### AGENDA

## MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

1401 E. Broad Street Richmond, Virginia March 18, 1993 10:00 a.m.

- 1. Public Comment
- Action on Minutes of Meetings held January 28, 1993 and February 18, 1993
- Action on Permits Issued and Canceled from February 1, 1993 to February 29, 1993
- Action on Additions, Abandonments or Other Changes in the Secondary System from January 27, 1993 to February 24, 1993
- Action on City Street Mileage
- Action on Bids Received February 17, 1993 and March 17, 1993
- 7. Consultant Agreement: Route I-66 Fairfax and Prince William

Counties

Proj. 0066-029-119,PE101 and 102

0066-029-120,PE101 0066-029-122,PE101

0066-029-116,PE103

0065-075-105,PE101

Supplemental Agreement # 2 for revision

in scope of services

Dewberry and Davis

Consultant Agreement: Route 360 - Chesterfield County

Proj. 0360-020-121,PE101

Supplemental Agreement # 3 for revision

in scope of services STV/Lyon Associates

Consultant Agreement: Route 657 - Fairfax County

Proj. 0657-029-281,C502,C503

Supplemental Agreement # 3 for revision

In scope of services

Rinker-Detwiler

Churchland Boulevard - City of Portsmouth and City of 8. Location & Design: Chesapeake

Proj. U000-124-105,C501 U000-131-113,C501

Fr: Poplar Hill Road/Towns Point Road Intersection

To: High Street (Route 17)

Route 619 (Fiddlers Green Road) - Gloucester County Location

Proj. 0619-036-143,C501 & Design: Pr: Intersection Route 17

To: 1.137 Miles West of Intersection of Route 17

Route 626 (Thweatt Drive) - Prince George County Location

& Design:

Proj. 0626-074-182,M501,D633 Fr: 2.481 Miles East of Route 156 To: 1.50 Miles Bast of Route 156

Route 1114 (Shade Street) - Town of Kenbridge/ Lunenburg County Proj. 1114-247-209,C501 Location

& Design:

Fr: Intersection of Main Street (Route 40) To: Intersection of Broad Street (Route 637)

Piedmont Drive - City of Danville 9. Conveyances:

Route 3 (now Route 522) - Rappahannock County Route 81 - Augusta County

Route 672 - Henry County

Routes 787 and 5102 - Fairfax County Through Truck Restrictions: 10.

Routes 1101 and 1104 - Alleghany Co.

- Statewide Transportation Improvement Program 11.
- Transportation Revenue Refunding Bonds, Series 1993, 12. Route 58 Corridor Development Program
- New Business 13.
- 14. Adjourn

### MINUTES

OF

## MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

1401 E. Broad Street Richmond, Virginia March 18, 1993 10:00 a.m.

The monthly meeting of the Commonwealth Transportation Board was held in the Board Room of the Department of Transportation in Richmond, Virginia on March 18, 1993, at 10:00 a.m. The Chairman, Mr. John G. Milliken, presided.

Present: Hessrs. Pethtel, Candler, Davies, Malbon, Mastracco, Musselwhite, Rhea, Waldman, Warner, Wells, Dr. Thomas, Mrs. Kinchelce, Mrs. Brooks and Mrs. Miller.

Absent: Dr. Howlette

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On motion of Mr. Warner, seconded by Mr. Musselwhite, the Board approved the minutes of the meetings of January 28, 1993 and February 18, 1993.

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Moved by Mr. Warner, seconded by Mr. Musselwhite, that the Board approve permits issued and canceled from February 1, 1993 to February 29, 1993.

Motion carried.

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On motion of Mr. Warner, seconded by Mr. Musselwhite, the Board approved Additions, Abandonments or Other Changes in the Secondary System from January 27, 1993 to February 24, 1993.

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Moved by Mr. Warner, seconded by Mr. Musselwhite, that

WHEREAS, the Commonwealth Transportation Board is authorized under Section 33.1-41.1 of the Code of Virginia, as amended, to approve payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain Principal-Minor Arterial Roads, Collector Roads and Local Streets within the corporate limits of the City of Virginia Beach are eligible for such payment; and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the City of Virginia Beach for maintenance payments on Principal-Hinor Arterial Roads, Collector Roads, and Local Streets meeting the required criteria; and

WHEREAS, upon review of the urban maintenance inventory, omissions were found.

NOW, THEREFORE BE IT RESOLVED, that the road and street mileage eligible for quarterly payments to the City of Virginia Beach for Principal Arterial Roads be increased by 2.11 centerline miles, Minor Arterial Roads be increased by 1.50 centerline miles and Collector Roads be decreased by 1.50 centerline miles. These increases and decreases are a result of additions and deletions of Principal-Minor Arterial Roads, Collector Roads and Local Streets as described on tabulation pages 20 and 28 respectively, for the City of Virginia Beach, as functionally classified by the Transportation Planning Division dated June 6, 1992.

The tabulation pages are on file in the Department's Urban Division.

The Principal Arterial Road additions totaling 2.11 miles increases the total mileage to 39.52 centerline miles of approved roads subject to maintenance payments effective for payment beginning July 1, 1992.

The Minor Arterial Road additions totaling 1.50 miles increases the total mileage to 145.09 centerline miles of approved roads subject to maintenance payments effective for payment beginning July 1, 1992.

The Collector Road deletions totaling 1.50 miles decreases the total mileage to 133.83 centerline miles of approved roads subject to maintenance payments effective for payment beginning July 1, 1992.

Moved by Dr. Thomas, seconded by Mrs. Brooks that the Board approve the bids received February 17, 1993, listed for award on the attached sheets numbered 2A through 2J and authorize execution of contracts by the Deputy Commissioner or Chief Engineer, and approve rejection of those bids listed for rejection and authorize readvertisement.

# SUM DECEMBED PERRUARY 17, 1985

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Moved by Mr. Waldman, seconded by Mr. Warner, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of Dewberry & Davis, and it has been determined that a change in the scope of services is necessary due to a revised typical section and additional storm water management; and

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 2.

NOW, THEREFORE, BE IT RESOLVED that the Board authorize the execution of this Supplemental Agreement and it shall become a part of the original agreement which currently has a maximum compensation of \$3,875,225.00.

This Supplemental Agreement No. 2 is in the amount of \$645,166.00 for services and expenses plus a net fee of \$54,830.00 making the total for this supplement \$699,946.00.

The total maximum compensation of the agreement including this and prior supplements is now \$4,575,171.00.

Motion carried.

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Moved by Dr. Thomas, seconded by Mrs. Kincheloe, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of STV/Lyon Associates, and it has been determined that a change in the scope of services is necessary for Project: 0360-020-121, PE-101, located in the County of Chesterfield, Richmond District; and

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 3.

NOW, THEREFORE BE IT RESOLVED, that the Board authorize the execution of this Supplemental Agreement and it shall become a part of the original agreement which currently has a maximum compensation of \$883,285.00.

This Supplemental Agreement No. 3 is in the amount of \$89,295.90 for services and expenses plus a net fee of \$4,895.10, minus adjustment due the Department \$24,385.53 making the total for this supplement \$69,805.47. The total maximum compensation of the agreement including this and all prior supplements is now \$953,091.43.

Motion carried.

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Moved by Mr. Waldman, seconded by Mrs. Brooks, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of Rinker-Detwiler and Associates, P.C., and it has been determined that a change in the scope of services is necessary to include the changes required by the Fairfax County Board of Supervisors, provide pavement stripping and signing plans, and additional right of way revisions required beyond the original scope for Projects 0657-029-281, C-502; 0657-029-281, C-503 (Centerville Road) from 0.25 miles south of Route 50 to Int. of Route 608 (West Ox Road) in Fairfax County in the Northern Virginia District; and

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 3;

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of this Supplemental Agreement and it shall become a part of the original agreement which currently has a maximum compensation of \$1,325,703.28.

This Supplemental Agreement No. 3 is in the amount of \$218,476.53 for services and expenses plus a net fee of \$18,420.61 making the total for this supplement \$236,897.14. The total maximum compensation of the agreement including this and all prior supplements is now \$1,562,600.42.

Motion carried.

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Moved by Mr. Malbon, seconded by Mr. Mastracco, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth

Transportation Board, a Combined Location and Design Public Hearing was held in the Churchland Elementary School in the City of Portsmouth on May 13, 1992, at 7:00 p.m. for the purpose of considering the proposed location and major design features of Churchland Boulevard from Poplar Hill Road/Towne Point Road Intersection to High Street (Route 17) in the City of Portsmouth and City of Chesapeake, State Projects U000-124-105, C-501 and U000-131-113, C-501; and

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

WHEREAS, the economic, social, and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed;

NOW, THEREFORE BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers with modification to redesign the intersection of Stamford Road and High Street to allow all movements in and out of Stamford Road and to reconfigure the entrance to the Churchland Boulevard Shopping Center to allow for right turn in and right turn out.

Motion carried.

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Moved by Mr. Davies, seconded by Mrs. Brooks, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Combined Location and Design Public Hearing was held in the Botetourt Elementary School, Gloucester County, on December 3, 1992, at 7:00 p.m. for the purpose of considering the proposed location and major design features of Route 619 from the intersection of Route 17 to 1.137 miles west of the intersection of Route 17 in Gloucester County, State Project 0619-036-142, C-501; and

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their

opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers.

Motion carried.

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Moved by Mr. Wells, seconded by Mrs. Miller, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Combined Location and Design Public Hearing was held in the South Elementary School, Prince George County, on July 7, 1992, at 7:00 p.m. for the purpose of considering the proposed location and major design features of Route 626 (Thweatt Drive) from 2.481 miles east of Route 156 to 1.50 miles east of Route 156, in Prince George County, State Project 0626-074-182, M-501, D-633; and

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers with the following modifications: the pavement

width be reduced from 20 feet, as proposed, to 18 feet and the proposed eight degree horizontal curve at Station 24+09 be revised to a twelve degree horizontal curve.

Motion carried.

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Moved by Mr. Wells, seconded by Mrs. Brooks, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Combined Location and Design Public Hearing was held in the Old Kenbridge Elementary School in the Town of Kenbridge on September 16, 1992, at 7:00 p.m. for the purpose of considering the proposed location and major design features of Route 1114 (Shade Street) from the intersection of Nain Street (Route 40) to the intersection of Broad Street (Route 637) in the Town of Kenbridge, Lunenburg County, State Project 1114-247-209, C-501; Federal Project RS (0544); and

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers.

Motion carried.

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Moved by Dr. Thomas, seconded by Mrs. Brooks that

WHEREAS, in connection with Piedmont Drive, State Highway Project U000-108-102, RW-202, the Commonwealth acquired certain lands from Russell H. Comer and Carrie P. Comer by deed dated June 8, 1987, recorded in Deed Book 759,

Page 442; and from Grace T. Perrow by deed dated June 24, 1987, recorded in Deed Book 761, Page 158. These deeds recorded in the Office of the Clerk of the Circuit Court of the City of Danville; and

WHEREAS, the Commonwealth is the apparent owner of a portion of old Route 51; and

WHEREAS, in accordance with Section 33.1-148, a section of Route 51 was relocated and the new location serves the same citizens as the old location; and

WHEREAS, the old location of Route 51 located south of the new location, from approximate Station 114+00 to approximate Station 116+00, a distance of 0.03 mile, was abandoned by the City of Danville's resolution dated October 17, 1992 and approved by the Commonwealth Transportation Board, effective December 17, 1992; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the excess lands lying south of and adjacent to the south normal right of way limits of Route 51 (Relocated Westover Drive), from a point approximately 65 feet opposite approximate Station 114+15 (Relocated Route 51 centerline) to a point approximately 35 feet opposite approximate Station 116+05 (Relocated Route 51 centerline), containing 0.09 acre, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System; and

WHEREAS, in order to more fully develop the adjacent lands, the adjoining landowner has requested that the excess lands be conveyed.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute a quitclaim deed in the name of the Commonwealth conveying same to the adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions and conditions as may be deemed appropriate.

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Moved by Dr. Thomas, seconded by Mrs. Brooks that

WHEREAS, in connection with Route 3 (now Route 522), State Highway Project 510D, the Commonwealth acquired certain lands from Thomas L. Brown and Lillie May Brown by deed dated September 18, 1937, recorded in Deed Book 41, Page 106 in the Office of the Clerk of the Circuit Court of Rappahannock County; and

WHEREAS, under Project 510D, Route 3 (now Route 522) as relocated and the new location serves the same citizens as the old location; and

WHEREAS, at a regular meeting of the Board of Supervisors of Rappahannock County held January 5, 1939, sections of Route 3 were abandoned and approved by the Commonwealth Transportation Board, effective February 3, 1939; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the lands containing 0.1254 acre, more or less, and lying west of and adjacent to the west normal right of way limits of Route 3, from a point approximately 35 feet opposite approximate Station 591+20 (Route 3 centerline) to a point approximately 35 feet opposite approximate Station 593+00 (Route 3 centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System; and

WHEREAS, in order to more fully develop the adjacent lands, the adjoining landowner has requested that the excess right of way be conveyed.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute a deed conveying same to the adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

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Moved by Dr. Thomas, seconded by Mrs. Brooks

WHEREAS, in connection with Route 81, State Righway Project 0081-007-103, RW-205, the Commonwealth acquired certain lands from Ellen C. Barr by deed dated March 9, 1966, recorded in Deed Book 514, Page 288 and from Mason O. Barr and Ellen C. Barr by deed dated March 9, 1966, recorded in Deed Book 514, Page 290. These deeds are recorded in the Office of the Clerk of the Circuit Court of Augusta County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land lying northeast of and adjacent to the northeast normal right of way limits of Route 250, from a point approximately 60 feet opposite approximate Station 136+80 (Routa 250 WBL centerline) to a point approximately 60 feet opposite approximate Station 139+80 (Route 250 WBL centerline), containing 22,548 square feet, more or less, was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 81 and does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System; and

WHEREAS, in order to more fully develop the property, the adjacent landowner has requested that the land, so acquired, be conveyed.

NOW, THEREFORE, the conveyance of the said land, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed, without warranty, conveying same to the adjacent landowner of record for a consideration satisfactory to the Department, subject to such restrictions as may be desmed appropriate.

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Moved by Dr. Thomas, seconded by Mrs. Brooks that

WHEREAS, in connection with Route 672, State Highway Project 0672-044-165, RW-201, the Commonwealth acquired certain lands from Elma B. Stone by instrument dated January 6, 1978, recorded in Deed Book 282, Page 58 in the Office of the Clerk of the Circuit Court of Henry County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land lying southeast of and adjacent to the southeast normal right of way limits of Route 672, from a point approximately 25 feet opposite approximate Station 61+05 (Route 672 centerline) to a point approximately 35 feet opposite approximate Station 65+00 (Route 672 centerline), containing 0.30 acre, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Eighways; and

WHEREAS, the adjacent landowners have requested that the Commonwealth convey to them the excess lands that are no longer required.

NOW, THEREFORE, the conveyance of the said lands, so certified, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute a quitclaim deed in the name of the Commonwealth conveying same to the adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

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Moved by Mr. Wells, seconded by Mr. Rhea, that

WHEREAS, in response to a formal request by the Fairfax County Board of Supervisors that Route 787 (Olley Lane) between Route 236 (Little River Turnpike) and Route 620 (Braddock Road) and Route 5102 (Olley Lane) between Route 651 (Guiena Road) and Route 5101 (Lake Braddock Drive) be considered for restriction of through truck traffic pursuant

to the provisions of Section 46.2-809 (formerly Section 46.1-171.2) of the Code of Virginia, this matter has been carefully reviewed; and

WHEREAS, the Fairfax County Board of Supervisors has conducted a public hearing on this restriction; and

WHEREAS, the routes in question traverse a predominantly non-commercial area; and

WHEREAS, a restriction on the proposed routes would not present any undue hardship; and

WHEREAS, proper notice was given by posting signs and publishing notices advising the public of the proposed restriction and requesting written comments; and

WHEREAS, careful consideration has been given to the recommendations received, the available alternate routes and the past practices of the Department.

NOW, THEREFORE BE IT RESCLVED, that Route 787 (Olley Lane) between Route 236 (Little River Turnpike) and Route 520 (Braddock Road) and Route 5102 (Olley Lane) between Route 651 (Guinea Road) and Route 5101 (Lake Braddock Drive) be restricted to through truck traffic in accordance with Section 46.2-809 of the Code of Virginia.

Motion carried.

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Moved by Mr. Wells, seconded by Mr. Rhea, that

WHEREAS, in response to a formal request by the Alleghany County Board of Supervisors that Route 1101 (Winterberry Avenue), Route 1102 (Oakcrest Drive) and Route 1104 (Valley Ridge Road) between Route 696 and 0.16 mile east of Routes 60/220 (Entrance to Western Sizzlin Restaurant) be considered for restriction of through truck traffic pursuant to the provisions of Section 46.2-809 (formarly Section 46.1-171.2) of the Code of Virginia, this matter has been carefully reviewed; and

WHEREAS, the Alleghany County Board of Supervisors has conducted a public hearing on this restriction; and

WHEREAS, the routes in question traverse a predominantly non-commercial area; and

WHEREAS, a restriction on the proposed routes would not present any undue hardship; and

WHEREAS, proper notice was given by posting signs and publishing notices advising the public of the proposed restriction and requesting written comments; and

WHEREAS, careful consideration has been given to the recommendations received, the available alternate routes and the past practices of the Department.

NOW, THEREFORE BE IT RESOLVED, that Route 1101 (Winterberry Avenue), Route 1102 (Oakcrest Drive) and Route 1104 (Valley Ridge Road) between Route 696 and 0.16 mile east of Routes 60/220 (Entrance to Western Sizzlin Restaurant) be restricted to through truck traffic in accordance with Section 46.2-809 of the Code of Virginia.

Motion carried.

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Moved by Mr. Mastracco, seconded by Mrs. Miller, that

WHEREAS, the Transportation Improvement Program for PY-1993 has been adopted by the Metropolitan Planning Organization for the Hampton Roads urbanized area; and

WHEREAS, the adopted FY-1993 Transportation Improvement Program for the Hampton Roads urbanized area was amended on February 17, 1993, to include two additional projects in Virginia Beach and York County; and

WHEREAS, these two projects are in support of the Commonwealth Transportation Board's final FY-1993 Six Year Improvement Program;

NOW, THEREFORE BE IT RESCLVED, that the Commonwealth Transportation Board recommends that the Secretary of Transportation, on behalf of the Governor, approve the two projects listed below:

Virginia Beach

Lynnhaven Parkway Southbound Turn Lane at Viking Drive CMAQ - Funds \$138,000

York County Route 17 - Coleman Bridge over the

York River

Federal Demo Funds

\$11,880,000

Motion carried.

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Moved by Mr. Mastracco, seconded by Mrs. Miller, that

WHEREAS, the FY-1993 Transportation Improvement Program for the Richmond area has been adopted by the Metropolitan Planning Organization; and

WHEREAS, the FY-1993 Transportation Improvement Program for the Richmond area was amended on February 11, 1993, to change funding on one project and to increase funds on another; and

WHEREAS, these two projects are in support of the Commonwealth Transportation Board's final FY-1993 Six Year Improvement Program.

NOW, THEREFORE BE IT RESOLVED, that the Commonwealth Transportation Board recommends that the Secretary of Transportation, on behalf of the Governor, approve the two projects listed below:

Hanover County Route 360

From: E-295

To: 0.6 Mile East Walnut Grove Road

Determine Method of Improvement

STP - Funds PE - \$100,000

Hanover County I-95/Atles-Elmont Interchange

Increase CMAQ Funds

Actual Allocation - \$522,000

Motion carried.

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Moved by Mr. Mastracco, seconded by Mrs. Miller, that

WHEREAS, the FY-1003 Transportation Improvement Program for the Northern Virginia area has been adopted by the Washington Metropolitan Area Flanning Organization; and

WHEREAS, the FY-1993 Transportation Improvement Program for the Northern Virginia area was amended on February 17, 1993, to include a right of way phase on three projects on I-66 in Prince William and Fairfax Counties; and

WHEREAS, these three projects are in support of the Commonwealth Transportation Board's final FY-1993 Six Year Improvement Program;

NOW, THEREFORE BE IT RESOLVED, that the Commonwealth Transportation Board recommends that the Secretary of Transportation, on behalf of the Governor, approve the three projects listed below:

Prince William & I-66

Fairfax Counties From: Route 234 (N. of Manassas)

To: Route 29 (Centreville) Add a right of way phase

IM/NH - Funds \$2,300,000

Fairfax County I-66

From: Route 29 (Centreville)

To: Route 50

Add a right of way phase

IH/NH - Funds \$2,300,000

Fairfax County I-66

Interchange Modifications at Rts 28

Add a right of way phase

IN - Funds \$700,000

Motion carried.

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Moved by Mr. Mastracco, seconded by Mr. Waldman, that

WHEREAS, on September 21, 1989, the Commonwealth Transportation Board (the "Board"), after a competitive bid process, appointed the following investment banking firms as the managers for the Board's U. S. Route 58 Transportation Revenue Bond Program (the "Frogram"):

## Co-Senior Managers:

Shearson Lehman Hutton Goldman, Sachs & Co. Wheat, First Securities, Inc.

## <u>senior Co-Managers:</u>

Craigie Incorporated BT Securities Corporation

## Co-Managers:

Scott & Stringfellow, Inc. Investment Corporation of Virginia Davenport & Co. of Virginia, Inc. Alex. Brown & Sons, Incorporated Legg Mason Wood Walker, Inc.; and

WHEREAS, it was contemplated at the time of appointment of the Underwriters that the underwriting team would be in place for the entire Program with the role of "book-running manager" to be rotated among the three Co-Senior Managers; and

WHEREAS, the Board is planning to issue its Commonwealth of Virginia Transportation Revenue Refunding Bonds, Series 1993 (the "Refunding Bonds") to refund a portion of its Commonwealth of Virginia Transportation Revenue Bonds, Series 1989.

NOW, THEREFORE BE IT RESOLVED BY THE COMMONWEALTH TRANSPORTATION BOARD AS FOLLOWS:

- The Board re-appoints the Underwriters as the underwriting team for the Refunding Bonds, with the understanding that Scott & Stringfellow, Inc. and Investment Corporation of Virginia have merged to establish Scott & Stringfellow, Inc.
- Goldman, Sachs & Co. is appointed the book running Co-Senior Manager for the Refunding Bonds.
- The Board will pay a management fee to the Underwriters of \$.72 1/2 per \$1,000 of Refunding Bonds to be distributed as follows:
  - (a) Goldman, Sachs & Co. as \$.32 1/2 book-running Co-Senior Manager
  - (b) Other two Co-Senior .25 Managers at \$.12 1/2 each
  - (c) Two Senior Co-Managers .15 at \$.7 1/2 each

This resolution shall be effective immediately.
 Motion carried. Mrs. Miller and Mr. Warner abstained.

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Moved by Mr Mastracco, seconded by Mr. Waldman, that

WHEREAS, on December 13, 1989, the Commonwealth
Transportation Board {the "Board"} issued and sold
\$200,000,000 Commonwealth of Virginia Transportation Revenue
Bonds, Series 1989 (U. S. Route 58 Corridor Development
Program) (the "1989 Bonds"), pursuant to a resolution
adopted by the Board on November 16, 1989, and a Master
Agreement of Trust dated as of November 1, 1989 (the "Master
Trust Agreement"), as supplemented by a First Supplemental
Agreement of Trust dated as of November 1, 1989 (the "First
Supplemental Trust Agreement"), both between the Board and
Dominion Trust Company as trustee (the "Trustee"); and

WHEREAS, it has been recommended to the Board that it issue and sell approximately \$205,000,000 Commonwealth of Virginia Transportation Revenue Refunding Bonds, Series 1993 (the "Refunding Bonds"), to Goldman, Sachs & Co., Lehman Brothers, Wheat, First Securities, Inc., B T Securities Corporation, Craigie Incorporated, Alex. Brown & Sons Incorporated, Davenport & Co. of Virginia, Inc., Legg Mason Wood Walker, Inc. and Scott & Stringfellow, Inc. (collectively, the "Underwriters"), and the Board will use the net proceeds from the sale of the Refunding Bonds to pay issuance costs and to provide funds to refund all or a portion of the 1989 Bonds (a) maturing on May 15, 1999 through May 15, 2012 (the "Portion A Refunded Bonds"), and (b) maturing on May 15, 2019 (the "Portion B Refunded Bonds," collectively with the Portion A Refunded Bonds, the "Refunded Bonds") to effect a present value debt service savings by taking advantage of current low interest rates; and

WHEREAS, the Board is authorized to issue revenue refunding bonds pursuant to the State Revenue Bond Act; and

WHEREAS, there have been presented to this meeting the following documents which the Board proposes to approve and cause to be executed to carry out the issuance of the Refunding Bonds and the refunding of the Refunded Bonds, copies of which shall be filed with the records of the Board:

## 3/16/93

- (a) Draft dated March 16, 1993, of a Second Supplemental Agreement of Trust (the "Second Supplemental Trust Agreement"), providing for the issuance and details of the Refunding Bonds (collectively with the Master Trust Agreement and the First Supplemental Trust Agreement, the "Trust Agreement"); and
- (b) Draft dated March 16, 1993, of a Preliminary Official Statement of the Board relating to the offering of the Refunding Bonds (the "Preliminary Official Statement");
- (c) Draft dated March 16, 1993, of a Bond Purchase Agreement between the Board, the Underwriters and the Treasury Board of the Commonwealth of Virginia (the "Treasury Board") setting forth the terms of the Refunding Bonds and the terms pursuant to which they will be sold to the Underwriters (the "Bond Purchase Agreement");

NOW, THEREFORE, BE IT RESOLVED BY THE COMMONWEALTH TRANSPORTATION BOARD:

- The Board determines that it is in the best interest of the Commonwealth to issue and sell the Refunding Bonds to effect a present value debt service savings by taking advantage of current low interest rates. The Board authorizes the issuance and sale of the Refunding Bonds to the Underwriters, pursuant to the following terms and conditions: (a) the principal amount of the Refunding Bonds shall not exceed \$205,000,000, (b) the final maturity of the Refunding Bonds shall not extend beyond May 15, 2019, (c) the "true" or "Canadian" interest cost of the Refunding Bonds shall not exceed 5.75% per annum, taking into account any original issue discount or premium, (d) the Underwriters' discount shall not exceed 1.0% of the prinicpal amount of the Refunding Bonds, (e) the net present value savings on the Fortion A Refunded Bonds is at least 4.0% of the Portion A Refunded Bonds and at least \$1,000,000, and (f) the net present value savings on the Portion B Refunded Bonds (i) is at least \$1,000,000 if such Portion B Refunded Bonds are refunded in whole or (ii) 2% of the Portion B Refunded Bonds if such Portion B Refunded Bonds are refunded in part.
- 2. The Board authorizes and directs the Chairman or his designee, subject to the limitations set forth in paragraph 1, (a) to determine the details of the Refunding Bonds and of their sale to the Underwriters, including, without limitation, the maturity schedule, the interest rates and the redemption provisions of the Refunding bonds, the price at which the Refunding Bonds are to be sold to the

Underwriters and the prices at which the Refunding Bonds are to be reoffered by the Underwriters, (b) to approve the final form of all documents that are appropriate to carry out the contemplated financing and irrevocable instructions to the Trustee to redeem the Refunded Bonds, (c) to complete and execute the Preliminary Official Statement as an official statement in final form (the "Official Statement"), and (d) to take all such further action as may be necessary or desirable for the issuance and sale of the Refunding Bonds. Execution of the official Statement by the Chairman or his designee shall constitute conclusive evidence of his approval of the Official Statement and that the Board has deemed it final within the meaning of Rule 15c2-12 of the Securities and Exchange Commission as of its date.

- 3. The Board authorizes and directs the staff of the Virginia Department of Transportation, the Attorney General's Office, counsel to the Board, Public Financial Management, Inc., financial advisar, and Hunton & Williams, bond counsel, in collaboration with the Underwriters and their counsel, McGuire, Woods, Battle & Boothe, to prepare all documentation and take all actions necessary or desirable to bring the Refunding Bonds to market as soon as practicable.
- 4. The form of the Preliminary Official Statement is approved. The Board directs its staff and Public Pinancial Management Inc., in collaboration with the Underwriters, to prepare, and authorizes the Underwriters to distribute, the Preliminary Official Statement in form deemed to be "near final" as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, to perspective purchasers of the Refunding Bonds, with such distribution constituting conclusive evidence that the Board has deemed the Preliminary Official Statement to be near final as of its date.
- 5. The Refunding Bonds shall be limited obligations of the Board, payable solely from Revenues, as defined in the Trust Agreement, and the Funds created under the Trust Agreement, and nothing in the Refunding Bonds or in the Trust Agreement shall be deemed to create or constitute a debt or a pledge of the faith and credit of the Commonwealth or any political subdivision thereof.
- 5. The Board authorizes and directs the Commonwealth Transportation Commissioner and the Secretary to have the Refunding Bonds prepared and executed pursuant to the Trust Agreement, to deliver them to the Trustee for authentication, and to cause the Refunding Bonds so executed

and authenticated to be delivered to or for the account of the Underwriters upon payment of the purchase price to be determined by the Chairman or his designee.

- Agreement and the Bond Purchase Agreement are approved. The Board authorizes and directs the Chairman or his designes to execute the Bond Purchase Agreement and the Second supplemental Trust Agreement. Such documents shall be in substantially the forms presented to this meeting, which are approved, with such completions, omissions, insertions and changes as may be approved by the Chairman or his designee, the execution by the Chairman or his designee to constitute conclusive evidence of the approval of any such completions, omissions, insertions and changes.
- 8. The Chairman or his designee is authorized and directed to determine which of the Refunded Bonds are to be specifically and irrevocably called for redemption on May 15, 1998. The Second Supplemental Trust Agreement shall provide for notice of the call for redemption to be sent (a) by registered or certified mail not less than 30 days nor more than 60 days prior to the date of redemption, to the registered owners of the Refunded Bonds, (b) by registered or certified mail, to all organizations registered with the Securities and Exchange Commission as securities depositories, and (c) to at least one information service of national recognition which disseminates redemption information with respect to tax-exempt securities.
- 9. The Board authorizes and directs its officers and the employees of the Virginia Department of Transportation to execute and deliver all certificates, instruments and documents and to take all such further action as they may consider necessary or desirable in connection with the issuance and sale of the Refunding Bonds, including (a) execution and delivery of a certificate setting forth the expected use and investment of the proceeds of the Refunding Bonds to show that such expected use and investment will not violate the provisions of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations thereunder, applicable to "arbitrage bonds" and (b) providing for the rebate of any "arbitrage rebate amounts" earned on investment of proceeds of the Refunding Bonds to the United States.
- 10. The officers of the Board and employees of the Virginia Department of Transportation are authorized and directed to execute and deliver all documents, certificates

and instruments and to take all such further action as they may consider necessary or desirable in connection with the issuance and sale of the Refunding Bonds.

This Resolution shall be effective immediately.

Motion carried. Mrs. Miller and Mr. Warner abstained.

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Moved by Mrs. Miller, seconded by Mr. Waldman, that the Board Authorize the Commissioner to do what is financially necessary to allow the Department to take advantage of the initial federal funds from the Clinton Initiative.

Meeting adjourned at 10:55 a.m.
The next regular meeting will be held in Richmond, Virginia on April 15, 1993.
Approved:
Chairman
Attested:
Secretary

and instruments and to take all such further action as they may consider necessary or desirable in connection with the issuance and sale of the Refunding Bonds.

11. This Resolution shall be effective immediately.

Motion carried. Mrs. Miller and Mr. Warner abstained.

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Moved by Mrs. Miller, seconded by Mr. Waldman, that the Board Authorize the Commissioner to do what is financially necessary to allow the Department to take advantage of the initial federal funds from the Clinton Initiative.

Motion carried.

Meeting adjourned at 10:55 a.m.

The next regular neeting will be held in Richmond, Virginia on April 15, 1993.

Approved:

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Attested:

Castanie Trachelos