

## MINUTES

### **REGIONAL TRANSPORTATION COUNCIL May 12, 2022**

The Regional Transportation Council (RTC) met on May 12, 2022, 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: Daniel Alemán Jr., Devan Allen (representing B. Glen Whitley), Richard E. Aubin, Dennis Bailey, Mohamed “Mo” Bur, Dianne Costa, Theresa Daniel, Jeff Davis, Pat Deen, Janet DePuy, Kevin Falconer, Gary Fickes, Raul H. Gonzalez, Rick Grady, Lane Grayson, Mojoy Haddad, Roger Harmon, Clay Lewis Jenkins, Ron Jensen, Carl Johnson, Mike Leyman, Alison Maguire, B. Adam McGough, Cara Mendelsohn, Cary Moon, Omar Narvaez, Matthew Porter, Philip J. Ritter, Jim R. Ross, Jeremy Tompkins, William Tsao, Scott Turnage (T. Oscar Trevino Jr.), Duncan Webb, and Michele Wong Krause.

Others present at the meeting included: Soria Adibi, Vickie Alexander, Emily Beckham, Alberta Blair, Tom Bamonte, David Boski, Stefanie Buin, Laura Cadena, Angie Carson, Curt Cassidy, Clarence Daugherty, Yvonne Davis, Chad Edwards, Carmen Garcia, Christie Gotti, Eric Greenman, Bill Hale, Tony Hartzel, Chris Hocate, Amy Hodges, Joel James, Dan Kessler, Tony Kimmey, Ken Kirkpatrick, Stephon Knobbe, Dan Lamers, Eron Linn, Dan McClendon, Alberta Molina, Erin Moore, Jenny Narvaez, Jeff Neal, Mark Nelson, Cody Owen, John Polster, Kelly Porter, James Powell, Vercie Pruitt-Jenkins, Guillermo Quintanilla Jr., Shannon Rust, Walter Shumac, Toni Stehling, An Truong, Caroline Waggoner, Brendon Wheeler, Jeff Williams, Brian Wilson, Casey Wright, Susan Young, and Ann Zadeh.

1. **Opportunity for the Public to Comment on Today's Agenda:** This item allows members of the public an opportunity to comment on agenda items. Regional Transportation Council Chair Theresa M. Daniel asked if there were any public comments. No members of the public chose to speak at the meeting or provide written comments.
2. **Approval of the April 14, 2022, Minutes:** The minutes of the April 14, 2022, meeting were approved as submitted in Electronic Item 2. Cary Moon (M); Jim Ross (S). The motion passed unanimously.
3. **Consent Agenda:** There were no items on the Consent Agenda.
4. **Orientation to the Agenda/Director of Transportation Report:** Michael Morris thanked everyone for being there on a very important day and recognized former Fort Worth Councilmember, Ann Zadeh; former City of Arlington Mayor, Jeff Williams; and Chief Engineer with the Texas Department of Transportation, Bill Hale; for their years of service on the Regional Transportation Council. Mr. Hale also received a Certification of Appreciation from Dallas County from RTC Chair and Dallas County Commissioner Daniel. In addition, two special guests were present, Texas House of Representative Yvonne Davis, who presented a resolution from the State of Texas to Mr. Hale and Victor Vandergriff, former Commissioner with the Texas Transportation Commission. Michael highlighted items on the Director of Transportation Report. Michael Morris noted he is on the task force for Texas Transportation Commission Safety Program. The deadline for notifying North Central Texas Council of Governments (NCTCOG) staff of primary and alternate appointments to group member seats is June 30, 2022. Chair Daniel announced members of the Nominating Subcommittee and Bylaws Revisions Subcommittee. The Bylaws Revision Subcommittee

members are Chair Andy Eads, Vice-Chair Rick Grady, Gyna Bivens, Dianne Costa, George Fuller, Mike Leyman, Adam McGough, Phillip Ritter, Oscar Trevino, and B. Glen Whitley. The Nominating Subcommittee members are Chair Ron Jensen, Vice-Chair Rich Aubin, Gary Fickes, Lane Grayson, Alison Maguire, William Meadows, Omar Narvaez, and Jim R. Ross. Michael presented Changing Mobility: Data, Insights, and Delivering Innovative Projects during COVID recovery that will be brought to Regional Transportation Council quarterly and mentioned the COVID numbers are increasing again. He also presented a slide (Electronic Item 4.2) from the RTC Executive Session in May 2022 that highlighted the NCTCOG and Department of Defense Joint Land-use Implementation Grant which places an emphasis on reducing encroachment and improving compatible land use, by addressing safety, and noise abatement strategies included an initiation of a Strategic Parcel Acquisition and Re-use Program. Michael noted that there had been a successful acquisition of property. The property is on the southern runway of the Naval Air Station with Lockheed Martin to the west. Michael also mentioned his testimony to Texas House Transportation Committee and noted the appointment of NCTCOG staff member Lori Clark to the Environmental Protection Agency Mobile Source Technical Review Committee. The remaining items were not presented.

- 5a. **Approval of Western Subregion Transit Partnership:** Michael Morris presented a transit partnership that permits a path forward for the East Lancaster corridor to be submitted for INFRA and MEGA funding in Electronic Item 5b. This is a major Regional Transportation Council and Trinity Metro partnership to advance these projects. He highlighted the cost revenue matrix and presented the funding allocation for each project. In regard to the extension of passenger rail into the Fort Worth hospital district, the project includes \$20 million in existing RTC funds, \$51 million in additional RTC funds, \$38 million in Federal Transit Administration funds, \$38 million from Trinity Metro, \$7 million committed by the City of Fort Worth, land being donated by a hospital provider, and 21.10 in Transportation Development Credits (TDCs) for \$167 million in total funding. The City of Fort Worth is proceeding with Katy Lofts without Regional Transportation Council (RTC) funds so that frees up \$11.36 million in RTC funds to include in the transit partnership. Funding for the East Lancaster Corridor project, an application that will be submitted as part of the projects in Item 5b, currently has \$40 million in RTC funding, is scheduled to receive \$30 million from the Texas Department of Transportation (TxDOT), \$10 million from the City of Fort Worth bond program, \$2 million from the private sector, and \$100 million from INFRA for total funding of \$182 million. Trinity Lakes Station is the new Fort Worth East Station where SH 820 and the Trinity Railway Express cross. The RTC previously funded approximately \$7 million in CMAQ and STBG funds for the project and is adding another \$20 million in Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds, freeing up \$6 million from Trinity Metro, and utilizing 5.35 TDCs for total funding of \$26.74 million. A minor adjustment to the IH 35W Guaranteed Transit Program, currently with \$14 million in existing RTC funds, will add \$2 million in CMAQ funds, remove \$3.50 in funding from Trinity Metro and include 3.20 TDCs for total funding of \$16.01 million.

A motion was made to approve the Western Subregion Transit Partnership as shown in Electronic Item 5a. Clay Lewis Jenkins (M); Richard Aubin (S). The motion passed unanimously.

- 5b. **Fiscal Year 2022 Multimodal Project Discretionary Grant Multimodal Projects Discretionary Grant Program:** Jeff Neal presented projects to be submitted for funding consideration through the Fiscal Year 2022 Multimodal Project Discretionary Grant (MPDG) Program. This agenda item is tied together with 5a and allows the RTC the opportunity to

apply for three different grant opportunities and obtain funding for multiple programs with a single application. This \$2.85 billion program solicits project applications for three funding opportunities: The National Infrastructure Project Assistance Grants Program (MEGA), the Nationally Significant Multimodal Freight and Highway Projects Grant Program (INFRA), and the Rural Surface Transportation Grant Program (RURAL). The Notice of Funding Opportunity (NOFO) combines three major discretionary grant programs in efforts to reduce burdens for State and local applicants, increase the pipeline of “shovel-worthy” projects now possible because of the Bipartisan Infrastructure Law (BIL), and enable US DOT to get a more comprehensive view of projects in development nationwide. Applications were due to the US DOT by May 23, 2022, for the following funding programs (with additional details provided in Electronic Item 5b): The National Infrastructure Project Assistance (MEGA) Program will provide \$1 billion in FY2022 funding for major projects too large or complex for traditional funding programs. This is a new competitive grant program under the BIL. The Nationally Significant Multimodal Freight and Highway Projects Grant Program is a continuation of the existing Infrastructure for Rebuilding America (INFRA) Program, and it will provide \$1.55 billion in FY2022 funding for highway, bridge, freight rail, intermodal, and marine transportation projects of regional and national significance. The Rural Surface Transportation Grant Program (RURAL) will provide \$300 million in FY2022 funding supporting projects to improve/expand rural area surface transportation infrastructure for increased connectivity and enhanced safety and reliability of people and freight movements to generate regional economic growth and greater quality of life. Jeff announced that this is another new competitive grant for agencies in the region submitting projects and noted that the [www.grants.gov](http://www.grants.gov) registration process must be completed, usually requiring two-four weeks for completion, prior to submitting applications. Agency requests to receive a letter of support from the RTC were to be submitted to Kyle Roy by Thursday, May 12, 2022. FY2022 MPDG grant application submittal deadline was May 23, 2022. For the east subregion, NCTCOG staff proposed to submit the South Dallas County Inland Port Multimodal Connectivity Project as a consolidated application under both the INFRA and RURAL Grant programs. Additionally, NCTCOG will partner with the Texas Department of Transportation (TxDOT) – Dallas District as a co-sponsor for the re-submittal of the IH 30 Downtown Dallas Canyon Project under the INFRA and MEGA Grant programs (originally submitted in FY2021). For the west subregion, NCTCOG proposed to re-submit the East Lancaster Avenue Complete Streets and Transit Technology Project under the INFRA and MEGA Grant programs (originally submitted in FY2021). Following a request for RTC approval, Executive Board endorsement will be requested on May 26, 2022, and STTC endorsement on May 27, 2022. Michael Morris indicated the importance of the implementation time frame for all of the projects as key to scoring the funding.

Based on previous approval of the Western Subregion Transit Partnership in Item 5a, a motion was made to approve the allocation of new RTC funds (same as RAISE-April 2022) for the South Dallas County Inland Port Multimodal Connectivity project for \$12,530,000 STBG funds (including 4,270,000 TDCs); proposed projects to submit for funding consideration through the FY22 MPDG Discretionary Grant Program; and administratively amend the Transportation Improvement Program and State Transportation Improvement Program (TIP/STIP), as well as other planning/administrative documents, to include proposed projects if selected for an FY22 MPDG Grant Award. Cara Mendelson (M); Devan Allen (S). The motion passed unanimously.

6. **\$15M Dallas Area Rapid Transit/Garland Partnership that Expedited the IH 635 East Project:** Christie Gotti requested a recommendation for Regional Transportation Council (RTC) action to finalize a \$15 million funding exchange with Dallas Area Rapid Transit

(DART) and the City of Garland to fulfill the funding partnership originally approved by the RTC in September 2019. In September 2019, the RTC approved a partnership with the City of Garland to aid in the implementation of the IH 635 East project. That action included approval of \$15 million but required that the specific project to be funded be brought back for RTC approval. Garland has identified a project of interest, which is land banking and redevelopment activities near the South Garland Transit Center. By entering a three-party partnership, the city prefers to use local funding for their redevelopment efforts at the South Garland Transit Center; Dallas Area Rapid Transit (DART) has agreed to aid in the partnership by providing local funds to the City if the RTC makes DART whole by providing the same amount of federal funds. DART proposes that the RTC funds be placed on the Silver Line Rail Project that is currently under construction. Proposed action included RTC approval of \$15 million in federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds for the Silver Line Rail Project (from DFW Airport Station to Shiloh Station); DART will match the federal funds with \$3.75M of local funds on the Silver Line project and send \$15 million in local funds to Garland in several installments; Garland will use funding for land banking and related redevelopment activities in the area surrounding the South Garland Transit Center. The motion also included direction for staff to administratively amend the TIP and other planning/administrative documents. Michael Morris thanked Richard Aubin, Councilmember, City of Garland and his colleagues for their assistance on the project. The vision for Garland is to take the South Garland transit center and turn it into a mega transit hub. Garland would be a major destination for travel throughout the whole Dallas-Fort Worth region. Richard Aubin thanked the RTC and NCTCOG staff, DART, and City of Garland staffs' hard work. Michele Wong Krause, Chair, DART also thanked the Regional Transportation Council and the City of Garland for all of their collaboration, in which DART is pleased to be a part of and expressed hope that the RTC would approve the item.

A motion was made to approve \$15 million in federal Congestion Mitigation and Air Quality Improvement Program funds for the Silver Line Rail Project (from DFW Airport Station to Shiloh Station); DART will match the federal funds with \$3.75M of local funds on the Silver Line project and send \$15 million in local funds to Garland in several installments; Garland will use the funding for land banking and related redevelopment activities in the area surrounding the South Garland Transit Center. Action also included direction for staff to administratively amend the Transportation Improvement Program, Statewide Transportation Improvement Program, and other planning/administrative documents as necessary. Richard Aubin (M); Rick Grady (S). The motion passed unanimously.

7. **Regional Transportation Council Policy for Transportation Certification Program:** Brendon Wheeler introduced a proposed policy outlining the guiding principles and process by which Regional Transportation Council (RTC) may transparently coordinate with transportation infrastructure providers wishing to certify innovative transportation technology to move people and/or freight within the region. The draft policy, included in Item 7.1, will serve to guide a consensus-building path among the Regional Transportation Council, interested local governments, and transportation technology providers in bringing innovative transportation solutions to the region with the end goal of a commercial application to serve a long-range transportation need. In February 2022, the RTC adopted Policy 22-01 (included in Electronic Item 7.2) to advance high-speed rail in the Dallas-Fort Worth High-Speed Transportation Connections Study into Phase 2 of the National Environmental Policy Act (NEPA) process to environmentally clear the IH 30 corridor and not hold up the NEPA process with developing technology. The policy was also developed to monitor hyperloop technology advancement along technology certification and demonstration path and to

advance high-speed rail and hyperloop technology in different corridors. There has been a lot of interest in the Dallas-Fort Worth region such as Virgin Hyperloop's request for proposals for a certification center site in 2020. Many new transportation infrastructure technologies require certification prior to widespread application and technologies face difficulties in advancing through traditional planning processes either at the State or local levels. The purpose of RTC Policy P22-02, Policy Support to Develop Process for the Innovative Transportation Technology Infrastructure Certification Program, is to outline RTC's guiding principles; define transparent process by which RTC may coordinate with technology provider for certification facility; provide structure for periodic solicitation or acceptance of new technology infrastructure solutions; and ensure level playing field for transportation infrastructure technology providers wishing to move to region and local governments wishing to propose their site for consideration. Guiding principles of the Certification Program include 1) the program must serve the long-range transportation need (Metropolitan Transportation Plan); 2) technology developer solely responsible for navigating certification process; 3) be facilitated by North Central Texas Council Of Governments (NCTCOG) for mutual cooperation; 4) include local government considerations such as a contingency should technology fail to perform as intended, expected timeframe for infrastructure to be operational, and public use goals and performance expectations. The Innovative Transportation Technology Infrastructure Certification Program's process is as follows: 1) NCTCOG staff to ensure technology solution conforms to policy guidance and long-range transportation need (MTP); 2) NCTCOG staff to brief RTC and RTC to take action on initiating process; 3) Upon RTC action, local governments to submit potential locations of interest; 4) Technology provider to determine preferred location to pursue; 5) RTC to initiate development activities; NCTCOG staff to provide support. Electronic Item 7.3 included additional details. Philip Ritter asked if staff was aware of any areas in the Country that were implementing a similar type of local certification program and if there are ways to extract value. He also asked is there is a financial way to leverage RTC's partnership to monetize that as part of the initiative in developing a certification program. Brendon Wheeler answered that staff is not aware of any public entity that is directly involved in a certification process program. He mentioned there were some companies that have approached NCTCOG or are in talks with other areas, public sector entities, whether in the U.S. or other countries, about moving pilot projects forward and possibly certifying their projects as a part of it but is not aware of this process taking place at a programmatic level as is being proposed here. Some of those lessons learned from them have actually informed the recommended process and the need for contingency, should it fail to perform as intended. Brendon added that he is not aware of anything this expansive for all technologies to come in and provide a level playing field like staff suggested. Philip Ritter also noted that the RTC may need to think about the value a certification program would provide companies, which might be something the RTC needs to think through as part of the next steps and part of initiating technology application and what that might look like. Michael Morris reminded the RTC of the autonomous people mover system that the RTC is implementing at the international district in Dallas and at the Arlington General Motors facility. We wanted to monetize that particular component. Trinity Metro took the leadership to purchase the land necessary for the GM extension, which will be reimbursed by the RTC for the land, but the idea always was with an early demonstration technology, what could be negotiated back to the Regional Transportation Council as a revenue source for that. On the other side of that coin is a legal risk associated with it. For every risk that comes in for certification will go through that cost revenue matrix, which includes how do we help fund it, what is the responsibility to fund it, maybe there is no responsibility for the RTC to fund it. How do we eliminate risk by forcing their certification company to provide a back stop technology in case it doesn't work? We think there can be a

financial stake, but it really depends on the technology before us. Duncan Webb asked if there are any current transportation technology providers that would be negatively impacted given where they are in the process of dealing with this region by the adoption of this policy? Michael Morris responded that we are not aware of anyone negatively impacted. We brought it to you because we think there's two technology providers interested in coming here that would be a positive impact. Michael reiterated that the only thing going through this process is if you're bringing a new capital-intensive mode, like a rail system, something that would qualify as a policy commitment of you and the Mobility Plan, which is what we were trying to garnish this particular policy.

A motion was made to approve the Policy Support to Develop Process for the Innovative Transportation Technology Infrastructure Certification Program (P22-02) which advances hyperloop and other innovative infrastructure technologies through the certification process to commercial application; outlines guiding principles and transparent process by which the Regional Transportation Council may coordinate with technology providers needing certification; ensures a long-range transportation need is met; allows for periodic solicitation or acceptance of developing technology solutions for region; and creates a level playing field for transportation infrastructure providers and local governments. Duncan Webb (M); Dianne Costa (S). The motion passed unanimously.

8. **Title VI Program Update:** Ken Kirkpatrick requested approval of updates to the Title VI Program and Language Assistance Plan. Both documents are necessary for compliance with federal civil rights requirements and must be adopted by the Regional Transportation Council. The Federal Transit Administration (FTA) requires Metropolitan Planning Organizations update their Title VI Programs every three years. The Title VI program identifies actions NCTCOG takes to ensure nondiscrimination based on race, color, and national origin, including limited English proficiency. The Title VI Program includes information on how NCTCOG monitors its transit subrecipients for Title VI compliance. Title VI Program updates to note include a list of transit-related Title VI investigations, complaints, and lawsuits (none over the last three years); summary of outreach efforts made since the last Title VI Program submissions; impacts of the distribution of state and federal funds in the aggregate for public transportation projects; and a forty-five-day public comment period. The Language Assistance Plan describes how NCTCOG addresses the needs of residents whose native language is not English and who have a limited ability to communicate in English. Language Assistance Plan updates to note include a limited English proficiency population for the 12-county Dallas-Fort Worth Metropolitan Planning Area; literacy rates for the 12-county area; four-factor analysis to evaluate the extent to which language assistance measures were required, and a forty-five-day public comment period. A draft of the Title VI Program update is available at <https://nctcog.org/TitleVI>, and a draft of the Language Assistance Plan update is available at <https://nctcog.org/LAP>. Submittal deadline of the Title VI/Nondiscrimination Policy Statement, Title VI Program, and Language Assistance Plan to the Federal Transit Administration is May 31, 2022. Electronic Item 8 included additional details. Cara Mendelsohn asked if the number of accessibility waivers in our region for being tracked and if not, does staff know how the waivers are monitored. Ken Kirkpatrick responded that NCTCOG is not tracking that at this time but happy to learn more about it in the future. Michael Morris responded that staff would look into waivers for accessibility and report back to the Council.

A motion was made to approve the Title VI/Nondiscrimination Policy Statement and updates to the NCTCOG Title VI Program and Language Assistance Plan. Dianne Costa (M); Daniel Alemán Jr. (S). The motion passed unanimously.

9. **2023-2026 Transportation Improvement Program Draft Listings:** Christie Gotti requested Regional Transportation Council (RTC) approval of the 2023-2026 Transportation Improvement Program (TIP) draft project listings and the ability for staff to amend the Unified Planning Work Program (UPWP) and other planning/administrative documents with changes made to the TIP listing. The Committee was also briefed on changes being made to the TIP Development process as a result of recent discussions with the Federal Highway Administration (FHWA). The TIP is a cooperative effort among local governments, the Texas Department of Transportation (TxDOT), transit agencies, and other transportation agency partners. During the TIP development process, staff reviews existing projects and gathers information on additional locally funded projects; makes needed revisions to existing project schedules, funding, and/or scope; develops revised project listings; financially constrains project programming based on estimated future revenues; conducts mobility plan and air quality conformity review; solicits public and Committee/Council input; and finalizes project listings and submits to TxDOT and the FHWA for review. The draft 2023-2026 TIP has \$9.03 billion in roadway and transit funding, including \$5.27 billion in federal commitments, \$1.45 billion in State commitments, \$0.14 billion in regional commitments, \$1.23 billion in local commitments, and \$0.94 billion in Transit Formula commitments. There were 977 active roadway and transit projects, compared to 562 active projects in the new four-year TIP or in the environmental clearance appendix, with 68 project sponsors across the region. Typically, STTC, RTC, and the public have been provided with a “Double Entry” report that contains all active projects to review and comment. This report provides a more comprehensive picture of a project than the Statewide TIP (STIP) format that is required by TxDOT. Once approval of these listings is received, staff converts the data into the STIP report format required by TxDOT and submits it as part of the TIP document to TxDOT for inclusion in the STIP. FHWA recently informed staff that this process does not satisfy their requirements for review and comment on the TIP to comply with federal regulations, therefore, staff will bring the approved project listings in STIP report format in June, along with the full TIP Document. The STIP report will only contain the project phases funded in fiscal years 2023-2026. Given that the same information is slated for approval in May, staff proposed to ask for approval via consent agenda approval by the RTC at the June 9, 2022, meeting. The TIP will then be submitted to the TxDOT on June 10 with action by the Texas Transportation Commission expected in August 2022. Additional information was provided in Electronic Item 9.

A motion was made to approve the projects and project changes shown in the 2023-2026 TIP roadway double-entry report and transit TIP listings and direction for staff to amend the Unified Planning Working Program (UPWP), and other planning/administrative documents as needed. It was noted that only projects in fiscal years 2023-2026 will be included in the new TIP and projects in FY2022 and earlier were provided but will not be included in the new TIP. Projects in FY2027 and later will be included in Appendix D to allow project development activities to continue. Richard Aubin (M); Janet DePuy (S). The motion passed unanimously.

10. **Mobility 2045 Update and Transportation Conformity:** Brendon Wheeler and Jenny Narvaez presented information on development of the Mobility 2045 Update and corresponding 2022 Transportation Air Quality Conformity. The Mobility 2045 Update, that is currently underway, includes a new financial plan, updated demographic forecasts, updated travel demand modeling tool, and necessary refinements to policies, programs, and projects in the current plan, Mobility 2045. Major components of the Plan Update include content such as programs, policies, and projects; financial plan, including financial constraint; nondiscrimination analysis, which shows no disparate impacts found; air quality conformity

consistent with federal/state air quality goals. Recent revisions to project maps/listings include administrative refinements for consistency with Transportation Improvement Program and Metropolitan Transportation Plan recommendations (Project IDs, costs, names, limits, etc.), project development phases and staging adjustments for consistency, but no major change to transit or roadway recommendations. Chapter content includes Map Your Experience summaries added to mobility options and social considerations, air quality conformity results added to environmental considerations chapter, and financial reality chapter updated with final figures. Including the draft financial plan expenditures to maximize existing system: \$39.5B for Infrastructure Maintenance; \$9.6B for Management and Operations; and \$1.5B for Growth, Development, and Land Use Strategies; and to strategic infrastructure investments: \$44.9B for Rail and Bus; \$52.8B for HOV/Managed Lanes and Freeways/Tollways and Arterials that comes to a total of \$148.3B. The public comments received to date have been constructive and supportive of the Plan and included comments ranging from support for expansion of the transit network including rail to alleviate congestion, understanding the cost of congestion methodology, and the need to expand trails and pedestrian access. The official public comment period is April 1, 2022, through May 31, 2022. Jenny Narvaez provided an overview of the 2022 Transportation Air Quality Conformity Analysis. The analysis is required by Federal Legislation, demonstrates that projected emissions from transportation projects were within emission limits (Motor Vehicle Emissions Budgets) established by the State Implementation Plan (SIP), and ensures federal funding and approval is applied to transportation projects that are consistent with air quality planning goals. In Scenario 1, the 2022 Transportation Conformity results show that for 2017 MVEB, Nitrogen Oxides (NO<sub>x</sub>) are 130.77 tons per day and Volatile Organic Compounds (VOC) are 64.91 tons per day. In Scenario 2, results show that for 2020 MVEB, Nitrogen Oxides (NO<sub>x</sub>) are 107.25 tons per day and Volatile Organic Compounds (VOC) are 62.41 tons per day. Both scenarios include reductions from RTC Initiatives of 1.19 tons per day for Nitrogen Oxides and .24 tons per day for Volatile Organic Compounds. Additional information was provided in Electronic Item 10. The Mobility 2045 Plan Update and Transportation Air Quality Conformity are scheduled for action by the Surface Transportation Technical Committee in May. Regional Transportation Council and NCTCOG Executive Board action will be requested in June.

11. **Fiscal Year 2023-2025 Disadvantaged Business Enterprise Goal Update:** Ken Kirkpatrick provided a summary of the Disadvantaged Business Enterprise (DBE) Program requirements and schedule for updating the DBE Participation Goal for FY2023-FY2025. Certain recipients of federal funds are required to have a DBE Program and the North Central Texas Council of Governments (NCTCOG) is a recipient of those funds and is required to have a DBE Program. Federal guidelines require an updated DBE Goal every three years (with the new goal due August 1, 2022). The current goal of 19.4% covers FY2020-2022 and is active through September 30, 2022. Publication of the DBE goal is required as part of Requests for Proposals and DBEs must be certified. In terms of high-level federal principals of the DBE Program, the basic component ensure non-discrimination in award of contracting activities by providing a level playing field; it's tailored to meet federal Law; ensures DBE firms meet required eligibility standards; helps remove barriers to DBE participation; and assists in development of firms to compete outside of the DBE Program. Development of the DBE goals consists of a two-step process: 1) Determine the relative availability of ready, willing and able DBE firms that are established by the market area and include weighting within contract opportunities for FY23-25 to help establish a base figure, and 2) Consider other DBE data such as historical DBE expenditures, goals from other similar agencies in the Dallas-Fort Worth market, stakeholder comments, and public comments. Following preliminary DBE availability analysis of NCTCOG and its subrecipients

and consideration of other DBE data, the proposed overall total weighted DBE goal for FY2023-FY2025 is 17.3 percent. Notice to the public of the proposed goal will be transmitted on May 13 and the 45-day public comment period begins. A DBE Open House will be held at NCTCOG Offices on June 6. STTC action will be requested in June, and RTC and NCTCOG Executive Board action will be requested in July. The goal will be submitted to the Federal Transit Administration on August 1 and the DBE program update and goals become effective on October 1, 2022. Electronic Item 11 included additional details.

12. **Dallas-Fort Worth Regional East/West Funding Distribution – Infrastructure Investment and Jobs Act:** Christie Gotti provided an update on the Dallas-Fort Worth Regional East/West Funding Distribution between the Eastern (Dallas and Paris Districts) and Western (Fort Worth District) subregions with the recent passage of the Infrastructure Investment and Jobs Act. Federal funding comes to the region from federal transportation apportionments via the Texas Department of Transportation (TxDOT). Apportionments are based on several factors depending on the funding source (e.g., population, emissions). While funds cannot be suballocated to cities or counties (per federal law), funds can be split along TxDOT District lines. This practice has helped the region stay focused on overall priorities versus focusing on what local government or agency has received funding at any given time. Instead, each subregion works within their available funding. Regional Transportation Council (RTC) Bylaws require that funding distributions be reevaluated with each new transportation funding bill for air quality and mobility funds; transit funds are re-evaluated each year as federal apportionments are received. On November 15, 2021, the Infrastructure Investment and Jobs Act (IIJA) was signed into law, which necessitates a review of the latest East/West funding distribution. The first category of funds is the Air Quality funds (funding intended for air quality projects that address attainment of national ambient air quality standards in nonattainment areas). Allocations to the region were based on population and air quality nonattainment factors and generally apply to Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds and Transportation Alternatives Set-Aside funds. East/West Distribution Formula Inputs were based on tons per day of ozone precursors, specifically Volatile Organic Compounds (VOCs) and Nitrogen Oxides (NOx). The second category is Mobility Funds which are designed for mobility projects addressing transportation needs within Metropolitan Area Boundaries with populations of 200,000 or greater. Allocations are based on the population of Urbanized Areas (UZA) in the region. Resulting percentage split applies to the RTC's mobility funding categories such as Surface Transportation Block Grant Program (STBG) and Category 2 funding. East/West Distribution Formula Inputs include population, employment, activity (population and employment equalized to account for communities where available jobs might exceed population or vice versa), and Vehicle Miles Traveled (VMT). Christie noted that over the last six years staff has been operating under funding distribution percentages from the Fixing America's Surface Transportation Act or FAST Act (2015). Proposed formula Inputs for Mobility funds under the current IIJA round out to 31 percent for the Western Subregion and 69 percent for the Eastern Subregion based on the 12-county MPA boundary. Air Quality funds based on the 10-county non-attainment area are proposed to be distributed at 36 percent for the Western subregion and 64 percent for the Eastern subregion. Equity and environmental justice were also reviewed, and indicators show a minority, low income, and/or limited English proficiency population distribution similar to the funding distribution for the western and eastern regions that was proposed. STTC and RTC action will be requested in May and June 2022, respectively. If approved, the updated funding distribution will be applied to all RTC-selected funding programs. Electronic Item 12 included additional details on the process for establishing the split and the proposed new

splits for both mobility and air quality funds. The final East/West Equity quarterly report for the Fixing America's Surface Transportation Act was provided in Electronic Item 12.2.

13. **Progress Reports:** Regional Transportation Council attendance was provided in Electronic Item 13.1, Surface Transportation Technical Committee attendance and minutes in Electronic Item 13.2, and the current Local Motion 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 (RTC) is scheduled for 1:00 pm, Thursday, June 9, 2022.

The meeting adjourned at 3:04 p.m.