore – Discussion Only

Ms. Bohmke advised that per request from members at the November meeting, a written opinion from Hefty, Wiley & Gore was requested to be presented to GWRC committee members. Ms. Bohmke stated this written opinion is included in tonight's agenda packet for informational purposes only and the item will be discussed at the upcoming February meeting.

CLOSED SESSION

The GWRC public meeting closed at 7:17 p.m. for the purpose of discussing personnel related items. The GWRC closed session concluded at 7:34 p.m., followed by a joint presentation to both the GWRC commission & the FAMPO committee by Mr. Ivan Rucker with the Federal Highway Administration on the upcoming GWRC/FAMPO planning certification review.

PRESENTATION TO JOINT MEETING WITH GWRC & FAMPO

- a.) FHWA/FTA Joint Planning Certification Review – Ivan Rucker, Federal Highway Administration

Mr. Rucker advised that the Federal law requires that the FHWA and FTA ensures that the metropolitan planning process of a metropolitan planning organization that services a transportation management area is consistent with all federal laws and regulations. .

Mr. Rucker stated the certification review is an in-depth, documented review of an MPO's planning process to ensure that the planning & programming process is consistent with federal laws &

regulations. Mr. Rucker stated the certification reviews can be done as often as annually; however, must be completed at least every 4 years.

Mr. Rucker advised that a certification review process is not designed to have an MPO fail but rather than to determine what is working; what is not working; & to ensure that an MPO fulfills the TMA requirements. Mr. Rucker stated the review is not just a review of the MPO or its staff but is a review of the planning process that is conducted by all agencies (State, MPO, Transit, etc.) charged with carrying out the process regulations on a daily basis.

Mr. Rucker stated there are 2 types of MPOs – a TMA and a non-TMA. A TMA MPO is designated for urbanized areas of 200,000 or more in population as determined by the most recent census, and Non-TMA areas which are those urban areas having 50,000 or more in population as determined by the most recent census.

Mr. Rucker stated that the question may arise as to “why” is FAMPO required to be part of the Federal Certification Review of the Transportation Planning Board (TPB), which is the TMA MPO for the DC/MD/Northern Virginia urbanized area? Mr. Rucker stated that following the 2000 census the DC urbanized area area extended south into northern Stafford County which is contained in the FAMPO Planning Area. Mr. Rucker stated at that time, Stafford County had a decision to make – it could have the Northern Stafford County members join the TPB MPO and other members of Stafford County stay with FAMPO or it could decide that it is in Stafford’s best interest that all members remain entirely with FAMPO.

Mr. Rucker advised that with the introduction of risk based certification reviews, there are now basically two types certification reviews: the traditional & risk-based.

The areas of review for the traditional process typically includes all topic areas that the MPO is responsible. These include Organization Structure (By-laws, Committees, etc.); Planning Boundaries; Agreements/Contracts; Regional Long Range Plan; Regional TIP; UPWP; Financial/Fiscal Constraints; Project Selection process; Public Participation Plan; Travel Demand Model; Performance Based Planning process; Title VI plan; Self-Certification/Procurement procedures; Congestion Management Process; Transit; Consultant procedures; Obligated projects; Bike/Ped planning; Freight planning; & Air Quality/Conformity requirements. (Mr. Rucker stated these are the basic documents and procedures reviewed for each MPO; however, items can also be added/included per recommendation from the Board and/or Staff).

Mr. Rucker stated that the process of reviewing topics in a Risk-Based review are not finalized to date; however, could include the following items for FAMPO: Agreements/Contracts (3-C, Performance, Planning, PL agreement, UPWP, CMP, Performance-based Planning & Title VI Civil Rights plan.

Mr. Rucker stated that FHWA receives the FAMPO Policy Committee meetings and for instance, noticed discussions have occurred in regard to a better understanding of agreements with both GWRC/FAMPO & there respective roles/responsibilities so this would be an item that FHWA would review.

Ms. Bohmke asked when a decision would be made as to whether a traditional or a risk-based review is assigned to a specific MPO. Mr. Rucker advised that these decisions are hoped to be made over

the next several weeks; however, as a result of the recent government shut-downs, work has not occurred with FTA so the process has been delayed. Mr. Rucker stated he hopes decisions are made by the middle of February.

Mr. Rucker reiterated that the process is not designed to punish an MPO but instead is to be used to assess what is working, what is not working, and to help make improvement where needed. .

Ms. Shelton asked if a TMA has operated without federal certifications in the past, and if so, what occurred to the MPO. Mr. Rucker stated that to his knowledge, no MPO's have operated without a federal certification review process in place.

Ms. Shelton asked what criteria is used for determining risk factors? Mr. Rucker stated an agency having a new Executive Director in place; a new Title VI Coordinator on board; lack of performance-based planning approach (which the FAMPO region already does so they are ahead of the curve when compared to other MPO's state-wide); etc.

Mr. Rucker stated that a requirement per federal law is that the certification include a public hearing. Mr. Rucker relayed that FHWA & FTA will provide an opportunity for public involvement and a meeting with the FAMPO CTAC. By law, Acomments received during the public hearing must be considered in arriving at a certification action. . Mr. Rucker advised that in addition to the public hearing, a combined meeting with be scheduled to occur between CTAC committee members from each MPO as well. Mr. Rucker stated this would be an approximate 2-hour scheduled meeting.

Mr. Rucker stated there are 4 certification finding categories and that most MPO's fall into either the first or second category which is fully meets requirements or substantially meets requirements. Mr. Rucker stated it is very rare for an MPO to receive a certification rating of "not certified" because this means that if the MPO fails, then FHWA has failed as well. Mr. Rucker stated the 3rd category is certified with conditions/restrictions which is also rare.

Mr. Kelly asked if there is a potential for changing current regional boundaries. Mr. Rucker stated that these requests can be made & submitted for review and approved y the Policy Board

Mr. Rucker advised that with MPO support, the FAMPO region could be expanded.. Mr. Rucker relayed that if you extend the boundary lines even 1-5 miles a non-voting member on the Board could in fact then become a voting member – i.e. for the FAMPO region, extending the boundary line from 1-5 miles into both the Caroline & King George counties would authorize these 2 localities to then become voting members providing it has MPO support & endorsement. Mr Rucker stated that both Caroline and King George are part of the structure and fabric of FAMPO and all of its products – including its committees.

Mr. Rucker stated that whether the FAMPO/GWRC region under goes a traditional or a risk-based certification review process, he believes that FAMPO is doing a good job. Mr. Rucker stated that if any member, staff, entity, etc. has questions or concerns, or just need clarification on the review process to not hesitate to contact him.

ADJOURN GWRC MEETING – The January 28th GWRC meeting adjourned at 8:07 p.m. The next meeting will be held on February 25, 2019.

Respectfully Submitted, Dr. Linda Millsaps, Executive Director
(Draft Minutes prepared by JoAnna Roberson)

Written Presentation Comments

Mr. Ivan Rucker
Federal Highway Administration
January 28, 2019

Good evening George Washington Regional Commission (GWRC) and Fredericksburg Area Metropolitan Planning Organization (FAMPO) board members. Thank you for inviting me to speak with you this evening about the federal certification process.

Background

Federal law requires that the Federal Highway Administration (FHWA) and Federal Transportation Agency (FTA) ensure that the metropolitan planning process of a metropolitan planning organization that services a transportation management area is consistent with all federal laws and regulations.

The certification review is an in-depth, documented review of an MPO's planning process to ensure that the planning & programming process is consistent with federal laws & regulations. The certification reviews can be done as often as annually. However, they must be completed at least every four years.

The certification review process is not designed to have an MPO fail. Rather it is to determine what is working, what is not working, and ensure that an MPO fulfills the TMA requirements. The review is not just a review of the MPO or its staff, but is a review of the planning process that is conducted by all agencies (State, MPO, Transit, etc.) charged with carrying out the process and regulations on a daily basis. An example of a non-MPO responsibility that is a part of the certification review is a look at the State and local governments as it related to revenue projections. The MPO needs these estimates to be available and correct so they can develop a project list for the region's Long Range Plan.

There are two types of MPOs – a TMA and a non-TMA. A TMA MPO is designated for urbanized areas of 200,000 or more in population as determined by the most recent census. The Non-TMA areas which are those urban areas having 50,000 or more in population as determined by the most recent census.

The question may arise as to “why” is FAMPO required to be part of the Federal Certification Review of the Transportation Planning Board (TPB), which is the TMA MPO for the DC/MD/Northern Virginia urbanized area? Following the 2000 census, the DC urbanized area extended south into northern Stafford County, which was in the FAMPO Planning Area. At that time Stafford County had a decision to make – it could have the Northern Stafford County members joint the TPB MPO and other members of Stafford County stay with FAMPO or it could decide that it is in Stafford's best interest that all members remain entirely with FAMPO.

In 2004, Stafford County voted and determined that it is in their best interest that all members remain with FAMPO. With Stafford County's decision to remain with FAMPO, FAMPO would be required to meet TPB's TMA planning requirements for Northern Stafford County. Federal planning requirements are much more extensive for TMAs or large MPOs than they are for non-TMAs or small MPOs. With FAMPO agreeing to meet TPB's TMA requirements, a contract was executed where FAMPO agreed to have TPB's back when it comes to TPB federal responsibilities, including for Federal certification reviews.

Federal RSTP funds that are attributable to the population of Northern Stafford County within the DC urbanized area are being made available to the FAMPO. FAMPO can and has been using these federal funds anywhere within the FAMPO region – including City of Fredericksburg and Spotsylvania County. At that time Stafford County decided to join the TPB TMA MPO then these Federal funds would not be available to FAMPO for FAMPOs use. Also, non-TMAs do not receive these RSTP program funds. However, FAMPO is connected to TPB TMA MPO via northern Stafford County.

Certification Review

With the introduction of risk-based certification reviews, there are now basically two types of certification reviews: the traditional & risk-based.

The areas of review for the traditional process typically includes all topic areas for which the MPO is responsible. These areas usually include the following: organization structure (By-laws, committees, etc.), planning boundaries; agreements and contracts, the Regional Long Range Plan (LRTP), the regional Transportation Improvement Program (TIP), the Unified Plan of Work (UPWP), financial and fiscal constraints, project selection process, the Public Participation Plan, the Travel Demand Model, the Performance-Based Planning process, the Title VI plan, self-certification and procurement procedures, the Congestion Management Process (CMP), transit, consultant procedures, obligated projects, bike and ped planning, freight planning, air quality and conformity requirements. In addition, other items can be added or included per recommendation from the board and/or the staff.

For risk-based reviews, FHWA and FTA are still responsible for reviewing all topic areas as part of FHWA and FTA's deck audit, but we only select those topics areas that are determined to be high-risk areas or those that may require attention. The Risk-Based reviews are much shorter. This process cuts both time and reduces cost by 50%.

The process of reviewing topics in a Risk-Based review are not finalized to date. However, it could include the following items for FAMPO: Agreements/Contracts (3-C, Performance, Planning, PL agreement, UPWP, CMP, Performance-based Planning & Title VI Civil Rights plan.

So you are aware, the FHWA receives the FAMPO Policy Committee meeting minutes. We noticed that discussions have occurred in regard to a better understanding of agreements with both GWRC and FAMPO, as well as their respective roles and responsibilities. So this will be an item FHWA will review in the certification process.

At this point I want to reiterated that the process is not designed to punish an MPO, but instead is to be used to assess what is working, what is not working, and to help make improvement where needed. For example, FAMPO has a newly hired Title VI Coordinator. Because she is new to the organization, we will look at Title VI. We will also be looking at some organizational issues and the organizational chart.

Written Reply to Questions

Q.: Has a TMA operated without federal certifications in the past? If so, what happened to the MPO?

A.: To my knowledge, no MPOs have ever operated without a federal certification review process in place.

Q.: What criteria are used for determining risk factors?

A.: Having a new Executive Director in place, having a new Title VI Coordinator on board, or a lack of performance-based planning approach (which the FAMPO region already does so they are ahead of the curve when compared to other MPO's state-wide), for example.

Q.: What else is required?

A.: Federal law requires that the certification includes a public hearing. FHWA and FTA will provide an opportunity for public involvement and a meeting with the FAMPO CTAC. Organizational By-laws and comments received during the public hearing must be considered in arriving at a certification action. In addition to the public hearing, a combined meeting will be scheduled to occur between CTAC committee members from each MPO as well.

There are four certification finding categories. Most MPOs fall into either the first or second category which fully meets requirements or substantially meets requirements. It is very rare for an MPO to receive a certification rating of "not certified", as this means that if the MPO fails, the FHWA has failed as well. The third category is certified with conditions/restrictions, which is also rare.

Q.: Is there a potential for changing current regional boundaries?

A.: These requests can be made and submitted for review and approval by the Policy Board. With MPO support, the FAMPO region could be expanded. If the boundary lines are extended by even one to five miles, a non-voting member on the Board could in fact then become a voting member. For example, in the FAMPO region, extending the boundary line from one to five miles into both the Caroline & King George counties would authorize these two localities to become voting members, provide this move is supported by the MPO and has its endorsement. Currently both Caroline and King George are part of the structure and fabric of FAMPO and all of its products – including its committees.

Whether the FAMPO/GWRC region undergoes a traditional or a risk-based certification review process, we believe that FAMPO is doing a good job. If any member, staff, entity, etc. have

questions or concerns, or just need clarification on the review process do not hesitate to contact him.

Thank you again for your invitation and opportunity to address you.