



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Richmond, Virginia 23219

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MINUTES MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

ACTION MEETING

VDOT Central Auditorium
1221 East Broad Street
Richmond, Virginia 23219
December 4, 2023

The action meeting of the Commonwealth Transportation Board was held in the Central Office Auditorium of the Virginia Department of Transportation in Richmond, Virginia, on December 4, 2023. The Chairman, Sheppard Miller, presided and called the meeting to order at 11:05 a.m.

Present: Messrs. Byers, Coleman, Davis, Fowlkes, Kasprovicz, Lawson, Laird, Merrill, Smoot, Stant, Ms. Green, Ms. Sellers, Mr. Brich, ex officio, Commissioner of Highways and Ms. Debruhl, ex officio, Director of the Department of Rail and Public Transportation.

Absent: Ms. Hynes and Mr. Yates

Public Comments:

Mr. Jason Stanford, Northern Virginia Transportation Authority, addressed the Board regarding the proposed Smart Scale Changes.

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Mr. Trip Pollard, Southern Environmental Law Center, addressed the Board regarding the proposed Smart Scale Changes.

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Mr. James Hutzler, Virginia Association of Counties, addressed the Board regarding the proposed Smart Scale Changes.

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The Chair suspended the meeting at 11:11 a.m. on December 4, 2023 indicating the December 4, 2023 workshop session would resume and that this meeting would resume upon the adjournment of the workshop session.

The Chair reconvened the suspended action meeting at 1:34 p.m. on December 4, 2023.

Approval of Minutes:

October 18, 2023

Made By: Ms. Sellers, Seconded By: Ms. Lawson,
Motion carried, minutes approved, unanimously.

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TRAFFIC OPERATIONS DIVISION:

Agenda Item 1. Action on Through Truck Restriction Route 206 -Dahlgren Road, King George County, Within the Fredericksburg District.

Made By: Ms. Sellers, Seconded By: Ms. Green,
Motion carried, resolution approved, unanimously.

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MAINTENANCE DIVISION:

Agenda Item 2. Action on Commemorative naming, at the request of Lee County, of the bridge on State Route 352, St. Charles Road, over Straight Creek, Lee County as the “Samuel Johnson, Jr. Memorial Bridge” Within the Bristol District.

Made By: Mr. Fowlkes, Seconded By: Mr. Coleman,
Motion carried, resolution approved, unanimously.

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OFFICE OF LAND USE:

Agenda Item 3. Action on Authorization of Proposed Amendments to Secondary Street Acceptance Requirements Pursuant to Chapter 425 of the 2022 Acts of Assembly.

Made By: Mr. Stant, Seconded By: Mr. Laird,
Motion carried, resolution approved, unanimously.

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GOVERNANCE AND LEGISLATIVE AFFAIRS:

Agenda Item 4. Action on Policy Index Review.

Made By: Mr. Fowlkes, Seconded By: Ms. Sellers,
Motion carried, resolution approved, unanimously.

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VIRGINIA DEPARTMENT OF TRANSPORTATION:

Agenda Item 5. Action on Amendment to Memorandum of Agreement Between VDOT and the Central Virginia Transportation Authority and Revised Standard Project Agreement Template.

Made By: Mr. Davis, Seconded By: Ms. Sellers,
Motion carried, resolution approved, unanimously.

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LOCATION AND DESIGN:

Agenda Item 6. Action on Location Approval for the Westwind Drive Extension (Loudoun County Parkway to Old Ox Road), Located Within the Northern Virginia District.

Made By: Mr. Kasprowicz, Seconded By: Mr. Laird,
Motion carried, resolution approved, unanimously.

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INFRASTRUCTURE INVESTMENT DIVISION:

Agenda Item 7. Action on Revised FY24-29 Six-Year Improvement Program Transfers For September 23, 2023, through November 3, 2023.

Made By: Dr. Smoot, Seconded By: Mr. Stant,
Motion carried, resolution approved, unanimously.

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Agenda Item 8. Action on Addition of Projects to the Revised Six-Year Improvement Program For Fiscal Years 2024-2029.

Made By: Mr. Coleman, Seconded By: Ms. Green,
Motion carried, resolution approved, unanimously.

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VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION:

Agenda Item 9. Action on FY2024-FY2029 SYIP Project Updates.

Made By: Mr. Laird, Seconded By: Mr. Byers,
Motion carried, resolution approved, unanimously.

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VIRGINIA DEPARTMENT OF TRANSPORTATION:

Agenda Item 10. Action on Approval of Interstate 81 Corridor Improvement Program Progress Report.

Made By: Dr. Smoot, Seconded By: Mr. Fowlkes,
Motion carried, resolution approved, unanimously.

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OFFICE OF SECRETARY OF TRANSPORTATION:

Agenda Item 11. Action on Transportation Partnership Opportunity Fund Allocation to the Virginia Commercial Space Flight Authority.

Made By: Ms. Sellers, Seconded By: Mr. Coleman,
Motion carried, resolution approved, unanimously.

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OFFICE OF INTERMODAL PLANNING AND INVESTMENT:

Agenda Item 12. Action on SMART SCALE Prioritization Process Policy as amended.

Prior to the vote on this item, several of the proposals were discussed as outlined below:

The following items 1-5 represent staff recommendations proposed to the Commonwealth Transportation Board to support revisions to SMART SCALE policy and the resulting policy based on the actions by the Board.

1. Calculate Congestion factor 10 years in the future.
 - a. Staff recommended 10 years in the future.
 - b. Board agreed to calculate Congestion 7 years in the future.
2. Utilize a forward-looking Economic Development measure.
 - a. Staff recommended a new ED.1 measure that was developed by VEDP and a change in how Freight impact is calculated.
 - b. Board agreed with the staff recommendation for ED. 1
 - i. Determining project eligibility based on identification in VirginiaScan.
 - ii. 40% estimated jobs,
 - iii. 25% estimated capital investment,
 - iv. 15% recognize property / site funding,
 - v. 10% property visits received, and
 - vi. 10% distinguish property readiness.
3. Refine High-Priority Projects (HPP) Program Eligibility and Eliminate Step 2
 - a. Staff recommended refining the definition of High Priority Projects and eliminating the existing step 2.
 - b. Board agreed to refining the High Priority Projects program by limiting it to the following characteristics:

- i. New Capacity Highway capacity improvements including adding a New Lane, Roadway on a New Alignment, Managed Lanes (HOV/HOT/Shoulder), or New Bridge;
 - ii. New or Improved Interchanges including New Interchange-Non-Limited Access Facility, Improve Grade-Separated Interchange, New Interchange-Limited Access Facility, and Ramp Improvements;
 - iii. Transit and Freight improvements including New or Improved Passenger Rail Stations or Corridor Improvements (including New Bridge), Freight Rail Corridor Improvements, High Capacity/Fixed Guideway Transit (including Light Rail Transit and Bus Rapid Transit), and Transit Transfer Stations; or
 - iv. Improvements recommended as the preferred alternative in a STARS, Pipeline Study, Arterial Management Plan, or MPO/Transit/Local studies with equivalent study components; in coordination with the Commonwealth and is as defined as Regionally significant, in accordance with 23 CFR 450.104.
- c. The Board also agreed to Eliminating Step 2 therefore, the following steps will be considered in the preliminary staff funding scenario: (Reference section I.3, page 2)
- i. Step 1 - Fund top scoring projects within each district based on SMART SCALE Score eligible for Highway Construction District Grant Program funding using Highway Construction District Grant Program funds until the remaining funds are insufficient to fund the next highest scoring project.
 - ii. Step 2 - Fund remaining top scoring projects statewide based on SMART SCALE Score for High Priority Projects Program funds using High Priority Projects Program funding until the remaining funds are insufficient to fund the next highest scoring project.
4. Create a three-tier application limit.
- a. Staff recommended creating a new three-tier application limit, which reduced the number of applications that could be submitted.
 - b. Board did not agree to a three-tier structure or to reduced application limits, therefore, application limits remain unchanged:

Tier	Localities*	MPOs/PDCs/ Transit Agencies*	Max # of Pre- Applications	Max # of Full Applications
1	< 200K	< 500K	5	4
2	>= 200K	>= 500K	12	10

5. Modify Land Use factor to a multiplier and modify factor weightings.
- a. Staff recommended converting the Land Use factor to a multiplier and existing transferring the Land Use weights to the safety and congestion factors.

- b. Board rejected the Staff recommendation,
 - i. Removed the Land Use factor from consideration in the SMART SCALE program.

Redistributed the Land Use weights as shown below:

<u>Typology</u>		<u>Safety</u>	<u>Congestion</u>	<u>Accessibility</u>	<u>Land Use</u>	<u>Economic Development</u>	<u>Environment</u>
A	Weights	15%	45%	25%	0%	5%	10%
	<i>Change</i>	10%		10%	-20%		
B	Weights	20%	25%	25%	0%	20%	10%
	<i>Change</i>		10%	5%	-15%		
C	Weights	30%	20%	15%	0%	25%	10%
	<i>Change</i>	5%	5%		-10%		
D	Weights	40%	10%	10%	0%	30%	10%
	<i>Change</i>	10%			-10%		

The resolution was voted on in sections with the results as follows:

WHEREAS, Section 33.2-214.1 of the Code of Virginia, provides that the Commonwealth Transportation Board (Board) shall develop a statewide prioritization process for certain projects funded by the Board, including those projects allocated funds pursuant to sections 33.2-358, 33.2-370 and 33.2-371 of the Code of Virginia, and

WHEREAS, it is the responsibility of the Office of Intermodal Planning and Investment (OIPI), in coordination with the Virginia Department of Transportation (VDOT) and the Department of Rail and Public Transportation (DRPT), to implement the statewide prioritization process developed by the Board pursuant to Section 2.2-229; and

WHEREAS, Section 33.2-358 sets forth requirements relating to the allocations and establishment of a High Priority Projects Program established pursuant to section 33.2-370 and a Highway Construction District Grant Program established pursuant to section 33.2-371; and

WHEREAS, the factors specified in Section 33.2-214.1 will be weighted for each of the state’s highway construction districts based on the unique needs, according to the metrics attached hereto in Appendix A; and

WHEREAS, Chapter 726 of the 2014 Acts of Assembly required the Board to select projects for funding, utilizing the project prioritization process established pursuant to section 33.2-214.1; and

WHEREAS, Section 33.2-214.1 (B) requires the Board to solicit input from localities, metropolitan planning organizations, transit authorities, transportation authorities, and other stakeholders in its development of the prioritization process; and

WHEREAS, Section 33.2-214.2 requires OIPI to make public, in an accessible format,(i) a recommended list of projects and strategies for inclusion in the Six-Year Improvement Program based on

results of the evaluation of submitted projects, (ii) the results of the screening of such projects and strategies, including whether such projects are located on a primary evacuation route, (iii) whether a project has been designed to be or the project sponsor has committed that the design will be resilient, and (iv) the results of the evaluation of candidate projects and strategies, including the weighting of factors and the criteria used to determine the value of each factor, no later than 150 days prior to the Board's vote to adopt the Six-Year Improvement Plan; and

WHEREAS, since adoption of the most recent SMART SCALE Prioritization Policy on December 8, 2021, modifications to improve and strengthen the policy have been identified and recommended to the Board by OIPI; and

WHEREAS, the SMART SCALE Process Review, (summary attached hereto in Appendix B), identified issues that were analyzed and recommended to the Board by OIPI for policy consideration; and

NOW THEREFORE BE IT RESOLVED, pursuant to Section 33.2-214.1, and Chapter 726 of the 2014 Acts of Assembly, the Commonwealth Transportation Board hereby updates the SMART SCALE Prioritization Policy to address the issues identified in the SMART SCALE Process Review and adopts the SMART SCALE Prioritization Policy, attached hereto as Appendix A, which reflects those modifications adopted by the Board during this Action Meeting, as set out below.

A. Calculate Congestion Factor ten years in the Future:

The Board amended staff recommendation to seven years in the Future Moved by Mr. Merrill, Seconded by Dr. Smoot, Passed

B. Utilize a Forward-Looking Economic Development Measure as recommended by OIPI but replace the term "site" with "property" or "properties" in all documentation with the exception of the reference to "Virginia Business Ready Sites Program" of the VEDP:

Moved by Mrs. Sellers, Seconded by Mrs. Green, Passed

C. Refine the High Priority Projects (HPP) definition and eliminate Step 2 such that all HPP funds are based on statewide rankings as presented in the staff recommendation The Board agreed with eliminating Step 2 and made the following modifications to the staff recommended HPP definition:

- i. regarding New Capacity Highway Improvements, delete "Through" from "New Through Lanes"
- ii. regarding Transit and Freight Improvements, delete "Service" from "New or Improved Passenger Rail Stations or Service" and replace with "Corridor Improvements." Also add "New Bridge"
- iii. regarding the addition of "entire corridor improvements...in a STARS, Pipeline Study or Arterial Management Plan" revise the additional projects to read "or Improvements recommended as the preferred alternative in a STARS, Pipeline Study, Arterial Management Plan or MPO/Transit/Local studies with equivalent study components; in coordination with the Commonwealth and is as defined as Regionally significant in accordance with 23 CFR 450.104."

Moved by Mr. Merrill, Seconded by Mr. Laird, Passed

D. Staff Recommendation to Create a Three-Tier Application Limit by adding a new middle tier and modifying application limits/caps (upon reconsidered vote): Moved by Mr. Fowlkes, Seconded by Mr. Byers, Failed

E. Modification of Land Use Factor to a Multiplier: The Board recommended the Removal of the Land Use Factor/Consideration as presented and defined Moved by Mr. Lawson, Seconded by Mrs. Sellers, Passed

F. Modification of Factor Weightings for each typology: The Board amended the Staff Recommendations as follows:

a. Typology A amended: Safety 15%| Congestion 45%| Accessibility 25%| Economic Development 5%| Environmental 10%|

Moved by Mr. Kasprowicz, Seconded by Mr. Coleman, Passed

b. Typology B amended: Safety 20%| Congestion 25%| Accessibility 25%| Economic Development 20%| Environmental 10%|

Moved by Mrs. Sellers, Seconded by Mr. Fowlkes, Passed

c. Typology C: Safety 30%| Congestion 20%| Accessibility 15%| Economic Development 25%| Environmental 10%|

Moved by Mr. Merrill, Seconded by Mr. Smoot, Passed

d. Typology D: Safety 40%| Congestion 10%| Accessibility 10%| Economic Development 30%| Environmental 10%|

Moved by Mr. Merrill, Seconded by Mr. Fowlkes, Passed

BE IT FURTHER RESOLVED, the methodology outlined in the SMART SCALE Technical Guide shall direct the screening, scoring and selection of projects for funding and may continue to evolve and improve based upon advances in technology, data collection and reporting tools, and to the extent that any such improvements modify or affect the policy and process set forth herein, they shall be brought to the Board for review and approval.

BE IT FURTHER RESOLVED, the SMART SCALE Project Change Guide shall direct the evaluation of changes to the scope and/or budget of projects selected for funding through SMART SCALE.

BE IT FURTHER RESOLVED, the development and management of the SMART SCALE portion of the SYIP shall be conducted in accordance with the Board's Six-Year Improvement Program Development Policy, as revised to incorporate revisions herein.

BE IT FURTHER RESOLVED, the Board hereby directs OIPI, in coordination with VDOT and DRPT, to take all actions necessary to implement and administer this policy and process, including but not limited to update of technical and policy documents consistent with the SMART SCALE Prioritization Policy adopted herein.

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SCHEDULING AND CONTRACT:

Agenda Item 13. Bids.

Recommending award of Order Number J99
UPC 116170
Located within Bristol District.

Made By: Mr. Fowlkes, Seconded By: Mr. Merrill,
Motion carried, resolution approved, unanimously.
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Recommending award of Order Number 423
UPC 124047
Located within Richmond District.

Made By: Mr. Davis, Seconded By: Mr. Kasprovicz,
Motion carried, resolution approved, unanimously.
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Recommending award of Order Number K08
UPC 116164
Located within Bristol District.

Made By: Mr. Fowlkes, Seconded By: Ms. Green,
Motion carried, resolution approved, unanimously.
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Recommending award of Order Number 235
UPC 123423 and 123424
Located within Salem District.

Made By: Dr. Smoot, Seconded By: Mr. Laird,
Motion carried, resolution approved, unanimously.
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NEW BUSINESS:

ADJOURNMENT:

The meeting adjourned at 5:57 p.m. on December 4, 2023.

Respectfully Submitted:

Carol Mathis,

Assistant Secretary to the Board

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