

Partnerships of Regional Events

Arlington Entertainment District:
Phase 2 (MLB All-Star Game 2024) and Phase 3 (FIFA World Cup 2026)

Naval Air Station Joint Reserve Base Wings Over Cowtown Air Show
(April 2024)

Regional Transportation Council

October 12, 2023

North Central Texas Council of Governments



Arlington Entertainment District: Phased Approach for Partnership & Improvements

Expand partnerships/stakeholder coordination

Update needs and priorities


Phase 1 Implementation: National Medal of Honor Museum (**RTC Action – Jan 12, 2023**)

Phase 2 Implementation: Large scale event (Major-League All-Star Game 2024)

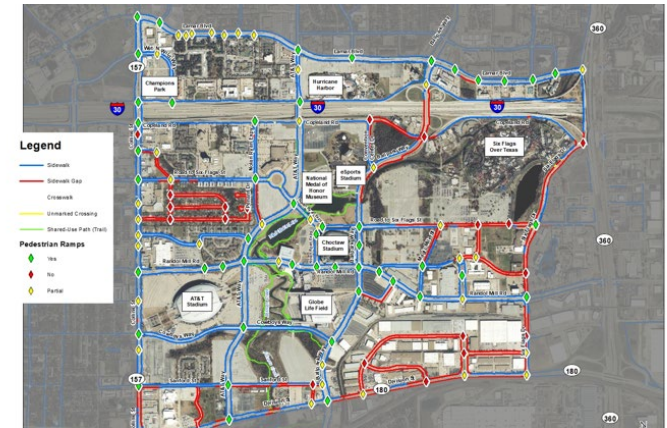
Phase 3 Implementation: Large scale event (World Cup Soccer Game (FIFA) 2026) – including DOT ask

Phase 4 Implementation: Beyond 2026

Funding Needs and Strategies

- Operations (\$6M): Dynamic Message Signboards, software improvements, traffic signal enhancements, fiber, and TMC modifications
 - Transit (\$3M): TRE Station Improvements, bus staging, and enhanced transit capacity
 - Streetscape/Safety (\$8M): Sidewalks, Lighting, Crossing Improvements, and Wayfinding/Signage
 - Total: \$17.5M
- 
- A small map in the bottom right corner shows the project area, including the Trestle, Harbor, and various streets. It features a blue line representing the project route and several green dots indicating specific locations. Labels on the map include "Trestle", "Harbor", "Maritime Park", and "Maritime Harbor".

- Funding between NCTCOG and City of Arlington
 - Randol Mill Exchange of Funds
 - Up to \$17.5M in local funds available for exchange of federal funds
 - Interim asphalt overlay needed (\$3.8M) Regional Toll Revenue (RTR)



- Operations for TxDOT/NCTCOG (\$750K): Regional Dynamic Message Signs

Naval Air Station Joint Reserve Base (NAS JRB)

Wings Over Cowtown Air Show (April 2024):

Spring 2024 Air Show (Blue Angels confirmed)

Estimated over 150-180K spectators each day over two days

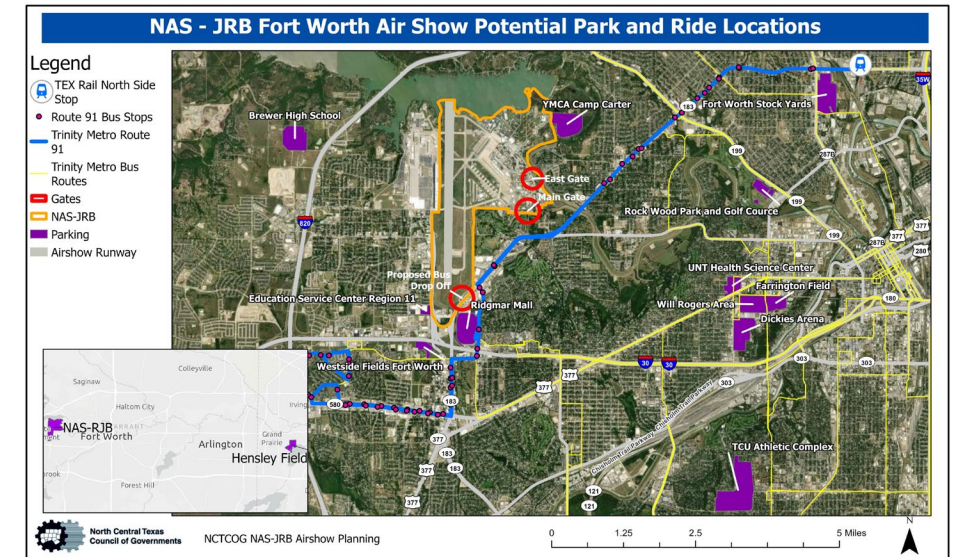
Transportation challenges with access of SH 183

Transportation challenges with parking

Additional transit capacity needed

Areas for Assistance

- Parking: On-base; Regional Park and Ride Lots; Ridgmar Mall
- Traffic Analysis: Base Circulation and Security Protocols
- Increased transit support
 - Trinity Metro Route 91 connections to base entrance
 - TexRail North Side Stop
 - TRE downtown (stations)
 - Connections to and from Ridgmar Mall
 - Charter Service/buses from regional park and ride lots
- Total: \$250,000 estimated costs



Action Requested

- Support of:
 - A \$17.5M allocation of Surface Transportation Block Grant funds to the City of Arlington, matched with Regional Transportation Development Credits in exchange for \$17.5M of City “local” funds to be applied to projects identified within the Arlington Entertainment District
 - An allocation of \$3.8M Regional Toll Revenue funds to the City of Arlington for interim improvements on Randol Mill Road
 - An allocation of \$750K in federal funds to TxDOT and NCTCOG for regional dynamic message signs
 - An allocation of \$250K Regional Transportation Council local to be allocated for transportation support for the NAS JRB Wings over Cowtown Air Show
 - Administratively amend Transportation Improvement Programs (TIP) and Statewide TIP, as well as other planning and administrative documents, to include the proposed project(s)

CONTACT INFORMATION

Natalie Bettger

Senior Program Manager
(817) 695-9280
NBettger@nctcog.org

Karla Windsor

Senior Program Manager
(817) 608-2376
KWindsor@nctcog.org

Shannon Stevenson

Senior Program Manager
(817) 608-2304
SStevenson@nctcog.org

Christie Gotti

Senior Program Manager
(817) 608-2338
CGotti@nctcog.org



PROPOSED TXDOT POLICY CHANGE FOR MPO-SELECTED FUNDING

CHRISTIE GOTTI & MICHAEL MORRIS
REGIONAL TRANSPORTATION COUNCIL
OCTOBER 12, 2023



TREND – MOVING AWAY FROM TXDOT/ MPO PARTNERSHIP TO CENTRAL CONTROL

- Lost Formula Allocation Minute Order
- Texas Transportation Commission (TTC) has moved funds to Category 12 vs. other categories
- Legislative debate (10% cap vs. 20% allocation)
- Partnership deal for Category 2 and Category 12 trade was reworked
- Now, new rulemaking



BACKGROUND

- In 1991, federal law established Metropolitan Planning Organization (MPO) selection authority for Surface Transportation Planning – Metropolitan Mobility funds, which were later renamed Surface Transportation Block Grant (STBG) funds
- Congestion Mitigation Air Quality Improvement Program (CMAQ) funds are allocated to nonattainment areas and for decades the Texas Department of Transportation (TxDOT) has delegated selection authority to MPOs
- TxDOT Headquarters has been focused on the reduction of carryover balances in MPO-Selected categories for several years
- Led to the creation of the Regional Transportation Council (RTC)'s 10 Year Milestone Policy and annual project tracking efforts implemented by staff



BACKGROUND, CONT.

- Per federal law, funds are available in the year of apportionment, plus 3 years (4 years total)
- This means funds can carryover legally for up to 3 years, then they lapse
- The only lapse in our history was in FY 2020, when TxDOT allowed funds to lapse by not spending the oldest funds first (not caused by an MPO)
- TxDOT is using this lapse as a reason to pursue removal of funds from MPO selection and transitioning it to TxDOT District selection



LET'S REMEMBER THE CIRCUMSTANCES SURROUNDING THE LAPSE

- April 12, 2021 – TxDOT notified the North Central Texas Council of Governments (NCTCOG) via letter that \$23,940,109 of federal CMAQ funding had lapsed at the end of FY2020
- FY2020 year end documentation from TxDOT showed a FY2020 carryover balance of \$16,414,535 federal (with \$8 million already slotted for projects)
 - This means we lost more money in the lapse than TxDOT had previously communicated that we had available
 - And, \$8 million was already pre-approved by our federal partners for use & TxDOT did not pull the trigger to use them on time
- Our historical understanding was that TxDOT spent the oldest funding first on a “first in, first out” basis
- TxDOT stopped this practice at some point, not realizing the ramifications
- Using lapsed funds as a justification for this policy change is inaccurate
- The mistake made in the previous lapse could still happen under this new rule



Official TxDOT Year End Accounting of FY2020

NCTCOG (DFW and DENTON/LEWISVILLE APPNS) CATEGORY 5 (CMAQ)											
PREVIOUS RECONCILIATION FOR FEDERAL FISCAL YEARS (FFY) 2007 - 2020 (THROUGH 9/30/2020)											
FY	A Federal Apportionment Carryover from Previous FY, Including Adjustments for Previous FY's FHWA Obligation Limitation % (Excludes Previous FY AC Balance)	B FY Federal Apportionment	C Federal Apportionment From Restoration of SAFETEA-LU Rescission	D FHWA FY Obligation Limitation Percent ²	E=(B+C) x D Apportionment Total Above the FHWA FY Obligation Limitation Percent	F = A + E FY Apportionment Adjusted for FHWA FY Obligation Limitation Percent	G Total Available Federal Apportionment Adjusted for Obligation Limitation	H = F + G Total Uses of Federal Apportionment (Transactions and Transfers)	I Remaining Balance of Federal Apportionment	J = H - I AC Balance of Federal Apportionment	K Remaining Balance of Federal Apportionment (less AC Balance)
2004 ¹	\$103,506,883	\$37,442,288		80.24%	(\$7,398,596)	30,043,692	133,550,575	(\$38,036,078)	\$95,514,497	\$0.00	\$95,514,497
2005	\$95,514,497	\$65,908,396		84.67%	(\$10,103,757)	55,804,639	151,319,136	(\$26,693,965)	\$124,625,171	\$0.00	\$124,625,171
2006	\$124,625,171	\$47,875,531		86.18%	(\$6,616,398)	41,259,133	165,884,304	(\$73,245,286)	\$92,639,017	\$0.00	\$92,639,017
2007	\$92,639,017	\$27,650,675		89.97%	(\$2,773,363)	24,877,312	117,516,329	(\$102,051,678)	\$15,464,651	\$0.00	\$15,464,651
2008	\$15,464,651	\$59,542,477		91.60%	(\$5,001,568)	54,540,909	70,005,560	(\$42,744,836)	\$27,260,724	\$0.00	\$27,260,724
2009 ²	\$27,260,724	\$5,195,552		93.28%	(\$349,141)	4,846,411	32,107,135	(\$34,378,789)	(\$2,271,654)	\$0.00	(\$2,271,654)
2010	(\$2,271,654)	\$74,378,518	\$32,218,687	95.87%	(\$4,402,465)	102,194,741	99,923,087	(\$64,546,000)	\$35,377,086	\$50,000,000.09	(\$14,622,914)
2011	\$35,377,086	\$71,146,468		92.21%	(\$5,542,310)	65,604,158	100,981,244	(\$64,768,453)	\$36,212,792	\$1.00	\$36,212,791
2012	\$36,212,792	\$65,296,532		94.48%	(\$3,604,369)	61,692,164	97,904,956	(\$27,393,477)	\$70,511,479	\$81,891,426.39	(\$11,379,948)
2013 ³	\$36,074,235	\$66,548,754		94.24%	(\$3,833,208)	62,715,546	98,789,780	(\$16,136,590)	\$82,653,191	\$81,803,157.54	\$850,033
2014	\$82,653,191	\$71,988,560		93.25%	(\$4,859,228)	67,129,332	149,782,523	(\$148,307,578)	\$1,474,945	\$123,157.53	\$1,351,787
2015	\$1,474,945	\$79,924,380		92.65%	(\$5,874,442)	74,049,938	75,524,883	(\$71,033,012)	\$4,491,871	\$0.00	\$4,491,871
2016	\$4,491,871	\$81,674,493		93.39%	(\$5,398,684)	76,275,809	80,767,680	(\$17,391,024)	\$63,376,656	\$0.00	\$63,376,656
2017 ⁴	\$55,656,538	\$89,060,519		92.08%	(\$7,053,593)	82,006,926	137,663,464	(\$75,346,304)	\$62,317,160	\$3,047,271.52	\$59,269,888
2018	\$62,317,160	\$89,293,248		91.07%	(\$7,973,887)	81,319,361	143,636,520	(\$58,080,457)	\$85,556,064	\$2,874,713.00	\$82,681,351
2019	\$85,556,064	\$83,988,322		90.10%	(\$8,314,844)	75,673,478	161,229,542	(\$77,226,894)	\$84,002,648	\$1,574,244.00	\$82,428,404
2020	\$84,002,648	\$80,794,266		90.60%	(\$7,594,661)	73,199,605	157,202,253	(\$140,787,718)	\$16,414,535	\$8,193,158.64	\$8,221,376
Cumulative Apportionment Total Above the FHWA Obligation Limitation Percent					(\$96,694,514)						
						FY20 APPN	\$196,502,816.10	← includes 20% match (used for Cat 5 Recon)			



PROPOSED RULEMAKING – STBG FUNDS

- A portion of STBG funds are federally allocated to urbanized areas over 200,000 in population (e.g., MPOs) and cannot be reallocated to other areas of the State
- TxDOT is proposing that if MPO carryover balances exceed 200% of a given year's annual allocation, they would sweep the amount over the 200% threshold from the MPO's Category 2 allocation
- This means that TxDOT is only allowing 2 years of use (the year of apportionment plus 1) vs. the federal rule of year of apportionment plus 3
- Since TxDOT cannot reallocate STBG funds, they are proposing to reallocate other MPO-selected funds via the Category 2 program
- Potential problem with federal legislative intent



PROPOSED RULEMAKING – STBG FUNDS

- In the Texas Administrative Code, Category 2 is allocated to MPOs currently
- The proposed rule states that Category 2 funds will be allocated to MPOs and Districts
- This changes selection authority for ALL category 2 funding, not just the future “STBG-related Category 2 adjustments”
 - Staff recommendation: We should comment on this point



PROPOSED RULEMAKING – CMAQ FUNDS

- CMAQ Funds are allocated to States based on nonattainment areas
- TxDOT has historically suballocated CMAQ funds to MPOs in nonattainment areas for air quality conformity purposes
- The proposed rule change states that if MPO carryover balances exceed 200% of the annual allocation, the amount over the threshold will be reallocated to TxDOT District Category 11 Safety Program
- In addition, TxDOT is proposing that MPOs must obtain District concurrence on ALL CMAQ funds, not just funds reallocated to Districts
 - Staff recommendation: We should comment on this point.



PROPOSED RULEMAKING - GENERAL

- Removal of funds from MPO to TxDOT selection authority is proposed to happen at the staff level vs. by the TTC
- This means that MPO allocations can be reduced with:
 - No public involvement
 - No transparency
- TTC approves the Unified Transportation Program (UTP), funding allocations, and Major Changes to the UTP
 - Under this proposal, removal of MPO funds is not considered to be a “Major Change”
- Proposed Comments
 - If TxDOT is going to take funding away from MPOs, it should occur via a formal TTC action
 - Notification should be sent to MPOs and MPO policy boards in advance
 - An appeals process should be created to review data to ensure accuracy and context



PROPOSED RULEMAKING - IMPLEMENTATION

- Annually, TxDOT will review carryover balances and judge those against how much of the funding the MPOs have “encumbered” (in late October)
- TxDOT Headquarters will create report of carryover balance and planned use of the funds for Districts and MPOs
- The amount they will “take” is the amount that is “unencumbered”
- TxDOT Headquarters will present draft UTP distribution to the TTC in January of the following year
- TxDOT leadership will then consider implementing the 200% threshold rule



ISSUES

- The rule does not define “encumbered” or “unencumbered”
- TxDOT has two possible information systems to use:
 1. the eSTIP (moving from)
 2. TxDOT Connect (moving to)
- The eSTIP is the mechanism available for MPOs to track/monitor/communicate programmed funding to projects to the public, TxDOT, and the US Department of Transportation (US DOT)
- TxDOT Connect is TxDOT’s internal database
 - MPOs have read only access
 - Districts and other TxDOT staff have “write” access



ISSUES

- The Statewide Transportation Improvement Program (STIP) is the federally recognized tracking system for transportation projects and funding
 - TIP/STIP modifications are reviewed by TxDOT Districts and the US DOT
 - The eSTIP revision process is long and complicated
- TxDOT pulls data from TxDOT Connect
 - TxDOT District staff have to re-enter projects, funding, and dates into TxDOT Connect
 - TxDOT does not “automatically” include MPO awarded projects into the same fiscal year as the MPO allocates them
 - Projects have to be coded correctly in TxDOT Connect to show up in the TxDOT Headquarters data pulls
 - In 2023, transit transfers that had already been finalized were not showing up in the analysis TxDOT was using for this process.



ISSUES

- TxDOT uses a “Category Analysis” to track allocated funds, carryover funds, and usage of such funds
- The Category Analysis report feeds from TxDOT Connect
- The programmed amounts in the Category Analysis reports often do not match the data provided in monthly Federal Obligation Reports that TxDOT provides MPOs
- Also, the reports use different fiscal years (State vs. Federal)



CMAQ UTILIZATION ESTIMATE FROM TXDOT – FY2023

CMAQ

	FY23 Revised Allocation	FY23 Scheduled	Allocation Remaining	% Scheduled to Allocation
AAMPO	\$37.32	(\$4.37)	\$32.95	11.7%
EL Paso MPO	\$16.27	(\$2.53)	\$13.74	15.6%
HGAC MPO	\$330.93	(\$61.01)	\$269.92	18.4%
NCTCOG MPO	\$132.06	(\$121.45)	\$10.60	92.3%
Total	\$516.58	(\$189.36)	\$327.21	36.7%



STBG UTILIZATION ESTIMATE FROM TXDOT – FY2023

STP MM

	FY23 Revised Allocation	FY23 Scheduled	Allocation Remaining	% Scheduled to Allocation
AAMPO	\$152.95	(\$25.16)	\$127.79	16.4%
CAMPO	\$125.08	(\$15.01)	\$110.07	12.0%
Corpus Christi MPO	\$24.77	\$0.01	\$24.78	0.0%
El Paso MPO	\$62.24	(\$20.45)	\$41.79	32.9%
HGAC	\$577.96	(\$158.41)	\$419.55	27.4%
KTUTS	\$24.75	(\$11.08)	\$13.67	44.8%
Laredo MPO	\$55.42	\$0.00	\$55.42	0.0%
Lubbock MPO	\$17.10	(\$21.62)	-\$4.52	126.4%
NCTCOG	\$227.07	(\$172.83)	\$54.24	76.1%
RGV MPO	\$109.44	\$0.58	\$110.02	-5.0%
Total	\$1,376.78	(\$423.97)	\$952.81	30.8%



STATUS OF MPO-SELECTED FUNDS IN DALLAS-FORT WORTH MPO

FY2023 (\$ in Millions)

	Carryover from Prior Year	FY 2023 Annual Apportionment	Total Apportionment	Obligated (Total Used)	Balance	Carryover Percentage
CMAQ	\$44.63	\$84.15	\$128.78	\$97.09	\$31.69	24%
STBG	\$18.42	\$149.52	\$167.94	\$123.79	\$44.15	26%
TASA	\$36.71	\$16.98	\$53.69	\$14.83	\$38.86	72%

Source: Monthly TxDOT CMAQ, STBG, TASA Obligation Reports through August 31, 2023, plus obligations shown in FHWA's Fiscal Management Information System for September 2023.



BY THE NUMBERS

- Total funding in the 2024 UTP is \$100,565,592,319
 - \$80,336,338,956 is TxDOT selected
 - \$20,229,553,363 is MPO selected (CMAQ, STBG, TASA, Cat 2)
- Possible carryover removal from MPOs to TxDOT (based on draft FY2023 obligation levels):
 - \$263.43M (CMAQ and STBG)
 - 0.26% of total funding in the UTP
- If the number being quoted is true, the percentage of carryover funding is miniscule compared to the balance of funding in the UTP
- Does not address growing problem of Category 12 balances

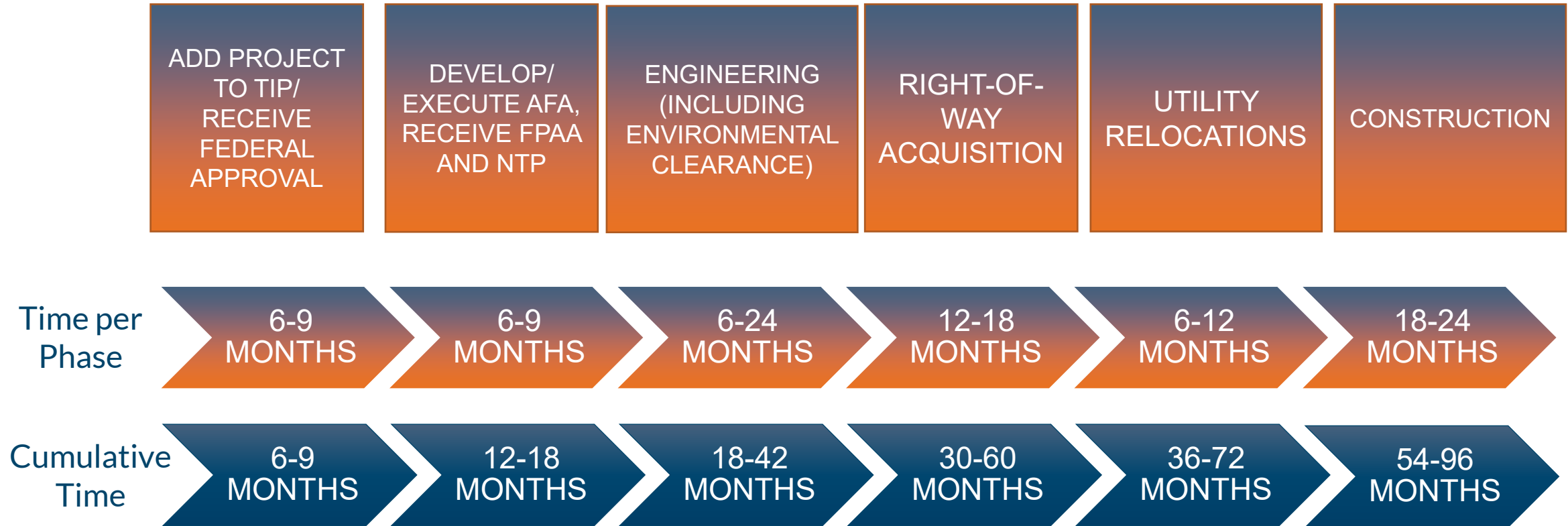


WHAT CAUSES PROJECT DELAYS

- STIP Exceptions – Projects not immediately approved in the STIP or STIP revision process
- Federal Functional Classification Amendments – required to use federal funds on a corridor
 - RTC submitted amendments to TxDOT Headquarters in 2018 that were never processed, had to be resubmitted in 2022, and some of which are still pending
 - Additional projects submitted in 2002 are still pending FFCS approval
- Advance Funding Agreements (AFA) between TxDOT and implementing agencies take 6 to 8 months minimum, sometimes in excess of 12-24 months, for execution
- Local government changes in priority, staff turnover, etc.
- The federal process itself is cumbersome



ISSUES: TOTAL TIME TO COMPLETE A PROJECT (ONCE SELECTED)



This timeline assumes the project stays on track and does not experience any significant delays. Multi-jurisdictional projects or those requiring railroad coordination can take much longer.



IMPLICATIONS OF THE PROPOSED CHANGE

- TxDOT asserts that it is creating an incentive = Use it or lose it
- Implications of Districts having veto authority over CMAQ and Category 2 funding?
- How to define “unencumbered” funds?
 - Not defined in the rulemaking, therefore, cannot independently verify
 - Rulemaking does not specify data source to be used
- TxDOT is using an incomplete information system that indicates a problem that may or may not be true, and it is a system that we cannot update



POINTS TO CONSIDER

- Historically, TxDOT and MPOs coordinated and worked on solutions to ensure timely use of federal funds via “trade fairs”
- TxDOT has moved away from that model and is proposing to remove MPOs from the selection authority process instead
 - TxDOT is not trying to understand the reasons that projects get delayed or work toward solutions to fix the problems
 - Instead, their goal seems to be to remove funding from MPOs and transfer selection authority back to TxDOT
- Since this rulemaking is long-term, we cannot base our decisions upon our current relationship with the Districts



POINTS TO CONSIDER

- Implications of TxDOT's choice of information systems to use in this process:
 - Bad Data = Bad Decisions/Process
 - Opportunity cost of duplicate data entry vs. getting projects across the goal line
- MPOs are at the mercy of TxDOT staffing levels and ability to:
 - Enter all STIP data in duplicate within TxDOT Connect
 - Execute AFAs in a timely manner
 - Review local government plans, environmental documents, etc. in a timely manner
- Removal of funds from MPO to TxDOT selection authority is proposed to happen at the staff level vs. by the TTC
 - No public involvement
 - No transparency
 - If going to take funding away from MPOs, it should be a formal TTC action
 - Needs to be an appeals process to review data to ensure accuracy and context



CMAQ AND AIR QUALITY – THE TIES THAT BIND

- MPOs are responsible for air quality conformity in the regions
- Congress has developed CMAQ as a revenue source to aid in the implementation of projects that improve air quality
- MPOs prioritize CMAQ funds to ensure sanctions are not implemented on the State and Region
- This proposed rule sets a perilous precedent risking sanctions that can halt roadway project implementation
- TxDOT may use the funds for items that are technically eligible, but do not have a large impact on achieving air quality standards
- Unintended consequences include a loss of CMAQ funds due to actions (or inaction) of the District, not the MPO



HOW TO RESPOND

- Level 1:
 - Do little, let it happen (they are not going to listen anyways)
 - We will be laser focused to never hit those caps
 - Assume current relationship with Districts is maintained and impacts to our region will be minimal
- Level 2:
 - Provide comments, draft rules have fatal flaws (we cannot assume local TxDOT partnership will always exist)
- Level 3:
 - Confirm compliance with federal intent



POSSIBLE POINTS TO COMMENT ON PROPOSED RULEMAKING

- This proposal changes selection authority for ALL category 2 funding, not just the future “STBG-related Category 2 adjustments,” which is not germane to the carryover issue
- In addition, TxDOT is proposing that MPOs must obtain District concurrence on ALL CMAQ funds, not just funds reallocated to Districts, which again, is not germane to the carryover issue
- If TxDOT is going to take funding away from MPOs, it should occur via a formal TTC action
- Notification should be sent to MPOs and MPO policy boards in advance
- An appeals process should be created to review TxDOT data entry to ensure accuracy
- The rule should define “encumbered” and/or “unencumbered”
- Opportunity cost of duplicate data entry vs. getting projects across the goal line



QUESTIONS AND DISCUSSION
FOR STAFF DIRECTION AND APPROVAL
AT THE NEXT RTC MEETING



Regional Transit Version 2.0: Planning for Year 2050

GOAL

Future Demographic Growth and Location Requires Focus

Solve Misunderstanding at Home

New Partnerships Based on New Information and Collaboration



Seven Proposed Work Tasks

	<u>LEAD AGENCY</u>
1. More Aggressive Transit Legislative Program	RTC
2. Increased Membership	Transportation Authorities (TA)
3. Three Agency Collaboration Between Systems	TA
4. Creating In-Fill Development	Cities
5. Transit Board Teamwork	TA – Cities
6. Transit Fare Rewards Program	TA
7. Budget Understanding (Paradox)	TA – Cities



Draft Action for October

Regional Transportation Council (RTC) Funds Study (\$1M+) in RTC Local and is Policy Subcommittee for 12 Counties

Addresses 7 Areas

RTC Requests NCTCOG Executive Board Funding Approval in October 2023

RTC Requests NCTCOG Executive Board Consultant Selection in January of 2024

Recommended Consultant by NCTCOG /City/TA Staffs

Legislative Findings August/September 2024

Final Report January 2025

NCTCOG/Transportation Authority Reports Will Be Available Lowering Consultant Cost

