

MINUTES

REGIONAL TRANSPORTATION COUNCIL December 8, 2022

The Regional Transportation Council (RTC) met on December 8, 2022, at 1:30 pm in the Transportation Council Room. The following members or representatives were present: Daniel Alemán Jr, Steve Babick, Rick Bailey, Adam Bazaldua, Elizabeth Beck, Alan Blaylock (representing Councilmember Michael Crain), J.D. Clark, Ceason Clemens, Theresa Daniel, Jeff Davis, Janet DePuy, Andy Eads, Gary Fickes, Carlos Flores (representing Mayor Pro Tem Gyna Bivens), George Fuller, Raul Gonzalez, Rick Grady, Lane Grayson, Mojoy Haddad, Ron Jensen, Brandon Jones, Mike Leyman, Stephen Mason (representing Mayor Barry Gordon), B. Adam McGough, Cara Mendelson, Cesar Molina (representing Board Member Dianne Costa), Ed Moore, Narvaez, Omar, Jim Ross, David Salazar, Chris Schulmeister, Jeremy Tompkins, Oscar Trevino, Jr., William Tsao, Duncan Webb, Chad West, B. Glen Whitley, and Michele Wong Krause.

Others present at the meeting included: Monsur Ahmed, Vickie Alexander, Melissa Baker, Micah Baker, Thomas Bamonte, Berrien Barks, Burton Barr, Alberta Blair, David Boski, Jason Brown, Laura Cadena, David Cain, Jack Carr, Molly Carroll, Angie Carson, Curt Cassidy, Lorena Castillo, Ken Cates, Johgaim Cmalbo, John Cordary, Dawn Dalrymple, Clarence Daughtery, Brian Dell, Marcia Etie, Kevin Feldt, Clint Hail, Tony Hartzel, Robert Hinkle, Joel James, Vercie Pruitt-Jenkins, Amy Johnson, Dan Kessler, Gus Khankarli, Tony Kimmey, Ken Kirkpatrick, Chris Klaus, Michael Knowles, Dan Lamers, Eron Linn, Paul Luedtke, Dan McClendon, Jon McKenzie, Mindy Mize, Erin Moore, Jenny Narvaez, Mark Nelson, Luke Offer, Robert Perez, Michael Peters, Martin Phillips, John Polster, Kelly Porter, James Powell, Ezra Pratt, Guillermo Quintanilla, Tito Rodriguez, Walter Shumac, III, Randy Skinner, Chelsey Smith, Toni Stehling, Shannon Stevenson, Jonathan Toffer, Caroline Waggoner, Brendon Wheeler, Amanda Wilson, Brian Wilson, Casey Wright, Susan Young, and Margarita Zollo.

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 Duncan Webb asked if there were any public comments. Melissa Baker, with the City of Irving, spoke in support of Agenda Item 7, more specifically about the request for approval of the updated deadline proposed for the Conflans Road Project.
2. **Approval of the November 10, 2022, Minutes:** The minutes of the November 10, 2022, meeting were approved as submitted in Electronic Item 2. Rick Grady (M); Michele Wong Krause (S). The motion passed unanimously.
3. **Consent Agenda:** The following items were included on the Consent Agenda.
 - 3.1. **Regional Transportation Council Local Funds Requested as Match on Department of Energy-Funded Projects:** Staff requested Regional Transportation Council (RTC) approval to use RTC Local funds to satisfy match requirements for two Department of Energy (DOE) proposals and a State Energy Conservation Office (SECO) project. The North Central Texas Council of Governments (NCTCOG) has been asked to partner on six proposals competing for funding through the Department of Energy's Fiscal Year 2022 Vehicle Technologies Office Program Wide Funding Opportunity (DE-FOA-

0002611). As a partner, NCTCOG would be a subrecipient for funding. Two of the proposals require matching funds, totaling up to \$300,000 in match for up to \$300,000 in federal funds. RTC Local funds will be requested to satisfy these match requirements. NCTCOG stands to receive federal funds with no match requirement on the other four proposals. In addition, NCTCOG has been awarded \$200,000 in DOE funds by SECO to continue regional energy management work. This is a continuation of work completed collaboratively by the NCTCOG Transportation and Environment and Development departments which began four years ago. The award and resulting work will be split between the departments to further energy efficiency and renewable energy efforts in the region. The award of \$200,000 federal funds requires match of \$40,000. Both the award and match will be shared equally between departments. Up to \$320,000 RTC Local funds was requested as match requirements. More information was available in Electronic Item 3.1.

A motion was made to approve Item 3.1 on the Consent Agenda. Oscar Trevino, Jr. (M); Therese Daniel (S). The motion passed unanimously.

4. **Orientation to the Agenda/Director of Transportation Report:** Michael Morris wished everyone a happy holiday season and noted that he was very proud of everyone's accomplishments over the last year. Michael expressed his condolences regarding the passing of former NCTCOG employee Lisa Key. He also congratulated Judge Glen Whitley on his retirement and provided him with a North Central Texas Council of Governments (NCTCOG) paperweight for his twenty years of service on the Regional Transportation Council. He noted that Agenda Items 12 and 13 would be postponed until the January meeting. The final Regional Transportation Council Bylaws, approved at the November RTC meeting, were made available for reference in Electronic Item 4.1. The final Regional Transportation Council Legislative Program also received approval in November and a handout was provided. Michael noted that the RTC would be providing correspondence to the Medal of Honor Museum Partnership Program: Leadership Institute. Instructions were provided to members on how they were to provide information for their individual signature blocks. Michael noted that he spoke at the Ribbon Cutting for the IH 35 E – Southern Gateway and Groundbreaking for Southeast Connector that produced \$2.7 billion. The remaining items were not presented.
5. **Emergency Funding: Backstop Funding For Transit Cooperative Vehicle Procurement:** Michael Morris requested Regional Transportation Council (RTC) ratification of emergency funding authorization for a temporary backstop for the Transit Cooperative Vehicle Procurement (CVP) to secure vehicle prices and avoid an additional price increase. The RTC previously approved Federal Transit Administration funding to design, manufacture, and deliver over 60 light-duty buses and small transit vehicles to support urban transportation services. The North Central Texas Council of Governments (NCTCOG) Executive Board approved a contract on June 24, 2021, with Creative Bus Sales, Inc. for the purchase of vehicles for the small transit providers. Staff discovered funding for the vehicles was programmed incorrectly, which requires a Transportation Improvement Program (TIP) modification before all work orders can be released. Funding resolution expected January 2023. Creative Bus Sales, Inc. notified NCTCOG of an additional price increase for work orders released after November 30, 2022. Backstop request was for \$1,500,000 in existing Regional Toll Revenue (RTR) funds previously approved for Transit Projects (\$500,000) and RTC Local Funds (\$1,000,000). The temporary backstop to fund the Transit Cooperative Vehicle Procurement is needed to prevent additional vehicle price increases and further vehicle delivery delays. Staff is

currently working through the needed TIP modifications and anticipates resolution in January 2023. More details were provided in Electronic Item 5.

A motion was made to ratify emergency funding authorization of \$1,500,000 (\$500,000 Regional Toll Revenue funds and \$1,000,000 RTC Local Funds) for a temporary backstop for the Transit Cooperative Vehicle Procurement (CVP) to secure vehicle prices and avoid an additional price increase. Rick Bailey (M); Janet DePuy (S). The motion passed unanimously.

6. **Regional Transportation Council And Dallas Area Rapid Transit Federal And Local Funding Partnership:** Christie Gotti requested a recommendation for Regional Transportation Council (RTC) approval of a proposed federal/local partnership with Dallas Area Rapid Transit (DART). The North Central Texas Council of Governments (NCTCOG)/Regional Transportation Council (RTC) is required to pay for expenses associated with projects and programs it implements before federal reimbursement can be requested. With the recent award of numerous federal discretionary grants (e.g., BUILD, RAISE) that NCTCOG will be administering, the amount of funding needed to cash flow projects has increased significantly. NCTCOG would also like to expand the pool of RTC Local funds available to implement projects outside of the restrictive federal process. RTC does not have taxing authority to generate revenue to pay these invoices and fund these projects, so a source of local dollars is needed. The Metropolitan Planning Organization (MPO) Revolver Fund and RTC Local funds are typically used for these purposes, but those existing funds are being utilized, leading to the need for more local dollars. In July 2022, the RTC directed staff to pursue a funding partnership with DART or the City of Dallas to accomplish these goals. The Dallas Area Rapid Transit (DART) Board recently approved a program to send approximately \$234 million back to its member cities. Two methods yielding different amounts were considered for how to disburse those funds: population and the proportion of sales tax paid to DART. To allow DART to return the higher of the two amounts to each city, a proposal is being made for the RTC to provide federal funds to offset the difference between the two methods at a cost of \$19.674 million. In return for providing this solution and funding, an exchange of \$44 million in federal funds for \$40 million of local funds from DART is being proposed (anticipate DART using existing local funds on Silver Line to match these federal funds). The resulting local funding would be used to: 1) expand the Revolver Fund to cash flow federal grant projects, and 2) replenish the RTC Local funding pool for use on projects and programs across the region. The shares in each account will be brought back later for action. Following up on the parking garage partnership, in July 2022, the RTC funded two parking garages in proximity to DART Stations, including the Dallas Zoo Station Garage - \$10 million and the SMU/Mockingbird Station Garage - \$20 million. The RTC approved a federal-for-local funding exchange concept for either DART or Dallas to fund these projects with local dollars since parking garages are easier to implement with non-federal funds. As of December 2, 2022, a DART exchange is proposed. Through this partnership, federal funding of \$30 million will be placed on the DART Silver Line Rail project and DART will utilize \$30 million of DART local funds to implement the two garages. These partnerships will be presented to the NCTCOG Executive Board for approval to receive funds on January 26, 2023. A detailed summary of the proposed partnership was provided in Electronic Item 6.

A motion was made to approve the proposed partnership with Dallas Area Rapid Transit (DART) for the Regional Transportation Council to provide federal funds in the amount of \$19.674 million to DART for member city reimbursement (to be awarded to the Silver Line with anticipation for DART using existing local funds on Silver Line to match these federal

funds), \$44 million in federal funds to DART for the MPO Revolver/RTC local trade on the Silver Line, receive \$40 million local funds for MPO Revolver and RTC Local pool, federal funding for garage exchange to be applied to the Silver Line (\$30 million federal), and direction for staff to administratively amend the Transportation Improvement Program (TIP)/Statewide Transportation Improvement Program (STIP) and other planning/administrative documents to incorporate these changes. Rick Grady (M); Ed Moore (S). The motion passed unanimously.

7. **Milestone Policy Update and Fiscal Year 2022 Project Tracking Wrap Up/Fiscal Year 2023 Kickoff:** Brian Dell presented information about two project tracking initiatives that staff has been undertaking: 1) the MPO Milestone Policy focuses on projects funded for at least 10 years and have not gone to construction and 2) the FY2022 and 2023 Project Tracking initiatives that focus on projects that are expected to advance in those years. The summary of Milestone Policy projects that have not gone to construction (December 2022) was presented: one project scheduled letting FY2022 with a total funding of \$24,529,721, nine scheduled letting FY2023 with a total funding of \$93,435,636, and four projects scheduled letting FY2024 or beyond with a total funding of \$242,201,031. Project risk by fiscal year and further details provided in Electronic Item 7.1. Summaries of how much funding and how many project phases that obligated in fiscal years 2022 and 2023 were provided for Congestion Mitigation and Air Quality Improvement Program, Surface Transportation Block Grant Program, and Transportation Alternatives Set-Aside funds, Information on each project was available in Electronic Items 7.2 and 7.3.

A motion was made to approve one MPO Milestone Policy project, Conflans Road from SH 161 to Valley View Lane. The project missed the original letting deadline at the end of FY2022. A portion of the project's funding has obligated, but full obligation and project letting are still pending, so staff recommends that the RTC extend the project's deadline to the end of March 2023 and leave the funding on the project. The project will be monitored to ensure that it proceeds to construction. Staff also asked for the ability to administratively amend the Transportation Improvement Program (TIP)/Statewide Transportation Improvement Program (STIP) and other administrative/planning documents as needed. It was noted that since the time of mailout, staff was informed that the project had been advertised and letting was anticipated in January 2023. Dianne Costa (M); Cara Mendelsohn (S). The motion passed unanimously.

8. **Transportation Alternatives Set-Aside Program Call for Projects Funding Recommendations:** Kevin Kokes requested Regional Transportation Council (RTC) approval of the list of projects to award funding through the 2022 Transportation Alternatives Set-Aside Call for Projects. Kevin provided information regarding the Transportation Alternatives Set-Aside Program, an overview of the applications received, and the evaluation process. The North Central Texas Council of Governments opened the Call for Projects for the Urbanized Area of the North Central Texas region on July 18, 2022, and applications were due on September 9, 2022. Examples of projects eligible under this program include the construction of on-road and off-road pedestrian and bicycle facilities, multi-modal connections to rail stations and schools, education activities promoting students to walk and bike to school, and pedestrian and bicycle infrastructure that will substantially improve safety. All projects must be within one of the three Urbanized Areas (UA) exceeding 200K population: Denton – Lewisville Urbanized Area, McKinney Urbanized Area, and Dallas – Fort Worth – Arlington Urbanized Area. There were four application categories to submit under: Active Transportation, Safe Routes to School, Safe Routes to Rail, and Safety and Technology. The adopted evaluation criteria implement goals outlined in Mobility 2045 (2022 Update). Examples of evaluation criteria

include regional connectivity, access to major destinations, equity, projects identified in adopted plans, safety benefits, and project readiness. The minimum federal funding award per construction project was \$500,000 and \$250,000 for safe routes to school education activities. There was no established maximum federal funding award per project. The Transportation Alternatives Set-Aside Program requires a 20 percent local cash match for the construction phase, whereas engineering and environmental phases are 100 percent locally funded. In lieu of a local cash match, agencies qualified through the Metropolitan Transportation Plan Policy Bundle process may request the use of Policy Bundle Transportation Development Credits (TDCs) (with a remaining balance). Agencies implementing portions of the Regional Veloweb, the regionwide network of shared-use paths (trails) identified in the Mobility 2045 Update, were also eligible to request Regional TDCs in lieu of a local cash match. Project scoring was based on project eligibility and a methodology for project evaluation as previously approved by the Regional Transportation Council. Electronic Item 8.1 provided additional detailed information. Electronic Item 8.2 reflected project evaluations, projects with recommended funding awards and an updated date for the deadline for project sponsors to open bids and obligate funds from December 2026 to December 2025. Cara Mendelsohn asked for information on how many unfunded trail bridges and portions of the trail remain to be funded. Michael Morris indicated that would be provided at a future meeting.

A motion was made to recommend Regional Transportation Council approval of the list of projects to fund through the 2022 Transportation Alternatives Set-Aside Call for Projects, as provided in Electronic Item 8.1, and to administratively amend the TIP/STIP and other planning/administrative documents to incorporate these changes. In addition, the approval also re-emphasized program rules, including the execution of an Advanced Funding Agreement between project sponsors and the Texas Department of Transportation within one year of project selection. Projects must also advance to construction within three years from selection or the funding may be reprogrammed. Janet DePuy (M); Rick Grady (S). The motion passed unanimously.

9. **Automated Vehicles 2.1: Regional Planning Exercise For Local Partners:** Clint Hail briefed the Council on the Automated Vehicles 2.1 planning exercise recently completed and the key deliverables and findings of the project. Transportation technology is evolving, and the planning process must evolve to keep up. The purpose of the AV2.1 planning study is to understand the region's mobility challenges, identify ways transportation automation and related technologies can address those challenges and recommend policies and best practices to achieve positive results for the region. The North Central Texas Council of Governments' (NCTCOG's) vision for automation in the region is to lead automated vehicles (AV) deployment, use automation to achieve region's mobility goals, provide communities with AV planning and deployment resources, build effective partnerships with AV developers, and strategically invest in use cases and communities overlooked by AV developers. The goal is to improve safety, efficiency, share real time travel information, improve the economy, and prioritize quality of life. The AV2.1 project objectives are to make future mobility planning resources available to stakeholders in the region, provide resources for stakeholders to prepare for and support future mobility, and look beyond tech available today to plan for future scenarios and impacts. The purpose of the online public survey is to learn public needs and interests around automated transportation. Key takeaways from 483 responses, primarily from Tarrant and Dallas counties, were a mixed willingness to use automation technologies for travel around the Dallas-Fort Worth area, differences in willingness by race and age, and older generations less willing to use the technologies. The focus group's purpose gains deeper awareness of public's perspectives on current and emerging transportation technologies. Key

takeaways from 83 participants from 12 focus groups, focus group findings align with survey, map apps are most used tech (smartphone cost is concern for one minority group), rural residents want more transportation options (transit, ride hail, faster internet), fewer freight train backups, and minorities are the most excited about new tech, but doubt fair/equitable access. The existing need's report details the current state of transportation in North Central Texas, identifies local needs and deployment opportunities. There are five categories of existing needs: personal mobility; freight movement; equity; safety' and infrastructure readiness plus resilience. The AV2.1 market analysis report's purpose is to understand possible impacts from automated transportation and related technologies in communities. This understanding and readiness will help the region apply for federal, State, or local deployment funding to deploy or support new technologies. The AV2.1 financial report's purpose is high-level assessment of how automated transportation may affect local entity finances. The financial report considers scenario development and evaluation to understand potential impacts of automated transportation on existing funding mechanisms available to counties, municipalities, public transit agencies, and airports. The purpose of the scenario development report is to identify potential future transportation automation scenarios for the North Central Texas region. Developed from seven potential scenarios, with three selected scenarios for modeling evaluation: connected autonomous vehicle (CAV) Impact on Roadway Network Capacity; CAV impact on intersection performance; and CAV impact on population and employment distributions. Model tool selection's purpose is to select the tools to evaluate the three selected scenarios with these tools considered: microscopic traffic simulation models; mesoscopic simulation-based dynamic traffic assignment models; and regional travel demand model ("TAFT") developed and maintained by NCTCOG. The research team coordinated throughout process with NCTCOG Modeling Team. The tool selected was the AV-TAFT, regional travel demand model upgraded by UT-Austin to enable AV traffic modeling, slightly modified to further upgrade AV-TAFT's ability to model the three scenarios selected. The scenario evaluation's purpose is to predict potential impacts of three future automation scenarios using travel demand model with the modeling summary included 29 different scenario runs, testing 0, 25, 50, and 100 percent CAV penetration rates. AV2.1 study marked first application of new CAV Capacity Adjustment Factors in Highway Capacity Manual 7th Edition. Key assumption was vehicles are both connected and automated. They follow closely at high speeds. They move through intersections more effectively. Key findings were vehicles miles travels (VMT) generally increases while vehicle hours traveled (VHT) generally decreases. Average daily speed generally increases while daily delay generally decreases. CAV's alone will not solve the region's future congestion problems. The final report summarizes key findings from each project task and recommends next steps for municipalities and NCTCOG. Key recommendations were to self-assess gaps (staffing, planning, infrastructure, policy), pursue funding opportunities, disseminate key findings, continue to monitor trends (technology and impacts), develop financial revenue assessment toolkit, and develop tools to evaluate pilots and prioritize new projects or investments. Materials, reports, and findings are available at www.ConnectNTxFutures.org. Electronic items 9.1 contained the presentation details and Electronic Item 9.2 provided an executive summary and key takeaways.

10. **Status Of Conformity Determination – Lapse Grace Period:** Jenny Narvaez informed the Regional Transportation Council of the current status and future outlook regarding the region's latest Transportation Conformity Analysis. Transportation conformity is the process in nonattainment areas which ensures federal funding approvals are given to highway and transit activities that are consistent with air quality goals. A conformity lapse grace period presents the advancement of new or modified transportation projects in the

Mobility 2045 -2022 Update. The latest conformity analysis for Mobility 2045 is the Metropolitan Transportation Plan for North Central Texas – 2022 update was locally approved on June 9, 2022. The local conformity approval is followed interagency consultation review leading to a U.S. Department of Transportation (USDOT) Transportation Conformity Determination. Per regulation, a determination was required by November 21, 2022, Electronic Item 10.1, dated November 17, 2022, is notice by the Federal Highway Administration (FHWA), that is a one-year conformity lapse grace period was likely to begin on November 22, 2022, due to FHWA not completing its review. During the 12-month grace period, only transportation projects in the most recent conforming MTP and TIP can be funded or approved. Once an area is in a conformity lapse, the use of federal funds is restricted to certain kinds of projects and no new non-exempt projects can be amended into the MTP/TIP. Once an area is in a conformity lapse, the use of federal funds is restricted to certain kinds of projects and no new non-exempt projects can be amended into the MTP/TIP. FHWA and FTA do not reduce the amount of funding a State receives if there is a lapse, however, use of federal funds is redistricted during the lapse. Next steps towards determination for the FHWA's approval of 2023-2026 STIP was November 18, 2022. FHWA review of Dallas-Fort Worth Conformity Analysis, to be determined. NCTCOG responds to FHWA comments, to be determined. US Department of Transportation Determination is to be determined, preferably before November 22, 2023, to avoid Conformity Lapse, but as soon as possible to minimize project delays and associated cost increases. Additional details were presented in Electronic Item 10.2.

11. **End of 2022 Ozone Season**: Jenny Narvaez provided a summary of the 2022 ozone season activity and other air quality updates for the Dallas-Fort Worth (DFW) region. The ozone season is from March 1 to November 30. The end of November concluded another ozone season for the DFW region. The region continues to work towards compliance for both the 2008 and 2015 ozone National Ambient Air Quality Standards (NAAQS). Ongoing and additional efforts for emission reduction programs include Management and Operations (M&O), Air Quality, and Safety Program, Federal Performance Measures (PM3) CMAQ Targets, Appendix H: Weight of Evidence (Voluntary Measures), Texas Emission Reduction Plan (TERP) – Diesel Retrofit Program, RTC Legislative agenda for air quality programs, and fraudulent paper registration tags and vehicle emissions inspections. Staff has been tracking the exceedance days at each monitor and provided a summary of the 2022 ozone season data for the North Central Texas 9- and 10-county nonattainment areas, compared against previous ozone seasons, and provided a snapshot for the 2023 ozone season in Electronic Item 11.
12. **Parking Management Resources**: At the presenter's request, this item was not presented and is postponed to a later date.
13. **Walk To School Day Promotion 2022**: At the presenter's request, this item was not presented and was postponed to a later date.
14. **Progress Reports**: Regional Transportation Council attendance was provided in Electronic Item 14.1.
15. **Other Business (Old or New)**: There was no discussion on this item.
16. **Future Agenda Items**: Rick Bailey would like to advocate for the cities going to receive funding to help train for the lithium batteries
17. **Next Meeting**: The next meeting of the Regional Transportation Council (RTC)

is scheduled for 1:00 pm, Thursday, January 12, 2023, in the Transportation Council Room of the North Central Texas Council of Governments.

The meeting adjourned at 2:42 p.m.