



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Aubrey L. Layne, Jr.  
Chairman

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*Agenda item # New Business*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**February 17, 2016**

#### **MOTION**

**Made By: Mr. Dyke**

**Seconded By: Mr. Rosen**

**Action: Motion Carried**

**Title: Programming of Funds for the Virginia Beach Light Rail Extension to Town Center**

**WHEREAS**, the Commonwealth has demonstrated its support for the Virginia Beach Light Rail Extension as a multimodal transportation solution that will have benefits for local accessibility and mobility, while leveraging past investments in the Norfolk light rail project known as the "Tide"; and,

**WHEREAS**, in Chapter 6 of the 2008 Acts of Assembly, Special Session II, the Virginia General Assembly resolved to provide for the extension of the proposed light rail system in the City of Norfolk to the beachfront in the City of Virginia Beach; and,

**WHEREAS**, in 2009, the Virginia Department of Transportation executed an agreement with Hampton Roads Transit and the Virginia Beach City Council to utilize revenues from the Transportation Partnership Opportunity Fund to purchase inactive Norfolk Southern right-of-way to be used for the future alignment of light rail from Norfolk to Virginia Beach; and,

**WHEREAS**, in 2009, Hampton Roads Transit (HRT) initiated an Alternatives Analysis and Supplemental Draft Environmental Impact Statement for the Virginia Beach Transit Extension Study; and,

**WHEREAS**, in March 2014, the City of Virginia Beach requested that HRT include an alignment which would terminate the proposed transit extension at Town Center, in an effort to inform the City Council on all the potential costs of a Town Center alternative as part of its adoption of a Locally Preferred Alternative.

**WHEREAS**, in May 2014, the Commonwealth of Virginia and City of Virginia Beach finalized a Term Sheet that outlined the respective funding contributions of the Commonwealth and the City for the light rail project, with the Commonwealth pledging to contribute 50 percent of the project funding up to a total of \$155 million; and,

**WHEREAS**, in May 2015, Virginia Beach City Council and Hampton Roads Transit selected a preferred route to extend light rail from Newtown Road to Town Center in Virginia Beach; and,

**WHEREAS**, Section 33.2-214(B) of the Code of Virginia requires the Board to adopt by July 1 of each year a Six-Year Improvement Program (Program) of anticipated projects and programs and that the Program shall be based on the most recent official revenue forecasts and a debt management policy; and,

**WHEREAS**, after due consideration the Board adopted a Final Fiscal Years 2016-2021 Program on June 17, 2015; and,

**WHEREAS**, the Board programmed \$155 million in funding for the Virginia Beach Light Rail Extension project (Project) in the Final Fiscal Years FY2016-2021 Program, representing approximately 50 percent of the Project's estimated capital costs; and,

**WHEREAS**, the Board programmed these funds based on a schedule in which it was anticipated that in FY 2016, HRT would apply to the Department of Rail and Public Transportation for funding to acquire light rail vehicles and the City of Virginia Beach would apply for funding to commence construction in FY2017; and,

**WHEREAS** the City of Virginia Beach has not yet committed its local funding share for light rail vehicle acquisition or construction of the Project through any formal City Council actions, nor has the City submitted a grant application for funding from the Department of Rail and Public Transportation for funding in FY 2017; and,

**WHEREAS** the City of Virginia Beach has not yet executed the "Memorandum of Understanding between the City of Virginia Beach, Transportation District Commission of Hampton Roads, and Virginia Department of Rail and Public Transportation Concerning the Extension of Light Rail from Norfolk to Virginia Beach Town Center"; and,

**WHEREAS** the Board recognizes that the Commonwealth transportation funds programmed for the Project could be programmed to other projects in the FY2017-2022 Six-Year Improvement Program after those projects have been rated in accordance with the House Bill 2 process; and,

**BE IT THEREFORE RESOLVED** that the Board reaffirms its commitment to the Virginia Beach Light Rail Extension Project and authorizes the Chairman of the Commonwealth Transportation Board to inform the City of Virginia Beach that by April 30, 2016, the City must

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demonstrate its commitment to the Project by authorizing the Transportation District Commission of Hampton Roads to submit an application to the Department of Rail and Public Transportation for funding for the procurement of light rail vehicles, and must execute a mutually agreeable Memorandum of Understanding among the City of Virginia Beach, the Transportation District Commission of Hampton Roads, and the Virginia Department of Rail and Public Transportation; in the absence of such affirmative actions by the City of Virginia Beach by the stated deadlines, the Board may reallocate these funds to other eligible projects that have been rated in accordance with House Bill 2.

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