

MINUTES

REGIONAL TRANSPORTATION COUNCIL September 10, 2015

The Regional Transportation Council (RTC) met on Thursday, September 10, 2015, at 1 pm in the Transportation Council Room of the North Central Texas Council of Governments (NCTCOG). The following members or representatives were present: Monica R. Alonzo, Bruce Arfsten, Douglas Athas, Loyl Bussell (representing Brian Barth), Mike Cantrell, Sheri Capehart, Rudy Durham, Andy Eads, Charles Emery, Rick Stopfer (representing Mark Enoch), Andy Nguyen (representing Gary Fickes), Marcus Knight (representing Rob Franke), Sandy Greyson, Mojoy Haddad, Roger Harmon, Clay Jenkins, Ron Jensen, Jungus Jordan, Lee Kleinman, Stephen Lindsey, Brian Loughmiller, David Magness, Scott Mahaffey, Matthew Marchant, Ray Smith (representing Maher Maso), Stan Pickett, Mark Riley, Kevin Roden, Amir Rupani, Kelly Selman, Lissa Smith, Mike Taylor, Oscar Trevino, Oscar Ward, Bernice J. Washington, Duncan Webb, Kathryn Wilemon, Erik Wilson, and Zim Zimmerman.

Others present at the meeting were: Vickie Alexander, Nancy Amos, Gustavo Baez, Melissa Baker, Berrien Barks, Carli Baylor, Brandy Bissland, Alberta Blair, Cal Bostwick, Bryan Bradford, Tanya Brooks, Bob Brown, Ron Brown, John Brunk, Ken Bunkley, Mo Bur, Chris Burkett, Pamela Burns, David Cain, Angie Carson, Dave Carter, David Clarke, Jim Cline, Juan Contreras, Michael Copeland, John Cordary, Jason Crawford, Mike Curtis, Dawn Dalrymple, Clarence Daugherty, Ebony Daughtry, Ruben Delgado, Kim Diederich, Jerry Dittman, Eric Dominguez, Tammy Dubberke, Mike Eastland, Traci Enna, Steve Farco, Kevin Feldt, David Gattis, Matt Gauntt, Martin Glenn, Bob Golden, Gary Graham, Jerry Haddican, Rebekah Hernandez, Jessa Herrera, Jodi Hodges, Dan Kessler, Tony Kimmey, Ken Kirkpatrick, Paul Knippel, April Leger, Eron Linn, Sonny Loper, Paul Luedtke, Karina Maldonado, Mickey Marlow, Steve McCullough, Cliff Miller, Mindy Mize, Erin Moore, Michael Morris, Ron Morrison, Markus Neubauer, Mickey Nowell, James Paris, John Polster, Greg Porter, Vercie Pruitt-Jenkins, Molly Rendon, Rylea Roderick, Kyle Roy, Greg Royster, Kathryn Rush, Moosa Saghian, Steve Salin, Russell Schaffner, Cathy Scott, Lori Shelton, Jody Short, Randy Skinner, Franklin Stephens, Shannon Stevenson, Vic Suhm, Lauren Trimble, Frank Turner, Whitney Vandiver, Mitzi Ward, Sandy Wesch, Chris Williams, Brian Wilson, Bruce Wood, Mykol Woodruff, and Ed Wueste.

1. **Approval August 13, 2015, Minutes:** The minutes of the August 13, 2015, meeting were approved as submitted in Reference Item 1. Sheri Capehart (M); Bernice J. Washington (S). The motion passed unanimously.
2. **Consent Agenda:** The following item was included on the Consent Agenda.
 - 2.1. **Advertising for Transportation Initiatives:** A motion was made approving that the Regional Transportation Council recommend to the North Central Texas Council of Governments Executive Board the approval of approximately \$817,000 in new funding for Fiscal Year 2016 transportation advertising initiatives. Supporting information was provided in Reference Item 2.1.1 and Reference Item 2.1.2.

Mike Cantrell (M); Erik Wilson (S). The motion passed unanimously.
3. **Orientation to Agenda/Director of Transportation Report:** Michael Morris recognized Danny Scarth for his years of service on the Regional Transportation Council (RTC). In addition, he reminded members that RTC meetings are now being livestreamed. He noted

that RTC New Member Orientation was held on September 4 and that a video of the meeting was available online. A notice of September public meetings was provided in Electronic Item 3.1, a fact sheet highlighting unmanned aircraft systems was provided in Electronic item 3.2, and an update on the current ozone season was provided in Electronic Item 3.3. In addition, current air quality funding opportunities for vehicles were provided in Electronic item 3.4, and information regarding the relaunch of the AirCheckTexas Program was provided in Electronic Item 3.5. Electronic Item 3.6 provided information on the Clean Cities Annual Report results, and Electronic Item 3.7 included information for the National Drive Electric Week event on September 19. Mr. Morris highlighted 2015 mobility data from the Texas Transportation Institute, noting slides included in Electronic Item 3.8 that compared congestion levels in the Dallas-Fort Worth region to Austin and Houston. Travel Demand Management performance measures were provided in Electronic Item 3.9, recent correspondence in Electronic Item 3.10, recent new articles in Electronic Item 3.11, and recent press releases in Electronic Item 3.12. Transportation partner progress reports were provided at the meeting, along with event announcements for National Drive Electric Week and the Clean Fleets North Texas 2015 Call for Projects.

4. **Statewide Proposition 7 Position Statement:** Amanda Wilson briefed the Regional Transportation Council (RTC) on Proposition 7, the constitutional amendment for transportation funding that will appear on the November 3, 2015, ballot for voter approval. During the legislative session, SJR 5 proposed a constitutional amendment that will appear on the ballot as Statewide Proposition 7 and would dedicate certain sales and use tax revenue and motor vehicle sales, use and rental tax revenue to the State Highway Fund to provide funding for non-tolled roads and the reduction of certain transportation-related debt. Beginning in FY2018 (September 2017) \$2.5 billion of the state sales tax per year will go to the State Highway fund once \$28 billion is exceeded in general state sales tax revenue. Beginning in FY2020 (September 2019) 35 percent of the motor vehicles sales tax per year above \$5 billion will be transferred to the State Highway Fund. She noted that this revenue can only be used for non-tolled roadways. This revenue will only be in place for approximately ten years unless it is reauthorized by the Legislature, and the Legislature can stop a portion of the funding in each given biennium if deemed necessary for other purposes. Transportation revenue was highlighted, specifically revenue from the sales and excise tax. The sales tax is estimated at about \$2.5 billion per year beginning in 2018 and the excise tax in 2020 for approximately \$300-500 million statewide. The specific allocations are not known for Proposition 7. Reference Item 4.1 contained a position statement supporting the Statewide Proposition 7, and Electronic Item 4.2 contained additional information. Lee Kleinman noted that it may be important to not only provide support for Proposition 7, but also note that the urban areas also receive the appropriate allocation. Michael Morris noted the importance of supporting Proposition 7, and requested that an item be placed on the October 8, 2015, RTC agenda addressing concerns that the Texas Transportation Commission consider adequate funding for congestion relief within urban regions. Mr. Kleinman expressed additional concern that the funding will only be available for non-tolled roadways. He noted several upcoming projects in the region with tolled components that will not be eligible for the potential funding, which could cause suburban areas to receive the major benefit. Mr. Morris noted that efforts for IH 35E and IH 635E would be discussed in Item 12, and also noted the importance of support for Proposition 7 at this time. Oscar Trevino discussed noting concerns regarding the allocations to TxDOT, but cautioned that the issue could cause animosity amongst entities and have potential impacts to Proposition 7 approval by voters. A motion was made to approve the Statewide Proposition 7 position statement to support transportation funding in Reference Item 4.1, direct staff to provide cities and counties in the Dallas-Fort Worth region a template

resolution supporting Proposition 7, and direct staff to communicate the RTC's support of Proposition 7 to advocacy groups working to pass the measure. Oscar Ward (M); Oscar Trevino (S). The motion passed unanimously.

5. **Collin County Funding Partnership Proposal:** Chris Klaus presented a funding partnership with Collin County related to the Low-Income Repair and Replacement Assistance Program (LIRAP), also referred to as the AirCheckTexas Program, and the Local Initiative Projects (LIP) Program. LIRAP funding is used to repair or replace vehicles that fail the emissions test or are ten years or older. The funding is collected from the \$6 fee included in the inspection fee collected in participating counties and is available to individuals that qualify based on income. LIP funds include approximately 10 percent of the collected funds and are used for various air quality initiatives in the region. In April 2014, Collin County initiated a process to opt out of the LIRAP/LIP Programs since the dedicated funding for the programs was not being allocated back to the region by the Legislature. In addition, Collin County has traditionally been a donor county for LIRAP funds and funding requirements make utilizing LIP funds difficult, so it expressed it was not interested in utilizing those funds. At the time, there was no procedure for a county to opt out of the program, thus a lengthy rulemaking process by the Texas Commission on Environmental Quality began. While Collin County continued the process to opt out, the 84th Texas Legislature restored full funding to the programs. Staff proposed that Collin County reconsider program participation through a partnership in which its LIRAP/LIP funds would be exchanged for Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds. This would allow LIRAP/LIP funds to be used by other participating counties so that the nonattainment area is able to fully utilize all available revenue to the region. The partnership would be assessed in one year to determine future continuation and/or participation amounts. The county would identify eligible CMAQ projects for RTC approval. Approximately \$2.6 million in LIRAP funds and approximately \$300,000 in LIP funds are anticipated in FY2016 for Collin County. Staff proposes to swap \$1.5 million of the total funds with CMAQ funds. Details were provided in Reference Item 5. Michael Morris noted that not participating in a program that aggressively reduces volatile organic compounds and nitrogen oxides would not be in the best interest of the region, but noted that Collin County does not historically use the a large portion of the funds collected by its residents. RTC Chair Mark Riley asked the impact of future counties withdrawing from the program. Mr. Morris noted that some determination would have to be made about the future of the program if that were the case. Lee Kleinman asked for clarification of the funding exchange. Mr. Morris noted that \$1.5 million would remain with Collin County for repair and replacement and \$1.5 million would be swapped for CMAQ funds. Matthew Marchant asked if there is now a process for a county to withdraw. Chris Klaus noted that a process to withdraw now exists. Duncan Webb noted that Collin County chose to opt of the program initially because the funds collected from citizens were not being returned to the region. Once full funding was restored, Collin County reviewed its historical utilization of funds and began to discuss a partnership with North Central Texas Council of Governments staff to determine how it could continue in the program without being such a large donor of Collin County citizen funds to other counties A motion was made to approve a funding partnership with Collin County utilizing \$1.5 million in LIRAP/LIP funds in exchange for \$1.5 million in CMAQ funds and Transportation Development Credits. Duncan Webb (M); Andy Eads (S). The motion passed unanimously.
6. **Creation of the Metropolitan Planning Organization Revolver Fund and Partnership with Dallas County:** Michael Morris discussed the latest efforts regarding the creation of the Metropolitan Planning Organization (MPO) Revolver Fund, including a proposed

partnership with Dallas County. He discussed federal rules requiring that the North Central Texas Council of Governments (NCTCOG)/Regional Transportation Council (RTC) pay for regional program and project expenses upfront and then seek reimbursement. Since NCTCOG does not collect revenue, creation of a revolver fund provides a cash flow solution for regional programs and projects that are funded with federal dollars. RTC Local funds have traditionally be used, but as the funds are spent down, another option is necessary. In July 2014, the Texas Transportation Commission (TTC) approved the exchange of 100 million Transportation Development Credits for \$10 million in Category 12 funds. The TTC's desire is that the Category 12 funds be placed on projects with existing local funds. These local funds would then be sent to NCTCOG/RTC to create the revolver fund. Reference Item 6 provided additional details. NCTCOG, the Texas Department of Transportation (TxDOT), and Dallas County have inventoried projects with local funds for which Category 12 funds can be exchange and have selected SH 352, Pleasant Run, and Southern Gateway. For SH 352, staff proposes that \$2.015 million in Category 12 funds be exchanged for existing Dallas County local funds and that approximately \$6 million in Proposition 1 be added to fully fund the remainder of the project. For Pleasant Run Road, staff proposes to swap \$4 million in existing Dallas County local funds for Regional Toll Revenue (RTR) funds and in addition proposed \$2.9 million additional RTR funds. On Southern Gateway, staff proposes to exchange \$4 million in existing RTR funds for \$4 million in Category 12 funds. Other entities interested in a similar partnership were asked to contact staff. A motion was made to approve the funding allocations/transfers identified on slides 5-7 of Reference Item 6, creation of the MPO Revolver Fund with an initial balance of \$5.423-\$6.015 million, and to allow staff to administratively amend the Transportation Improvement Program (TIP)/Statewide TIP and other necessary administrative documents. Mike Cantrell (M); Erik Wilson (S). The motion passed unanimously.

7. **Proposition 1 – Phase 2 Draft Listings (Fiscal Years 2016 and 2017):** Adam Beckom briefed the Council on the latest developments regarding Proposition 1 – Phase 2 and associated draft listings. In November 2014, voters approved Proposition 1 which provided \$1.74 billion to the State Highway Fund. The Dallas-Fort Worth region received approximately \$367 million in year one and project selections were finalized in February 2015. In July 2015, the Texas Department of Transportation (TxDOT) announced the draft allocation of an additional \$532 million for FY2016 and FY2017. He noted that the six guiding principles and the statewide program rules from the Phase 1 effort were proposed to remain in effect. The project selection focus areas are also proposed to be maintained, including that projects must be environmentally cleared in time to let if FY2016 and FY2017, must be consistent with the Mobility Plan, maintain sensitivity to existing projects with funding shortfalls, with continued focus on capacity. Equitable distribution by county across the five-year period, as well as regional east/west equity will also be maintained. Electronic Item 7 is the inventory of proposed Proposition 1 projects. Approximately \$268 million is anticipated for FY2016 and approximately \$263 million in FY2017. Final approval is anticipated by TxDOT in November 2015. Mr. Beckom highlighted maps showing the geographic location and distribution of proposed projects. Staff will continue to seek Regional Toll Revenue (RTR)/Proposition 1 partnership with Dallas and Collin Counties, similar to the partnership with Denton County. Staff is also considering the utilization of Proposition 7 funds on some projects, assuming a successful November 2015 election. Projects will continue to be constrained based on the Unified Transportation Program, and the projects will be presented for public review and comment at September public meetings, with action requested at the September Surface Transportation Technical Committee meeting and October Regional Transportation Council meeting. Staff anticipates submitting projects to TxDOT in November 2015, as well as including the projects in the current

2015-2018 Transportation Improvement Program (TIP)/Statewide TIP and/or upcoming 2017-2020 TIP/Statewide TIP. Monica Alonzo asked how public comments were being gathered. Michael Morris noted that RTC would receive all public comments prior to taking action on the proposed projects.

8. **High-Occupancy Vehicle Subsidy Report:** Natalie Bettger provided an update on the most recent managed lane performance report. She noted the current Regional Transportation Council (RTC) policy that 50 percent of the High-Occupancy Vehicle (HOV) users on toll managed lanes receive a 50 percent discount during the peak period, with the RTC responsible for the discount. Current facilities include LBJ, the North Tarrant Express, and the DFW Connector. It was noted that the DFW Connector is owned by the Texas Department of Transportation so it is not subsidized by the RTC. As of July 2015, the HOV 2+ subsidy is approximately \$200,000 and is the portion being paid by the RTC. The vanpool toll reimbursement subsidy allowing RTC-sponsored vanpool users to be reimbursed for tolls is approximately \$400 (October 2014-July 2015) and is paid out of Regional Vanpool Program funds. Based on this information, staff believes the RTC HOV policy can remain at 2+ until June 2016 or earlier based on future reports. The North Texas Tollway Authority has reported no impact to its customer service needs and there have been no incidence where speeds dropped below 35 mph except for ice days in February 2015, which were reported in a previous update. Staff will continue to provide quarterly updates on the HOV subsidy.
9. **DFW Connector Pilot Study Update:** Ken Kirkpatrick briefed the Council on the status of the DFW Connector Pilot Program related to pay-by mail surcharges. He noted that approximately two years ago, the Texas Department of Transportation asked the Regional Transportation Council (RTC) to set aside \$2-4 million per year to cover the pay-by-mail collection risk in the IH 35W corridor. RTC elected to approve a pilot program to test the impact of additional surcharges on the pay-by-mail users to cover the collection risk, which is more costly and of which there is only a 70 percent collection rate. The pay-by-mail surcharges would periodically increase at 90 days and 180 days to see if there was an impact causing users to purchase toll tags. Results from the market driven approach to increase toll tag usage would then be applied to the IH 35W corridor. In July 2014, the collection of tolls began on the corridor. In October 2014, pay-by-mail surcharges increased to 75 percent and then to 90 percent in January 2015. Staff has reviewed the pilot data, and the percentages of pay-by-mail transportations were highlighted. Mr. Kirkpatrick noted that transactions totaled approximately 37 percent in July 2014 and have dropped to approximately 30 percent as of July 2015. Overall transactions have increased from 120,000 to 170,000. The question is whether the decrease in pay-by-mail transactions is due to the increase in surcharges, or other factors such as the introduction of another corridor. He noted that preliminary results were positive and that the pilot will continue. Staff would like to review the communication to users, currently through dynamic message signs in the corridor, and look at options to include mailers in the pay-by-mail bills, as well as review data in other corridors to see if the decrease is potentially related to other things. Michael Morris discussed innovative work by the North Texas Tollway Authority (NTTA) to increase toll tag usages, and ideas from the NTTA that could be used in other corridors. He noted that suggestions from NTTA were welcome.
10. **Transportation Investment Generating Economic Recovery School Siting Program:** Karla Weaver presented information on the Community Schools and Transportation Program, funded through the 2014 Transportation Investment Generating Economic Recover (TIGER) planning grant. Within the 12-county metropolitan planning area boundary,

there are 111 independent schools districts (ISDs). Many cities have multiple ISDs within their boundaries, and ISDs are often operating in multiple cities which creates the need for coordination. In addition, increasing populations in the region will have significant impacts on the regional transportation system and its relationship with ISDs. Approximately five years ago, North Central Texas Council of Governments (NCTCOG) staff held a regional kickoff meeting to discuss school siting issues and the benefit of collaboration with ISDs and the Regional Transportation Council (RTC). In addition, the City of McKinney/McKinney ISD and the City of Denton/Denton ISD held workshops and meetings. In 2013, RTC adopted a policy on school coordination and another meeting of elected officials, school board presidents, and superintendents was held. It was determined that there was significant interest in continuing the conversation. Ms. Weaver highlighted the four main components of the policy, including active transportation, outreach and engagement, school siting, and air quality. In 2014, the US Department of Transportation awarded NCTCOG a TIGER planning grant to promote improved coordination between school districts, local governments, and transportation agencies and to assist with implementing portions of the RTC School Policy. Interagency coordination will encourage coordination between ISDs/local governments/transportation agencies through the creation of a regional working group of technicians, coordinate planning, and removing policy barriers to the development of sustainable schools. School siting efforts will include review of state and national policies related to school siting and landbanking, best practices, and coordination regarding demographic projects. Transportation safety will include safety audits, recommendations for pedestrian and bicycle safety, and bilingual education programs. Multitmodal transportation efforts will coordinate discussions between transit agencies and schools related to bus routes, schedules, and alternate transportation connections. Ms. Weaver noted that an RTC workshop has been schedule for 10:30 am on October 8, 2015, prior to the next RTC meeting. Staff would like to develop a process for ongoing meetings/conversations between municipal and ISD elected officials. Over the next few months staff also plans to develop a technical regional working group, continue researching school siting issues, and work with communities to develop pilot planning projects. She noted that related information would be made available at www.nctcog.org/schools. Ron Jensen discussed charter schools and the difficulty in determining where they will locate in advance. Ms. Weaver noted that staff will continue efforts to assist with this concern.

11. **Managed Lane Auto-Occupancy Verification Procurement:** Ken Kirkpatrick briefed the Regional Transportation Council (RTC) on the status of the joint Texas Department of Transportation (TxDOT)/RTC auto-occupancy verification procurement for managed lane corridors. The RTC's Tolloed Managed Lane Policies provide for a 50 percent discount to HOV users during the peak period, currently for 2+ users. The policy is enforced manually through technology support, with the users being required to declare eligibility prior to using the managed lane. Officers then manually enforce the 2+ requirement. The RTC policy provides that more advanced technology verification be phased in over time, when available. RTC and TxDOT staffs have been working to procure a technology solution to provide automated vehicle occupancy verification that is seamless to the user. A Request for Proposals was issued in May 2015. Proposals are being evaluated, and two RTC staff representatives are part of the review team. TxDOT is anticipated to make an award in early fall and subsequent reports will be provided to the Council. Lee Kleinman asked about the anticipated cost of the technology, noting the cost of the discounts provided versus the cost of the technology. Mr. Kirkpatrick noted that RTC staff will be briefed by TxDOT prior to the award so that those types of issues can be assessed and to ensure that the procurement is consistent with RTC discussion and policies.

12. **Update on Southern Gateway, IH 635E, US 75, and Texas Department of Transportation Dallas CityMAP Initiative:** Michael Morris discussed focus on projects in the eastern subregion, including: Southern Gateway, IH 635E, and US 75. The first funding focus is Proposition 1. Funding is proposed for the IH 345 Interchange maintenance project, and the Texas Department of Transportation (TxDOT) has indicated that the project is expected to let significantly lower than the engineers estimate. This leaves potential revenue to help projects in the east. The next funding focus, if approved by voters, will be Proposition 7. The Regional Transportation Council (RTC) will communicate to the Texas Transportation Commission (TTC) the importance of the region receiving its fair allocation of funding. Both Proposition 1 and Proposition 7 are revenue streams that are important to move projects forward. Southern Gateway is listed in the current Mobility Plan as a tolled managed lane. Potential revenue sources and its listing in the Plan are not aligned. It is important that project listings and revenues are aligned to prevent projects from letting out of order. For the Southern Gateway, the toll component may need to be updated in order to ensure that other projects are not let in its place. Since Mobility 2040 is under development, there is an opportunity to make adjustments to the project listing at this time. Staff is working with TxDOT and local governments to gain consensus on the implementation of the Southern Gateway so that the revenues, Mobility Plan listing, and environmental clearance for the project are aligned with Proposition 1 revenue, potential Proposition 7 revenue, and other revenues coming to the region. For IH 635E, if Proposition 7 passes there is an opportunity to advance the project. It must be determined whether the project should proceed as originally conceived, as a free road, or as a hybrid. The magnitude of money coming to the region will not likely be adequate enough to pay for IH 635E as a free road, so it will be also be important to determine whether adjustments to the project listings are necessary during Mobility 2040 development. US 75 will also require discussion. Collin County has several toll projects and is not interested in US 75 having additional toll elements. One option is to hold off on US 75 and advance Proposition 1 and Proposition 7 (if approved by voters) in the county. This will give Collin County with a better balance of tolled and non-tolled projects. Finally, Mr. Morris presented information regarding CityMAP, a partnership between the City of Dallas and TxDOT for the city's urban core. This concept cannot be included in Mobility 2040 since significant efforts are still necessary. It is proposed that RTC wait to see the outcome of the initiative. Kelly Selman noted that the IH 345 Interchange maintenance project let for \$30.5 million, much less than the initial estimate allowing money to be freed and reallocated by the Texas Transportation Commission.
13. **Progress Reports:** Regional Transportation Council attendance was provided in Reference Item 13.1, Surface Transportation Technical Committee attendance and minutes were provided in Electronic Item 13.2, and the current Local Motion was provided in Electronic Item 13.3.
14. **Other Business (Old or New):** There was no discussion on this item.
15. **Future Agenda Items:** There was no discussion on this item.
16. **Next Meeting:** The next meeting of the Regional Transportation Council is scheduled for Thursday, October 8, 2015, 1:00 pm, at the North Central Texas Council of Governments.

The meeting adjourned at 2:31 pm.