

MINUTES

REGIONAL TRANSPORTATION COUNCIL December 13, 2018

The Regional Transportation Council (RTC) met on Thursday, December 13, 2018, at 1:00 pm in the Transportation Council Room of the North Central Texas Council of Governments (NCTCOG). The following members or representatives were present: Richard E. Aubin, Sue S. Bauman, Mohamed Bur, Loyl C. Bussell, Rickey D. Callahan, George Conley, David L. Cook, Theresa Daniel, Rudy Durham, Andy Eads, Charles Emery, Kevin Falconer, Gary Fickes, Curtistene McCowan (representing Robert Franke), George Fuller, Rick Grady, Sandy Greyson, Jim Griffin, Mojoy Haddad, Roger Harmon, Ron Jensen, Jungus Jordan, Lee M. Kleinman, David Magness, Scott Mahaffey, B. Adam McGough, Ivan Hughes (representing Steve Mitchell), Cary Moon, Stan Pickett, John Ryan, Will Sowell, Stephen Terrell, Tim Welch (representing T. Oscar Trevino Jr.), William Tsao, Dennis Webb, Duncan Webb, Kathryn Wilemon, W. Jeff Williams, and Ann Zadeh.

Others present at the meeting were: Angela Alcedo, Vickie Alexander, Patrick Anderson, Melissa Baker, Tom Bamonte, Carli Baylor, Alberta Blair, Jeremy Boswell, David Cain, Marrk Callier, Mario Canizares, Angie Carson, Jim Cline, Mike Coleman, Scott Cooner, Michael Copeland, Brian Crooks, Mike Curtis, Brian Dell, Cody Derrick, David Dryden, Mike Eastland, Chad Edwards, Kevin Feldt, Ann Foss, David Garcia, Bob Golden, Lane Grayson, Clifton Hall, Victor Henderson, Robert Hinkle, Amy Hodges, Matthew Holzapfel, Tim James, Amy Johnson, Tom Johnson, Travis Kelly, Dan Kessler, April Leger, Ray Leszczynski, Ramiro Lopez, Matt Lucas, Paul Luedtke, Stanford Lynch, Keith Melton, Duane Milligan, Craig Miser, Cesar Molina, Rebecca Montgomery, Michael Morris, Sterling Naron, Archie Nettles, Evan Newton, Mickey Nowell, Paul Paine, Johan Petterson, Theresa Poer, Greg Porter, James Powell, Tim Powers, Fred Pratt, Vercie Pruitt-Jenkins, Molly Rendon, Tito Rodriguez, Greg Royster, Kyle Royster, Shawna Russell, Moosa Saghian, Steve Salin, Devin Sanders, Danny Scarth, Kelly Selman, Randy Skinner, Paul Stevens, Dean Stuller, Vic Suhm, Gary Thomas, Jonathan Toffer, Joe Trammel, Dan Vedral, Karla Weaver, Brian Wilson, and Ed Wueste.

1. **Approval of November 8, 2018, Minutes:** The minutes of the November 8, 2018, meeting were approved as submitted in Reference Item 1. Jim Griffin (M); Theresa Daniel (S). The motion passed unanimously.
2. **Consent Agenda:** The following items were included on the Consent Agenda.
 - 2.1. **Clean Fleets North Texas 2018 Call for Projects Funding Recommendation:** A motion was made to approve funding recommendations for an additional application received under the Clean Fleets North Texas 2018 Call for Projects, as detailed in Electronic Item 2.1.2. An overview of the call for projects was provided in Electronic Item 2.1.1.
 - 2.2. **Transportation Improvement Program Modifications:** Approval of December 2018 out-of-cycle revisions to the 2019-2022 Transportation Improvement Program (TIP) and the ability to amend the Unified Planning Work Program and other planning/administrative documents with TIP-related changes was requested. A copy of the proposed revisions was provided as Electronic Item 2.2.

A motion was made to approve the items on the Consent Agenda. Kathryn Wilemon (M); Duncan Webb (S). The motion passed unanimously.

3. **Orientation to Agenda/Director of Transportation Report:** Michael Morris noted the upcoming season of giving and reminded members of the many accomplishments for which the region should be thankful.

Scott Mahaffey, Chairman, Trinity Metro noted that TEXRail service from Fort Worth to the Dallas Fort Worth International Airport will begin January 5, 2019. He thanked the Regional Transportation Council (RTC), Dallas Area Rapid Transit, and other local government partners for their support of the project.

Mr. Morris also recognized Texas Department of Transportation (TxDOT) employees from the region who were recipients of the 2018 Short Course Awards: Theresa Poer, Director of Transportation Operations, TxDOT Fort Worth District, received the Dewitt C. Greer Award; Ceason Clemens, Deputy District Engineer, TxDOT Dallas District, received the Gibb Gilchrist Award; Duane Milligan, Director of Construction, TxDOT Dallas District, received the Luther DeBerry Award; and Tim Powers, recently retired from the TxDOT Dallas District, received the Raymond E. Stotzer, Jr. Award. He noted the latest correspondence on US 75 efforts was provided in Electronic Item 3.1. A Dallas Morning News letter to the editor on Preston Center was provided in Electronic Item 3.2, and a copy of the 2019 RTC meeting schedule was provided in Electronic Item 3.3. Information on the Census 2020 Participant Statistical Areas Program was provided at www.nctcog.org/census2020pasap. A copy of the Transportation Development Credit annual report correspondence was provided in Electronic Item 3.4. In addition, he noted the TxDOT Request for Proposals for Fiscal Year 2020 Traffic Safety Grants. Details were provided at www.txdot.gov/apps/eGrants/eGrantsHelp/rfp.html. Information on the Metropolitan Transportation Plan Policy Bundle Program was provided at www.nctcog.org/trans/plan/mtp/policy-bundle. Current air quality funding opportunities for vehicles were provided at www.nctcog.org/trans/quality/air/funding-and-resourcesfundingvehicle, Dallas-Fort Worth Clean Cities events were provided at www.dfwcleancities.org/dfw-clean-cities-meetings, and an update on positive train control implementation in the region was provided in Electronic Item 3.5. In addition, Mr. Morris noted that the Haslet Parkway project has received Better Utilizing Investments to Leverage Development (BUILD) grant funding. November public meeting minutes were provided in Electronic Item 3.6, and the December online comment opportunity notice was provided in Electronic Item 3.7. The Public Comments Report was provided in Electronic Item 3.8. Recent correspondence was provided in Electronic Item 3.9, recent news articles in Electronic Item 3.10, and recent press releases in Electronic Item 3.11. Transportation partner progress reports were distributed at the meeting.

4. **2017-2018 CMAQ/STBG Funding Program: Strategic Partnerships Round 3, Intersection Improvements, and MTP Policy Bundle TDC Program:** Christie Gotti presented recommendations for projects to be funded through the Strategic Partnerships Round 3, Intersection Improvements, and Metropolitan Transportation Plan (MTP) Policy Bundle Transportation Development Credits (TDC) Program that are part of the 2017-2018 Congestion Management and Air Quality Improvement Program (CMAQ)/Surface Transportation Block Grant Program (STBG) Funding Program. She noted that staff will bring the Assessment Policy Program and the Management and Operations, NCTCOG Implemented, and Regional/Air Quality Programs before the Council in early 2019. In the Strategic Partnerships Round 3, projects include those with multiple partners that are generally contributing more than the standard 20 percent local match. Intersection Improvement projects include those submitted by agencies that address safety. Finally, the MTP Policy Bundle TDC Program provides agencies with an opportunity to use TDCs as local match on federally eligible local projects that are of mutual interest to the

agencies and the Regional Transportation Council (RTC). Projects were divided into project categories and evaluated against similar type projects. Staff's funding recommendation was provided in Electronic Item 4.1. Ms. Gotti also highlighted the east/west funding distribution as a result of the projects recommended for funding. Details were provided in Electronic Item 4.2. Within the CMAQ program, the funding distribution is 69.3 percent in the east and 30.7 percent in the west (target-66 percent east/34 percent west). Within the STBG program, the funding distribution is 60.1 percent in the east and 39.9 percent in the west (target-68 percent east/32 percent west). Ms. Gotti noted that staff proposed to swap out funding for one project with Regional Toll Revenue (RTR) funds to help offset the funding distribution, as recommended in the footnote. A summary of the proposed funding recommendation was provided. She noted that changes since the item was presented in November were highlighted in blue text. Funding for bicycle/pedestrian projects decreased slightly at the request of the City of Richardson to swap funding between an equally scored frontage road project and a Cotton Belt project. She noted the other change was part of the Strategic Partnerships portion of the effort and resulted from a request by a city to use TDCs. This request changed the federal/non-federal shares for the project. Overall, staff's recommendation included approximately \$170 million in federal funds. Additional funds included RTR, local match, and TDCs for a total of approximately \$225 million in projects. A timeline for the effort was reviewed. A motion was made to approve the proposed list of projects to fund through 2017-2018 CMAQ/STBG: Strategic Partnerships Round 3, Intersection Improvements, and MTP Policy Bundle TDC Program. Action also included approval to permit staff to administratively amend the 2019-2022 Transportation Improvement Program/Statewide Transportation Improvement Program and other planning/administrative documents to incorporate these changes. Jungus Jordan (M); Kathryn Wilemon (S). The motion passed unanimously.

5. **Legislative Update:** Amanda Wilson provided an update on federal legislative actions related to transportation and air quality issues. She noted that Congress has passed a continuing resolution that provides federal appropriations through December 21, and that a new appropriations bill or another continuing resolution must be passed by that date in order to avoid a government shutdown. She also highlighted the AV Start measure that could move forward before Congress ends this year. The bill would create a federal framework that is technology for automated vehicle. Concerns related to the bill include issues such as safety, privacy and data security, and testing. Ms. Wilson also provided an overview of the draft 2019 Regional Transportation Council (RTC) Principles for the Federal Surface Transportation Authorization, included in Reference Item 5.1. No comments or changes were received from RTC members, but Ms. Wilson noted an edit to the final bullet related to texting and driving to focus on the safety and effectiveness of current regulations. She highlighted the five main categories of the legislative program: adequately fund the transportation system, define a national transportation vision, increase efficiency, expand options, and pursue innovation technology and safety. This position will prepare for the reauthorization of the Fixing America's Surface Transportation Act which will expire during the next Congress. Once approved, Ms. Wilson noted that graphic design staff would develop a professional document for use by RTC members. Regarding the Texas Legislature, she noted that prefilling for the 86th Texas Legislature began in November. More than 800 bills have been pre-filed to date. Notable bill topics include property tax relief, the rainy day fund and how it is related to Proposition 1, and toll roads. The session begins January 8, and staff will begin provided weekly updates beginning on January 11. Committees have been meeting on interim charges and have started to release their interim reports. Main topics of the House Committee on Transportation report include Texas Department of Transportation (TxDOT) project delivery, local support for Comprehensive

Development Agreements (CDAs) and design build projects, transportation financing mechanisms, a recommendation for the Department of Motor Vehicles to study the use of electric vehicle road use fees, oversight of toll authorities, technology monitoring of automated vehicles, focus on safe use of Unmanned Aircraft Systems, and energy impacts on State and county roads. The Senate Committee on Natural Resources and Economic Development met and reported on the Texas Emissions Reduction Program. No recommendations were included, but the \$1.7 billion balance was noted as well as positive testimony that the program does achieve needed emissions reduction and is cost effective. An overview of the draft RTC Legislative Program for the 86th Texas Legislature was provided and also included in Reference Item 5.2. She noted that edits have been made since the November meeting, primarily based on discussion at the Subcommittee meeting. The proposed program includes three categories: actively seek and support legislation to meet transportation and air quality needs, support progress made towards transportation and air quality in recent sessions, and provide support for other transportation topics to be addressed in legislation. Legislation to actively seek and support is focused on flexibility of the tools necessary to advance transportation projects. Proposed changes include the addition of the definition for CDAs as a public-private partnership versus the design-build contracting mechanism. Additionally, clarification was added to the list of potential revenue sources to emphasize they are options that may be of interest to the Legislature, not recommendations. Other changes included additional language related to the use and payment for property used for communications devices and air space over transportation facilities, as well as language regarding texting and driving to focus on safety and driver hand-held devices. The final proposed change to other items for support was an addition to support legislation to create countermeasures to residential displacement due to gentrification. A summary of the action requested was provided.

Jungus Jordan, Chair of the RTC Legislation and Finance Subcommittee, thanked staff and Vice Chair Lee M. Kleinman for their efforts. Sandy Greyson asked staff for an example of authority to make air space over transportation corridors available for land developments to generate revenue. Staff provided examples such as a deck park or other type of project built over a transportation corridor. Michael Morris noted that the Texas Department of Transportation owns the air space of its transportation corridors and the importance of continuing conversations on the related economic development opportunities. Ms. Greyson asked if local governments would have input on how air space over a TxDOT corridor affecting their entity could be used, and if this was being considered in high-speed rail corridors. Mr. Morris noted that local governments will be included in the partnership. In addition, he noted that he was not aware of the use of air space over a high-speed rail corridor. Duncan Webb discussed the new bullet to support legislation to create countermeasures to residential displacement. He asked for clarification of the concern and why the RTC would support this item. Ms. Wilson noted this bullet offers strategies that could be used to offset the impacts of residential displacement resulting from transportation projects. A motion was made to approve the 2019 Regional Transportation Council Principles for the Federal Surface Transportation Authorization in Reference Item 5.1 and the Regional Transportation Council Legislative Program for the 86th Texas Legislature in Reference Item 5.2. Action also included approval to transmit legislative programs to the United State Congress and Texas Legislature and authorize the Transportation Department Director to communicate with Congress and the Texas Legislature regarding these positions on behalf of the Regional Transportation Council. Jungus Jordan (M); Curtistene McCowan (S). The motion passed unanimously.

6. **Alternative Fuel Corridor Nomination:** Lori Clark provided an overview of current alternative fuel corridor designations. As a requirement of the Fixing America's Surface Transportation (FAST) Act, the United States Department of Transportation (US DOT) must identify segments of the highway networks that should be designated as pending or ready to be traveled by alternative fuel vehicles such as electric charging, hydrogen, propane, and natural gas. A notable benefit of corridor designation is prioritizing future fueling station investment. She noted that this is the third year that US DOT has solicited nominations, and highlighted the history of previous submittals by the North Central Texas Council of Governments (NCTCOG). Similar to last year, the Texas Department of Transportation (TxDOT) will take the lead and NCTCOG will provide recommendations to be included as part of TxDOT's submittal. Ms. Clark also highlighted signage developed by the Federal Highway Administration (FHWA) for alternative fuel corridors. The purpose of the signage is to raise the general awareness of the public. Earlier in the year, TxDOT adopted a policy on how it would post these signs for alternative fuel stations. Maps identifying the currently designated corridors for each fuel type, new stations, and status of signage were highlighted. She noted the increasing importance of natural gas for the freight industry and new technology developments such as hydrogen fuel cells for heavy-duty vehicles. In addition, she noted that electric vehicle charging infrastructure has experienced the most development, and clarified that both hydrogen and electric vehicles are electric drive vehicles but powered by a different fuel supply. FHWA designated alternative fuel corridors include eight interstates, one State highway, and one US highway making Texas one of the most robust networks of alternative fuel corridors. Finally, Ms. Clark highlighted corridors proposed to be submitted to TxDOT for its third round of nominations and requested approval of corridor and signage recommendations to the Texas Department of Transportation. Details were provided in Electronic Item 6. A motion was made to approve submittal of a request to the Texas Department of Transportation that it include the following corridors in its third round nominations: IH 635, IH 820, US 67, US 287, and US 380. Action also included approval to request that TxDOT post general services signage for all fuel types/qualifying stations and post corridor identification signage. Theresa Daniel (M); Lee M. Kleinman (S). The motion passed unanimously.
7. **Trinity Railway Express Shuttle:** Shannon Stevenson presented a proposal regarding the Trinity Railway Express (TRE) shuttle from the Centerport Station to the Remote South Parking lot at the Dallas Fort Worth International Airport (DFW Airport). In 2009, the DFW Airport received funds to implement this service. In March 2018, airport staff notified the North Central Texas Council of Governments (NCTCOG) of its intention to discontinue the shuttle service once TEXRail was fully operational. At that time, staff began working with partners to identify a new service provider. Trinity Metro was identified as the new provider, and efforts have been ongoing to transition the service from the DFW Airport to Trinity Metro. Various considerations/assumptions have been taken into account. In order to assume responsibility of the shuttle service, Trinity Metro plans to combine the service with its existing routes. A small amount of funding will be needed during project transition until federal funds can be moved from the airport to Trinity Metro. Existing revenue previously authorized for transit will be utilized (no new revenue is needed). This also assumes that existing local financial commitments will remain the same with each partner agency (Trinity Metro, DFW Airport, and Dallas Area Rapid Transit) contributing the required match. Details were provided in Electronic Item 7. A motion was made to approve Trinity Metro to assume responsibility in 2019 for shuttle service between the Trinity Railway Express Centerport Station and the Dallas Fort Worth International Airport. Action also included approval to transfer the remaining Federal Transit Administration funds previously approved for the project from DFW Airport to Trinity Metro for implementation, to utilize up to \$200,000 in

existing revenue previously approved for transit for project transition, and to revise administrative documents to allow Trinity Metro access to remaining federal funds to implement the shuttle service. Scott Mahaffey (M); Ann Zadeh (S). The motion passed unanimously.

8. **Volkswagen Settlement Update and Regional Input:** Lori Clark provided an overview of the Volkswagen Settlement final Beneficiary Mitigation Plan for Texas that allocates the \$209 million portion of the settlement funds for Texas. She noted that the goals established by the Texas Commission on Environmental Quality (TCEQ) have not changed from the draft plan and include: reducing nitrogen oxides emissions, reducing exposure of the public to pollution, preparing for increased use of zero emission vehicles, and complementing other incentive funding programs. In addition, the breakdown of funding has not changed, with 81 percent of the total allocation to be used on eligible mitigation actions primarily related to replacing or repowering heavy-duty diesel vehicles and equipment. Eligible on-road and other project types remained unchanged, but funding levels have been revised. In the final plan, government-owned project types have increased to 80 percent as the maximum reimbursement allowed per activity. Funding decreased to 50 percent for private-sector owned project types. Ms. Clark noted that in the final plan, TCEQ identified its distribution methodology for its funding distribution through three components: approximately 33 percent of the funds will be allocated based on a percentage of the affected Volkswagen vehicles, 15 percent base level funding for nonattainment areas, and approximately 33 percent based on an assessment of how the funds could help a region achieve or maintain attainment. A table comparing the draft and final plan distribution of funds was highlighted. In the final plan, the Dallas-Fort Worth region received a slight increase in funding, and the City of Austin and Bell County were added to the list of areas to receive funding. Ms. Clark also highlighted components of the plan relevant to the Regional Transportation Council (RTC) comments provided on the draft Mitigation Plan. Although all previous RTC recommendations were not addressed, she noted that TCEQ has requested comments on how the \$33 million allocation should be structured. A copy of the request was provided in Electronic Item 8.2. Proposed comments were highlighted, and members were asked to provide feedback. Comments included recommending: government owned and non-government owned projects be funded separately so there is equal competition, applications be considered competitively to maximize the emissions reduction benefits, a cost threshold be established for eligibility, eligible mitigation actions be allowed to compete at the same time to expedite projects, applicants be required to demonstrate broader commitment, and vehicles that are cleanest and infrastructure in designated electric vehicle charging corridors be prioritized. Details were provided in Electronic Item 8.1. Ms. Clark noted that three additional points have been added since the meeting mail out. These include proposing that TCEQ provide the maximum flexibility on geographic requirements for private fleets since they cannot often compete in other State programs, announce workshops with approximately four weeks notice to allow for the appropriate notification to be provided to prospective applicants, and delay funding availability for statewide charging infrastructure until summer 2019 to allow more details to be known about other Volkswagen funding programs. A motion was made to approve submittal of comments to the Texas Commission on Environmental Quality on the administration of funding for the North Central Texas Council of Governments area as presented at the meeting. Sandy Greyson (M); Cary Moon (S). The motion passed unanimously.
9. **Mobility 2045 Status, Transportation Conformity Determination, and Ozone Standards Update:** Kevin Feldt provided an update regarding North Central Texas Council of Governments (NCTCOG) efforts to implement Mobility 2045. He noted that the final

document and project tables were available online at www.nctcog.org/mobility2045. He also noted staff continues to coordinate with federal, State, transit, and local government partners, as well as the public on the programs and projects contained in the document. In addition, he highlighted various completed and continuing efforts such as approval of the federally required performance measures, advancement of the IH 635 East project, coordination on US 380 and north/south mobility in Collin County, and high-speed rail procurements. Additional efforts include US 75 technology lanes, auto occupancy detection technology, completion of the Freight North Texas Truck Parking Study, and other efforts as detailed in Electronic Item 9.2. Mr. Feldt noted work on the next Mobility Plan has also begun.

Jenny Narvaez provided information regarding transportation conformity. She noted that the region received its United States Department of Transportation (US DOT) conformity determination on November 21, 2018. A copy of the correspondence was provided in Electronic Item 9.1. The determination covers multiple State Implementation Plan actions including the adequacy of Motor Vehicle Emission Budgets and conformity requirements for both the 2008 and 2015 ozone standards. In addition, the end of November closed out the 2018 ozone season. During the 2018 ozone season, the region experienced 31 exceedance days and a regional design value of 76 parts per billion (ppb). As a result, the region did not attain the 2008 ozone standard of 75 ppb. She noted that the region now falls under both the 2008 75 ppb standard and the 2015 70 ppb standard. An overview of both the ozone standards was provided. The Environmental Protection Agency (EPA) classified the region as marginal for nonattainment under the 2015 ozone standard this past year. Under this classification, the region is not required to develop a State Implementation Plan, but must show attainment by August 3, 2021. In addition, the implementation rule for the 2015 ozone standard was published in November 2018. Historically, when a final rule is published for a new standard the old standard is revoked. However, this was not the case in this instance. As a result, the region is in nonattainment of the 2008 ozone standard because it did not reach attainment by the June 20 deadline. The region is now being reclassified from moderate to serious nonattainment for the 2008 standard, which gives the region until July 20, 2021, to reach attainment of the 2008 standard. Ms. Narvaez noted that staff will continue to provide updates to members as additional information becomes available.

- 10. Transportation Alternatives Set-Aside Program Call for Projects:** Karla Weaver presented information on the 2019 Transportation Alternatives Set-Aside Program (TA Set-Aside) Call for Projects. Funding is available for active transportation projects such as shared-use paths, on-street bikeways, bicycle/pedestrian signalization, sidewalks, crosswalks, traffic signal controls, signage, and other similar items. A total of approximately \$7.94 million in Fiscal Year 2020 funding is available, with approximately \$5.2 million available in the eastern subregion and approximately \$2.7 million in the western subregion. The maximum federal funding award per project is \$5 million, and the minimum is \$150,000. Similar to the 2017 call for projects, the scoring criteria prioritizes projects that help to implement Mobility 2045, provide connections to transit, include safety components, reduce barriers, improve congestion, have density towards large employment centers, have air quality benefits, provide equity, improve congestion, and provide local connections and planned priority projects within communities. Additional considerations include project readiness and innovation, including the ability to obligate funds and initiate construction quickly and other factors related to project impact upon the community. Emphasis will be given to nominating entities that contribute a cash overmatch of local funds. Ms. Weaver reviewed the schedule for this effort, noting that the TA Set-Aside Call for Projects will open on December 17, 2018, and close on March 1, 2019. Staff will review applications received

and provide project recommendations to the public and the Committee in May 2019 and the Regional Transportation Council in June 2019. She noted that project funding will be available for programming in November/December 2019, and application materials will be posted online at www.nctcog.org/TAP on December 17. Additional details were provided in Electronic Item 10. She also noted two additional funding opportunities through the Texas Department of Transportation: 1) State TA Set Aside Program Call for Projects, and 2) Safe Routes to Schools. Both funding opportunities open in February 2019, and additional information can be obtained from local Texas Department of Transportation districts.

11. **Progress Reports:** Regional Transportation Council attendance was provided in Electronic Item 11.1, and the current Local Motion in Electronic Item 11.2.
12. **Other Business (Old or New):** There was no discussion on this item.
13. **Future Agenda Items:** There was no discussion on this item.
14. **Next Meeting:** The next meeting of the Regional Transportation Council is scheduled for Thursday, January 10, 2019, 1:00 pm, at the North Central Texas Council of Governments.

The meeting adjourned at 2:25 pm.