The Regional Transportation Council (RTC) met on Thursday, October 14, 2010, at 1:00 p.m. in the Transportation Council Room of the North Central Texas Council of Governments. The following members or representatives were present: Ron Brown, Sheri Capehart, Maribel Chavez, Gary Cumbie, Bob Day (representing the North Texas Tollway Authority), Maurine Dickey, Lee Dunlap, Rudy Durham, Andy Eads, Charles Emery, Mark Enoch, Salvador Espino, Robert Franke, Bill Hale, Roger Harmon, Kathleen Hicks, John Horn, Joe Jaynes, Mark Hepworth (representing Ron Jensen), John Harper (representing Ron Jones), Vonciel Jones Hill, Jungus Jordan, Pete Kamp, Geralyn Kever, Linda Koop, Mike Leyman, Matthew Marchant, Maher Maso, Bill McLendon, Pauline Medrano, John Monaco, Rich Morgan, John Murphy, Ron Natinsky, Mark Riley, Rick Stopfer, John Tatum, Tim Welch (representing Oscar Trevino), Marti VanRavenswaay, Bernice J. Washington, Gary Fickes (representing Glen Whitley), and Kathryn Wilemon.


1. **Minutes**: The minutes of the September 9, 2010, RTC meeting were approved as submitted. Kathryn Wilemon (M); Maurine Dickey (S). The motion passed unanimously.

2. **Orientation to Agenda/Director of Transportation Report**: Michael Morris reviewed items in the Director of Transportation report. NCTCOG staff recently used American Recovery and Reinvestment Act (ARRA) funding to cooperatively procure vehicles on behalf of five small transit agencies in the region. One of the procured vehicles was on display prior to the meeting. Reference Item 2.1 contained correspondence regarding the Federal Transit Administration Triennial review of the Transportation Department. September 2010 public meeting minutes were provided at the meeting as Reference Item 2.12. He noted that the State of Texas has been impacted by $190,000 million in rescissions, primarily in research and future enhancement funds. Joe Jaynes asked for details of the rescissions. Mr. Morris noted that there has been a total of approximately $1.2 billion in rescissions in the
past five years for the State and indicated that details will be provided to members. He noted that staff continued to work with the Texas Department of Transportation (TxDOT) regarding potential Pass-Through finance funding. Ozone season information was provided in Electronic Item 2.2 and Clean Vehicle funding information was provided in Electronic Item 2.3. A Texas Commission on Environmental Quality (TCEQ) Oil and Natural Gas Open House was scheduled for October 16, 2010. Additional information was provided in Electronic Item 2.4. North Texas Clean Air Steering Committee comments to the Legislative Budget Board were provided as Electronic Item 2.5. Information regarding the Clean Cities MotorWeek Award was provided as Electronic Item 2.6, the Alternative Fuel Vehicle Odyssey Dave Event as Electronic Item 2.7, and the North Texas Clean Air Coalition Working for Clean Air Awards as Electronic Item 2.8. Funding information for rail line relocation was provided as Electronic Item 2.9. Mr. Morris noted that he would be working with Ron Natinsky to schedule a workshop addressing regionalism prior to a future RTC meeting. He discussed the recent RTC New Member Orientation and noted that staff would provide a video of the meeting to all members and alternates. He also discussed recent testimony by NCTCOG staff in Austin. A link to the testimonies will be provided to members.

3. **Kaufman County Regional Toll Revenue Project Selection:** Christie Jestis discussed the Kaufman County Funding Initiative and projects to be selected for funding using Regional Toll Revenue (RTR) funding the RTC previously set aside for future Kaufman County projects. The Kaufman County RTR Task Force was initiated to build consensus throughout Kaufman County and to submit projects for funding consideration. Staff identified the emphasis areas for this funding program which included projects that: 1) are consistent with the Metropolitan Transportation Plan and air quality conformity, 2) provide additional lanes or additional capacity that would be warranted in the near future, 3) provide significant congestion mitigation and safety reduction, 4) have community support, and 4) have adopted the RTC Clean Fleet Vehicle policy. The initial RTR recommendation for Kaufman County RTR funding consisted of three funding sources including the original RTR excess revenue funds (plus interest), new boundary funding, and funding from the East/West ARRA partnership exchange, totaling approximately $20.15 million in RTR funds. In addition, a local match is required bringing the total to approximately $23 million. Over the course of the year, additional funds have become available by the cities, the County, and TxDOT making approximately $78 million available through this partnership. These funds were made available through project cost savings that will remain in Kaufman County, an RTC “float” for a City of Kaufman project, a congressional earmark, local or developer funds, and TxDOT funds. Details of the funding sources were presented. Reference Item 3.1 contained the list of project recommendations for SH 34 in Kaufman, SH 34 in Terrell, 1st Street in Crandall, Forney Parkway in Forney, and Lawson Road. These project recommendations were presented to the public in September 2010 and comments from the public meetings were provided at the meeting as Reference Item 3.2. Ms. Jestis noted that Lawson Road funding was for the Kaufman County portion of the roadway. Michael Morris expressed his thanks to Ron Brown and Ray Clark for their leadership regarding this issue. Ray Clark discussed the partnership efforts of the region and thanked Dallas County, RTC, and TxDOT for their partnership. Gary Cumbie asked what would happen to the contingent funds for the City of Terrell project if those funds are not needed. Ms. Jestis noted that the unused “float” funds would be returned to the regional pool. A motion was made to approve the recommendations contained in Reference Item 3.1 for Kaufman County Regional Toll Revenue projects and to add the projects to the 2011-2014 Transportation Improvement Program/Statewide Transportation Improvement Program. John Monaco (M); Ron Brown (S). The motion passed unanimously.
4. **Consent Agenda**: The following items were included on the Consent Agenda:

4.1. **2011-2014 Transportation Improvement Program Modifications and Regional Transportation Council Resolution for Regional Toll Revenue Projects Modifications**: A motion was made to approve revisions to the 2011-2014 Transportation Improvement Program contained in Reference Item 4.1.1 and the RTC resolution transmitting Regional Toll Revenue-related project information to the Texas Transportation Commission, R10-07 Resolution on Recent Modifications to Dallas-Fort Worth Regional Toll Revenue Funded Projects contained in Reference Item 4.1.3.

4.2. **Discussion Regarding Options and Legal Risks Associated with Transportation Projects in the Reclassification State Implementation Plan**: A motion was made to approve the inventory of transportation air quality initiatives contained in Reference Item 4.2 and the submittal of all projects in the weight-of-evidence category for the air quality State Implementation Plan.

Marti VanRavenswaay (M); Pete Kamp (S). The motion passed unanimously.

5. **Mobility 2035 Policy Update**: Dan Lamers presented proposed policy language for Mobility 2035 on Environmental Justice, Air Quality, and Natural Environment. Reference Item 5.1 contained the proposed policy language for discussion and Reference Item 5.2 contained policy language and comments reviewed to date. He reviewed two proposed policies for environmental justice, noting federal requirements to demonstrate equitable benefits and burdens and the goal to provide equitable transportation options and solutions across the region. He also highlighted policies related to public involvement and improved efforts to be transparent and educate the public on the transportation decision making process. In addition, Mr. Lamers highlighted air quality related policies. Several of the policies are included in the current transportation plan, primarily related to how air quality programs are implemented. Mobility 2035 policy language is proposed to be more general with more specific language being incorporated into the text of the document. Natural environment policies were also highlighted. The policies document staff efforts to quantify the environmental impacts associated with the implementation of transportation projects and to work cooperatively with regulatory and conservation partners. Mr. Lamers also discussed three financial scenarios to be considered in the development of Mobility 2035: status quo, statewide enhanced, and local option. A funding scenario will be selected on which to base the recommendations of the financially constrained document. The impacts to projects for each of these financial scenarios will be presented at the November 11, 2010, RTC meeting. Charles Emery asked if comments received by staff have been incorporated into the document. Mr. Lamers clarified that all comments received will be reviewed by the RTC in December. Rob Franke discussed environmental justice and documentation of associated benefits in addition to negative impacts. John Tatum asked the significance of a policy that ensures conformity. Mr. Morris discussed the need for additional air quality initiatives as the ozone standard is lowered. Linda Koop asked if comments received by staff have been incorporated into the document. Mr. Lamers clarified that all comments received will be reviewed by the RTC in December. Rob Franke discussed environmental justice and documentation of associated benefits in addition to negative impacts. John Tatum asked the significance of a policy that ensures conformity. Mr. Morris discussed the need for additional air quality initiatives as the ozone standard is lowered. Linda Koop asked if there is a benefit to selecting a financial scenario prior to meeting with legislators and providing a map that shows the implication of the selected financial scenario. Mr. Morris noted that it could be very beneficial to tie the legislative program, air quality, and financial scenario together as an integrated program. Staff is preparing a financial scenario for status quo, statewide financial, and statewide financial with local option. A map will be produced for each of these financial scenarios for members to take to the representatives, senate, and house districts with each of the legislative districts noted on the maps. Maurine Dickey discussed ideas to generate

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revenue for bicycle lanes/trails. Mr. Lamers indicated that this idea could be incorporated into current discussions.

6. **Legislative Items and Results of the Legislation and Finance Partnership Subcommittee**: Amanda Wilson provided an overview of the Legislation and Finance Partnership Subcommittee meeting held earlier in the day and an update regarding the draft RTC legislative program. Reference Item 6.1 contained a draft list of issues to actively pursue. Language that was previously proposed to be omitted for first option has been added back to the legislative program in response to discussion at the September 9, 2010, RTC meeting. She noted that NTTA and Collin County will be meeting to discuss related language. In addition, Ms. Wilson noted that changes will be made to the third and fourth bullets and that new language would be provided to members. Reference Item 6.2 contained draft issues to support and monitor. She noted that sobriety checkpoints have been replaced with an item to establish a daytime automobile insurance checkpoint program and that a comment had been received for the requirement for large employers to develop plans to encourage alternatives commutes be revised to establish large employers as having 1000 or more employees. Ms. Wilson noted that Subcommittee discussion included how the legislative program and the development of the next transportation plan are related and that Reference Item 6.3 contained a matrix of revenue options. She discussed options for the revenue item to remain general or to add specific options to the program. Reference Item 6.4, provided at the meeting, contained draft correspondence to TCEQ addressing reductions in the AirCheckTexas and Texas Emission Reduction Program. Reference Item 6.5, also provided at the meeting, contained draft correspondence to the local congressional delegation providing support for HR 1806/S 3749 that will help provide tax credits to private companies to improve freight rail infrastructure. Sheri Capehart asked about the removal of sobriety checkpoints. Michael Morris discussed the sensitivity of the issue and noted that an automobile insurance checkpoint would give the region some experience in this area. Charles Emery expressed concern for the return of RTR funds to the region. Mr. Morris noted that the RTC members will be provided more specific efforts to have RTR funds returned to the region at the November 11, 2010, RTC meeting. In addition, a workshop on regionalism will be scheduled. Mark Riley noted that county land use authority may need to be more specific due to the diversity of counties in the region. In addition, he discussed requiring large employers to develop plans and set goals for reducing commuter drive-alone trips and the additional cost for such businesses. Sheri Capehart suggested that TRTC and DRMC be requested to provide a listing of members of the legislative delegation that were in attendance at recent meetings to the RTC. Mr. Morris indicated that staff would request that DRMC and TRTC provide statements regarding the legislative delegations options of transportation legislation in the upcoming session. Mark Enoch discussed entities’ responsibilities for contacting legislators and the need for coordination. A motion was made to approve correspondence in Reference Item 6.4 to the Texas Commission on Environmental Quality addressing reductions in the AirCheckTexas and Texas Emission Reduction Program and correspondence in Reference Item 6.5 to the local congressional delegation providing support for HR 1806/S 3749 that will help provide tax credits to private companies to improve freight rail infrastructure. Kathryn Wilemon (M); Maurine Dickey (S). The motion passed unanimously.

7. **Truck Lane Restriction Expansion Update**: Becky Karasko provided an update regarding the expansion of truck lane restrictions and the map update being performed for proposed future truck lane restriction corridors for Mobility 2035. Truck lane restrictions were brought into law in 1997 by the Texas Legislature. In 2003, the law was updated to allow counties and TxDOT to designate these restrictions as well. Following the completion of the Truck
Lane Pilot Study in 2006, it was determined that the truck lane restrictions were accepted by the public, had positive impacts on crash rates, air quality, and travel speed. The restrictions were also found to be obeyed by a majority of drivers with or without active enforcement. One of the outcomes of the study was a request that truck lane restrictions be expanded into a regional system. In response, staff created a map of truck lane restrictions adopted by the RTC as part of Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area, 2009 Amendment. In 2009, additional truck lane restrictions were added to IH 20 and IH 30 and new truck lane restrictions were placed on IH 45 and IH 820. Ahead of Mobility 2035, staff has reevaluated the map and developed a methodology for corridor selection to create new corridor recommendations for Mobility 2035. Ms. Karasko reviewed the methodology and efforts to determine facility eligibility. Electronic Item 7 contained a map of corridors for potential future truck lane restrictions by year of implementation. A stakeholders meeting was held July 27, 2010, and the proposed truck lane restrictions were presented at public meetings September 14-15, 2010. Staff will be incorporating the map into Mobility 2035. Ms. Karasko noted that the map was a draft and that staff was open to any suggestions or comments.

8. **Results of the Sustainability and Environment Subcommittee**: Chris Klaus provided an overview of the Sustainability and Environment Subcommittee held prior to the RTC meeting. Committee members were briefed on a variety of on-going efforts in North Central Texas, including discussion regarding the reporting of air quality transportation benefits in the region’s State Implementation Plan and future RTC projects and policies. Members also discussed sustainable development and bicycle pedestrian policies recently presented during discussion of Mobility 2035. Sheri Capehart discussed truck route issues resulting from gas well drilling in the region and the lack of consistent restrictions between cities. She requested future discussion of the issue to assist with the management of traffic related to the truck route restrictions. Michael Morris requested that the City of Arlington provide NCTCOG a copy of its truck route report and proposed a future RTC item to discuss the impacts of these non-traditional truck routes in the region.

9. **East/West Equity and Tracking of Texas Department of Transportation/Regional Transportation Council Commitments**: Christie Jestis discussed the request by RTC to track TxDOT funding approvals that do not follow current RTC formula allocations of 69 percent to the east and 31 percent to the west. Reference Item 9.1 provided an inventory of TxDOT non-formula commitments to date, currently totaling an allocation of 47 percent to the west and 53 percent to the east. In addition, the RTC requested that staff track instances in which the RTC has assumed a previous TxDOT commitment, provided in Reference Item 9.2. Christie noted that a $5 million threshold was used to track funds for engineering, right-of-way and utility phases. Staff will continue to track the east/west equity and TxDOT/RTC commitments and present updates to STTC and RTC quarterly.

10. **SH 161 Update**: Ken Kirkpatrick provided an update regarding SH 161. In June 2010, the RTC agreed to extend the NTTA’s deadline to make the upfront payment for SH 161 in order to give NTTA time to work with the Transportation Infrastructure Finance and Innovation Act (TIFIA) office to process the $400 million TIFIA loan for SH 161. In July 2010, the Credit Council granted conditional approval and TxDOT and NTTA have been working with the TIFIA office to address the conditions from the Credit Council. Mr. Kirkpatrick noted that the issues related to TxDOT remedies/step-in rights currently remain unresolved, which may impact approval of the TIFIA loan. As a result, staff has concerns about the impact to SH 161, Southwest Parkway, and other projects. Michael Morris discussed potential impacts to SH 161 for the $258 million (Phase 2 and 3), the $200 million
concession payment, and the approximate $400 million (Phase 4). In addition, he discussed potential impacts to Southwest Parkway and the IH 30 Pass-Through project. He noted that it is important to remain firm regarding the December 27, 2010, deadline in order to reach resolution prior to the beginning of the next legislative session and asked if RTC could provide any assistance.

Allen Clemson provided additional details related to the TIFIA loan approval. The remaining unresolved issue is for the provision of default. NTTA and TxDOT staffs continue to work with the US Department of Transportation for a resolution. In addition, Mr. Clemson discussed RTC concerns regarding impacts to projects. For items related to SH 161, the TIFIA loan is not necessary for the roadway to proceed. He also discussed the importance of the TIFIA loan for Southwest Parkway. The loan will provide a more sound financing structure for NTTA and the region. If the TIFIA loan fails, the project will be revaluated and other options reviewed. Mr. Clemson indicated that Secretary Ray Lahood, US Department of Transportation is the Chairman of the credit council for the TIFIA loan and that RTC support is appreciated. Bob Day noted that NTTA is committed to implementation of both SH 161 and Southwest Parkway for the region. Several members discussed the provision of default. Vonciel Jones Hill requested that NTTA provide a script for members to use when contacting the US Department of Transportation. Jungus Jordan requested that the RTC Chair provide correspondence to Secretary Lahood in support of TIFIA loan approval as supported by previous RTC action to support SH 161 and Southwest Parkway.

11. **Progress Reports:** RTC attendance was provided as Reference Item 11.1, STTC attendance and minutes as Electronic Item 11.2, the Local Motion as Electronic Item 11.3, and the North Texas Transportation Connection as Reference Item 11.4.

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, November 11, 2010, at 1:00 p.m., at the North Central Texas Council of Governments.

The meeting adjourned at 3:15 pm.