

MINUTES

REGIONAL TRANSPORTATION COUNCIL May 11, 2006

The Regional Transportation Council (RTC) met on Thursday, May 11, 2006, at 1:30 p.m. in the Arlington Downs Ballroom, La Quinta Inn & Suites Six Flags. The following members or representatives were present: Terri Adkisson, Ron Brown, Charles Conrad (representing Maribel Chavez), Bob Blankenship (representing Jan Collmer), Wendy Davis, Bob Day, Mike Pappas (representing Maurine Dickey), John Hedrick (representing Charles Emery), Jim Driscoll (representing Herbert Gears), Paul Geisel, Bill Hale, Ruben Delgado (representing Jack Hatchell), John Heiman, Ron Jensen, Lloyd Neal (representing Scott Johnson), Pete Kamp, Jinnell Killingsworth (representing Kathleen Hicks), Linda Koop, Don Kennedy (representing Kenneth Mayfield), Steve McCollum, Becky Miller, Jack Miller, Rich Morgan, John Murphy, Mel Neuman, Claude King (representing Mike Nowels), Chuck Silcox, Grady Smithey, John Tatum, Maxine Thornton Reese, Oscar Trevino, Carl Tyson, Marti Van Ravenswaay, Cynthia White, Bill Whitfield, Richard Schiller (representing B. Glen Whitley), and Kathryn Wilemon.

Others present at the meeting were: Vickie Alexander, Nancy Amos, Jack Antebi, Ruth Antebi-Guten, Sia Ardekani, Brian Barth, Aaron Batiste, Rick Berry, Brandi Bird, Fay Bishop, John Blain, Dave Blair, Michael Bort, John Brunk, Garrett Burchett, Ken Cervenka, Lauren Clayton, Scott Cooner, Michael Copeland, Chris Davis, Clif Davis, Dave Davis, Gordon Dickson, Jim Driscoll, David Dunigan, Wendy Evans, Kathleen Garrett, David Gattis, David Gordon, Billy Hardie, Trish Hatley, Ron Haynes, Dub Holloway, Don Holzworth, Alicia Hopkins, Jill House, John Hudspeth, Kathy Ingle, Christie Jestis, David Jodray, Butch Jones, Les Jutzi, Anthony Karlinski, David Kasten, Dan Kessler, Ken Kirkpatrick, Roger Kittrell, Chris Klaus, Matt Kotter, Dan Lamers, Barbara Leftwich, Sonny Loper, Stanford Lynch, Matt MacGregor, Barbara Maley, Clyde Melick, April Mitchell, Cesar Molina, Michael Morris, Ben Muraskin, Koorosh Olyai, Lori Pampell, Donna Parker, Brinton Payne, Jayne Peters, Jerry Pfeffer, John Polster, Steven Polunsky, Vercie Pruitt-Jenkins, Walter Ragsdale, Ernest Randall Jr., Flozelle Roberts, Lara Rodriguez, Carrie Rogers, Jenelle Romero, Patrick Russell, Srin Sangineni, Rider Scott, Mike Sims, Randy Skinner, Glenn Smith, Jim Sparks, Vic Suhm, Cissy Sylo, Jerry Tikalsky, Alan Upchurch, Rick Vasquez, Terry Watson, John Webb, Amanda Wilson, Joe Wingerter, Mark Young, and Scott Young.

1. **Minutes:** The minutes of the April 13, 2006 meeting were approved as submitted. B. Glen Whitley (M); Oscar Trevino (S). Unanimous.
2. **Orientation to Agenda/Director of Transportation Report:** Michael Morris discussed temporary relocation of the upcoming RTC meeting sites during the various construction phases at NCTCOG. Michael noted that the Transportation Board Room would be finished in early January 2007 and that the room will be moved from the third floor to the first floor of the building. Michael discussed the potential schedule conflict of the June RTC meeting with the first Texas Department of Transportation (TxDOT) Transportation Summit held in Austin. Next, Michael discussed the RTC Bylaws which state that the Officers of the RTC must change annually in June, and the Chair, Wendy Davis, will announce the selection of members for 2006-2007. Chair Davis noted that the RTC nominating subcommittee Chair will be Marti Van Ravenswaay and members Bob Day, Paul Giesel, John Heiman, and Ed Oakley. The information packets for the subcommittee members will be prepared by June and the new officers will also be announced at the June RTC meeting. Next, Michael discussed the State's regulated laws (Open Meetings and Public Information Act) that require all elected officials to

have Open Government Training. He mentioned that approximately six NCTCOG staff members will be attending the training, and that he is aware that most of the RTC's current officials have already had their training through their respective entity so there would not be a need to duplicate the training. All newly elected officials coming aboard in May 2006 will have ninety (90) days to complete the training session. Any existing official that has not completed the training will have until the end of 2006 to complete the training. NCTCOG will offer the training sessions to all members. Next, Michael discussed the Partners In Mobility presentation in Austin on May 25, 2006. Michael Morris reviewed the Public Meetings Minutes which included information on the three public meetings held in April 24-25, the meetings cover dynamic pricing related to managed lanes. The minutes included NCTCOG staff recommendations and the Surface Transportation Technical Committee's (STTC) observations for moving forward with building LBJ Freeway (I.H. 635) and Airport Freeway (I.H. 35W) in Tarrant County. In Reference Item 2.1, Michael noted the dates and times of six upcoming Clean Fleet Vehicle Call for Projects within the region. Next, Michael announced that the Texas Commission on Environmental Quality has Transportation Emission Reduction Program (TERP) funds available, the application deadline to receive funding is June 16, 2006 at 5:00pm. He also recognized ozone season, which is May thru October and mentioned a notable improvement on the Ozone Monitor Data last year. The NCTCOG AirCheck Program has 10,500 cars successfully under emissions compliance as a result of the Program. Michael Morris discussed Reference Item 2.2, Transportation Conformity Update Cycle, and noted that the federal law changes under the new deadline for updating the Mobility Transportation Plan is April 7, 2007. NCTCOG staff will be meeting with transportation partners within the region to gain knowledge of the strengths and weaknesses of the Transportation Plans and, if necessary, to work on gaining flexibility to extend the April 7 deadline date prior to approving a plan. Next, Michael Morris reviewed Reference Item 2.4, a Dallas Morning News editorial regarding the Trans-Texas Corridor and the RTC recommendations to support the project.

3. **Federal Air Quality Commitments Update/Light Emitting Diode (LED) Program Updates:** Chris Klaus provided information regarding the Transportation Control Measures (TCM) being implemented within the region. Chris noted that NCTCOG staff has been conducting extensive audits on all of the Federal Transportation Commitments in the Air Quality State Implementation Plan. Many of the projects being reviewed were funded by the RTC. The Emission Credits are also examples of what is given to TCEQ to be placed into the State Implementation Plan to assist in attainment. Chris mentioned that occasionally a project is delayed for various reasons (i.e., contract issues, weather delays, etc). However, when a commitment has been made to the EPA and deficiencies have been identified with a project, then those problems must be properly corrected to avoid consequences that could be upheld by the EPA (i.e., conformity lapse). Chris introduced a TCM Substitution Workshop which is designed to work with federal partners in the region to swap-out and/or substitute deficient projects within the Air Quality Plan in efforts to maintain emission commitments in the SIP. The TCM Substitution Workshop was held at NCTCOG on May 18, 2006 at 9:30am. Chris went on to note Reference Item 3, which contains three Air Quality plans with attainment dates and commitments for 1996, 1999, and 2007, which are all under the 1-hour State Implementation Plan (SIP). Chris noted that the State is currently developing an 8-hour Air Quality plan. Chris went on to note examples of how the Substitution Process can be effective in meeting attainment. General discussion regarding the workshop followed. Next, Chris briefly discussed the current success and future goals of the Light Emitting Diode Programs. The project is one of six projects with a \$5 million dollar allocation funded by the RTC to deter ozone and air pollution. NCTCOG expects to be at 96.5 percent LED by next year.
4. **Trans-Texas Corridor-35, Tower 55, and Truck Lane Pilot Study:** Mike Sims provided a brief overview of the Truck Lane Pilot Study. This project is the lane restrictions on I.H. 30 from Collins to Hulen and I.H. 20 from Cedar Ridge to I.H. 45 in Dallas. The survey concluded

that 80 percent of all drivers supported expanding truck lane restrictions and 25 percent of all truck drivers supported expanding the restrictions. The study also determined that truck lane restrictions would not negatively affect mobility within the region. Safety trends connected with truck lane restrictions are currently being reviewed. Various freeway and toll roads applications of truck lane restrictions in the region are also being reviewed. The additional study results will be presented to the RTC in July. Mike stated that the study results will be combined with the Mobility Plan Development Process. Next, Mike discussed the Tower 55 Study, including Reference Item 4 (Memorandum of Understanding between the Texas Department of Transportation and North Central Texas Council of Governments, Tower 55 Improvements in the DFW Region). Mike noted that the agreement was signed by Michael W. Behrens, P.E., Executive Director TxDOT and Michael Morris, P.E., Director of Transportation, NCTCOG. Mike Sims mentioned that in order to start the study an agreement with the Fort Worth TxDOT District will need to be met. This agreement is currently pending and the new legislative option of using transportation credits as a local match is also a pending item currently under discussion with TxDOT Austin. NCTCOG staff is currently reviewing infrastructure deficiencies in the region that impact freight rail mobility and the operational changes that could be implemented to improve freight mobility, air quality, access for commuter rail and access for intermodal shipments. Mike noted that NCTCOG has developed a draft list of near-term and long-term options to resolve Tower 55 issues. Mike expects NCTCOG to expand the draft list and come up with a preliminary implementation plan within the next six months. The RTC Intermodal Freight and Safety Subcommittee will serve as the steering committee for the study. Mike noted that any final policy or capital approval recommendations will need to be approved jointly by the Regional Transportation Council and the Texas Transportation Commission. Next, Mike moved on to the State's efforts to distribute to the public the 4,000 page Tier 1 Environmental Impact Study on the Trans Texas Corridor. NCTCOG is analyzing the study and considering its responses to the study. Mike highlighted the efforts of the State sponsored Citizen Advisory Committee for the Trans Texas Corridor. Mike outlined a list of prospective items that NCTCOG will incorporate during the summer of 2006 in regards to the study. Mike noted that NCTCOG would come up with its own analysis using the same statistics for the regional proposal. He mentioned that Michael Morris included the Trans Texas Corridor issue as part of the presentation at the Partners In Mobility presentation to the Commission. Mike invited Michael Morris to make any comments. Michael reminded the Council that the figures within the analysis were developed by Texas Department of Transportation (TxDOT). Michael Morris also pointed out that the Texas Transportation Commission has historically been sensitive to the recommendations of the Regional Transportation Council. Michael also suggested that elected officials and local government representatives personally sign a board containing the map of the region's suggested alignment as a show of support for the regionally supported alignment of the Trans Texas Corridor. General discussion followed.

5. **Managed Lanes and Toll Pricing: I.H. 635 and Airport Freeway/I.H. 35W:** Michael Morris provided information regarding the Managed Lanes and Toll Pricing. Michael Morris went on to note that he was asked by Commissioner Jack Hatchell to revisit the Regional Transportation Council's policy on toll roads, he was asked to come up with an example of how the RTC's policy on Excess Revenue would be implemented. Michael Morris began to present to the Council a brief example of how this objective would be achieved. Michael outlined an RTC action item for policy approval of two more toll road projects in Denton and Collin Counties, the LBJ/Loop 12 and the I. H. 183/S.H. 820/I.H. 35 projects. He informed the RTC that since the April RTC meeting, NCTCOG has elected to compete for full proprietorship in building and operating both proposed toll roads in Denton and Collin Counties. Michael suggested that at its July meeting, the RTC will come up with a standard evaluation criteria to be used and recommend to the Texas Transportation Commission on the best tools to evaluate a CDA and the North Texas Tollway Authority applications. NCTCOG staff will be

conducting several public meetings regarding managed lanes, the RTC's Policy Standards, and NTTA or a CDA's operational applications. Next, Michael went on to review Reference Item 5 handout materials, he summarized the differences between managed lanes and toll roads. Michael reminded the RTC of the tragic Airport Freeway fatality that occurred several years ago, which closed the freeway for more than 12 hours, this ultimately led to the RTC taking action to come up with revised managed lanes policies for all corridors. Michael stated that the proposed goal of managed lanes should be to provide additional capacity in corridors, provide trip reliability for HOV and transit, generate revenue to construct facility and generate revenue to operate and maintain facility. Policy discussion will also address whether the toll rates should vary by time of day or vehicle type/occupancy. Michael also led discussion on whether the toll rates should have a fixed schedule where the rate is published and set and the price may vary by time of day and vehicle type/occupancy; dynamic where the rate is adjusted throughout the day and based on certain facility performance measures and the price may vary by time of day, vehicle type/occupancy; or fixed with transition to dynamic where there is initially a schedule and then a shift to dynamic based on a set of performance measures. NCTCOG staff recommended the fixed rate with transition to dynamic. Also, there should be some discussion as to what types of vehicles are eligible to use the managed lanes such as transit vehicles, motorcycles and large trucks. In addition, there may be safety restrictions for some managed lane tunnel projects (i.e., potential dangers of high fuel carrying trucks and buses in tunnels). Next, Michael reviewed STTC policy discussion regarding HOV/vanpool discounts and toll rebates. NCTCOG staff recommendations regarding HOV/vanpool discounts were HOV2+ discount for peak period, and this price will phase out after the Air Quality Attainment maintenance period and there are no toll charges for transit vehicles. STTC discussed whether policy should be changed to identify Vanpools as HOV or transit vehicles. Also, STTC members discussed whether publicly operated HOV2+ and vanpools should receive 50 percent discount for peak periods and phase out tolls after the air quality attainment maintenance period. Staff recommendations for toll rebates include implementing dynamic pricing which includes rebates to travelers if the average speed drops below 35 mph. Extensive discussion followed. A motion was made to approve staff's recommended policy with the further recommendation that staff bring back to the RTC a recommendation of dealing with reimbursement of cost to public vanpools. Grady Smithey (M); Oscar Trevino (S). The motion passed.

6. **Management of Sustainable Development Projects:** Mike Sims presented an overview of Resolution Establishing Management of Sustainable Development Projects. Mike noted that the Resolution stated that the Regional Transportation Council (RTC) approved \$40.61 million for the current Sustainable Development projects on April 14, 2005 and on April 13, 2006. RTC approved the projects under the Sustainable Development Call for Projects. RTC also approved the use of Local Funds pending receipt of local funding agreement(s) and the requirement that a resolution of the lead public sponsor's governing body for each project be submitted to NCTCOG offices by 5 p.m., July 14, 2006. Mike briefly reviewed Sections 1 thru 8 of the Resolution. He highlighted Sections 4 and 5 of the Resolution, the Land Banking Program. General discussion followed. It was suggested that Section 4 be revised to include reasonable cost incurred to acquire Land Banking Projects and may be a factor into the repayment process. A motion was made to approve Reference Item 6, Resolution Establishing Management of Sustainable Development projects (R06-05), including the modification to Section 4. Teri Adkisson (M); Linda Koop (S) Unanimous.
7. **Progress Reports:** Progress reports were included as Reference Item 7 in the mailout packet.
8. **Other Business (Old or New):** There was no discussion on this item.

9. **Future Agenda Items:** There was no discussion on this item. See item 10.
10. **Next Meeting:** The June 8, 2006 RTC meeting was postponed to July due to a schedule conflict with the TxDOT Transportation Summit. Motion and Second; Motion Passed. The next scheduled meeting of the Regional Transportation Council is ***Thursday, July 13, 2006 at 1:30 p.m., at La Quinta Hotel in Arlington, Texas***

Meeting adjourned at 4:15 p.m.