The Regional Transportation Council (RTC) met on May 11, 2023, at 1:00 pm in the Transportation Council Room. The following members or representatives were present: Daniel Alemán Jr., Steve Babick, Dennis Bailey, Rick Bailey, Adam Bazaldua, Elizabeth Beck, Gyna Bivens, Alan Blaylock, Ceason Clemens, Dianne Costa, Theresa Daniel, Pat Deen (representing J.D. Clark), Janet DePuy, Michael Evans, Gary Fickes, George Fuller, Raul Gonzalez, Barry Gordon, Rick Grady, Lane Grayson, Mojy Haddad, Ron Jensen, Brandon Jones, Brad LaMorgese, Cara Mendelsohn, Jesse Moreno (representing Omar Narvaez), Raj Narayanan, Matthew Porter (representing Chris Schulmeister), Manny Ramirez, Jim Ross, David Salazar, Gary Slagel, (representing Michele Wong-Krause), Andy Sommerman (representing Clay Lewis Jenkins), Jeremy Tompkins, Oscar Trevino, William Tsao, Chris Watts, and Duncan Webb.


1. **Opportunity for Public 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. No members of the public chose to speak at the meeting or provide written comments.

2. **Approval of April 13, 2023, Minutes:** The minutes of the April 13, 2023, meeting were approved as submitted in Electronic Item 2. Barry Gordon (M); Theresa Daniel (S). The motion passed unanimously.

3. **Consent Agenda:** There were no items on the Consent Agenda.

4. **Orientation to Agenda/Director of Transportation Report:** Chair Webb announced the appointments of the Regional Transportation Council (RTC) Nominating Subcommittee: Chair, Denton County Judge, Andy Eads, Vice Chair, Mayor George Fuller with the City of McKinney, Commissioner Rick Bailey with Johnson County, Councilmember Michael D. Crain with the City of Fort Worth, Mayor Ron Jenson with the City of Grand Prairie, Councilmember Ed Moore with the City of Garland, Deputy Mayor Pro Tem with the City of Dallas, and Michele Wong-Krause, Chair of Dallas Area Rapid Transit (DART). He mentioned Vercie Pruitt-Jenkins will schedule a Nominating Subcommittee in June. Michael Morris announced Councilmember Rick Grady’s
retirement reception was on May 24, 2023, and Thomas Bamonte’s resignation on June 9th, 2023. Michael reminded the Council of the Metropolitan planning process three c’s under federal rule: cooperative, comprehensive, and continuous, related to RTC policy discussion restricting third parties from recommending their will on the RTC. Michael provided the link to the testimony at the Texas Legislature. Michael is working with Ceason Clemens, Texas Department of Transportation (TxDOT), on the United States 75 Technology Lane Illumination Agreements. He briefed the Council on the Intelligent Transportation Systems (ITS) America Conference with 6,000 of our closest technology people from across the Country were here, that is a major policy directive of our staff is to grow Transportation technology within our region. Michael reminded everyone the deadline to get all of the Transportation Alternative Call for Projects Support for submittal is in June and the partnership we have with DART has already occurred. The P3s, Governor of Tennessee has visited our region twice and he now refers to as the Dallas-Fort Worth miracle which is the region’s ability to absorb one million people every seven years largely due to the region’s dynamically priced managed lanes, public/private partnerships or P3 investments of twenty years ago. The advancement of P3s, State of Tennessee has now passed legislation to bring dynamically priced managed lanes to the metropolitan regions of Tennessee in excess of $3 billion. Michael mentioned we are hopeful with the correspondence from RTC Chair Duncan Webb to the Texas Commission on Environmental Quality regarding Dallas-Fort Worth Ozone Nonattainment and the Section 185 Fee. Michael noted we have a draft final agreement between the City of Dallas and Dallas Area Rapid Transit (DART) Board regarding the DART Silver Line rail after mediation that occurred. Michael and Ken Kirkpatrick are leading a mediation between Burlington Northern Santa Fe (BNSF) and Trinity Railway Express (TRE), trying to obtain BNSF’s local share and the BUILD grant we won in double tracking the TRE. The remaining items were not presented.

Members of the RTC discussed Item 4.2 (Policy that restricts third parties from recommending their will on the RTC). A motion was made on Item 4.2 to approve staff to work with interested parties, that are members of the Regional Transportation Council (RTC), to formulate a draft for consideration for future meetings. Cara Mendelsohn (M); Adam Bazaldua (S). The motion did not pass.

5. **Project Status Report: Milestone Policy Round 2 and FY2023 Project Tracking:**
Brian Dell requested Regional Transportation Council (RTC) approval of various updates to Milestone Policy project deadlines and approval of a revised Milestone Policy and Project Tracking reporting frequency. The Metropolitan Planning Organization (MPO) Milestone Policy focuses on projects funded ten plus years ago that have not gone to construction and creates agency accountability to implement projects. FY2023 Project Tracking focuses on projects slated for implementation in FY2023, highlights potential problems in order to prevent delays, provides earlier monitoring, and enables the Regional Transportation Council (RTC) to take corrective actions to avoid accumulation of carryover balances. For the Milestone Policy projects, ten projects are scheduled for letting in FY2023 with a funding amount of $95,451,136, and three projects are scheduled for letting in FY2024 and beyond with a funding amount of $201,816,145, for a total of $297,267,281. Brian noted to date, seven projects have let by their established deadlines and three have been removed from the Transportation Improvement Program (TIP) at the request of the implementing agency. Proposed changes to the MPO Milestone Policy and tracking process were introduced. It was highlighted that quarterly updates have been provided to the Committee and RTC regarding the status of MPO Milestone Policy projects, along with separate updates on the progress of project phases
in the current fiscal year. The process has led to an increase in communication between project sponsors, North Central Texas Council of Governments (NCTCOG), and Texas Department of Transportation (TxDOT), but there are few substantive updates to report, due to the reporting frequency and the time a project takes to be implemented. Therefore, staff proposed to adjust the reporting frequency for the Milestone Policy and Project Tracking initiatives from four times a year to at least two times a year. The items will also continue to be combined into one. The summary of TIP FY2023 project funding that has been obligated was presented $578,507 of Congestion Management and Air Quality Improvement Program (CMAQ), $23,661,006 of Surface Transportation Block Grant (STBG), and $1,994,510 of Transportation Alternatives Set Aside (TASA), has obligated as of April 14, 2023. Action was requested on several items pertaining to MPO Milestone Policy projects. Several projects on US 81/287 in north Fort Worth (TIP 53029, 53030, 53031, 53032, and 11572) are anticipated to miss their letting deadline at the end of FY2023, and a recommendation was made to extend the deadlines to the end of FY2025 and leave the funding on the projects. Several segments of Corporate Drive in the City of Lewisville (TIP 20108, 20111, 20131 and 20152) are also expected to miss their letting deadlines at the end of FY2023, although one (TIP 20113) is already under construction. Two (TIP 20131 and 20152) are anticipated to let in November 2023 and two (TIP 20108 and 20111) are anticipated to let in April 2024. A recommendation was made to extend the projects’ deadlines to match the new let dates and leave the funding on the projects. Additionally, action was requested on the proposal to adjust the reporting frequency for Milestone Policy and Project Tracking Updates from four times a year to at least two times a year. The ability to administratively amend the Transportation Improvement Program (TIP)/Statewide Transportation Improvement Program (STIP) and other administrative/planning documents as needed was requested as well. Milestone Policy status updates, along with the latest risk ratings, were included in Electronic Item 5.1. FY2023 Project Tracking status updates were provided in Electronic Item 5.2. Details on the status reports were provided in Electronic Item 5.3.

A motion was made to extend project deadlines for projects on Unites States 81/287 and maintain funding in North Fort Worth and Corporate Drive in Lewisville as recommended, adjust the frequency for Milestone. Policy and Project Tracking updates from four times a year to at least two times a year, and to administratively amend the Transportation Improvement Program/Statewide Transportation Improvement Program., and other administrative planning documents as needed. Dianne Costa (M); Matthew Porter (S). The motion passed unanimously.

6. **Application to Federal Highway Administration Charging and Fueling Discretionary Grant Infrastructure Program:** Amy Hodges requested Regional Transportation Council (RTC) approval to pursue funding from the Federal Highway Administration (FHWA) Charging and Fueling Infrastructure Discretionary Grant Program (CFI) under the Community Program and Corridor Program grant categories. For FY2022 and FY2023, CFI made available $700 million split evenly in two funding categories: 1) Community Program ($350 million available) with minimum: $500,000 and the maximum: $15,000,000 and 2) Corridor Program ($350 million available) with minimum: $1,000,000 and no maximum. The federal share is up to 80 percent of the total project cost. Eligible entities that contract with a private entity must include that the private entity will be responsible for the non-federal share of the project cost. Applications must be submitted by May 30, 2023. CFI program information is available at: https://www.fhwa.dot.gov/environment/cfi/. The Corridor program is designed to build electric vehicle (EV) charging or alternative fueling infrastructure along designated...
Alternative Fuel Corridors (AFC). Staff sees CFI as an opportunity to start deploying recommendations from the Interstate Highway-45 Zero Emission Vehicle Infrastructure Plan including battery electric vehicles for local freight and hydrogen fuel cell electric vehicles for long haul freight. North Central Texas Council of Governments (NCTCOG) opened the 2023 Heavy-Duty Zero Emission Vehicle Infrastructure Call for Partners on March 6, 2023, to establish public-private partnerships between NCTCOG and project teams to scope zero-emission vehicle (ZEV) infrastructure projects and submit an application to the Charging and Fueling Infrastructure (CFI) Corridor Program and other federal and state funding opportunities. NCTCOG received twelve proposals by the deadline of April 7, 2023. Recommendations for the Corridor Program is to coordinate with proposal teams to refine project scopes for a Federal Highway Administration (FHWA) proposal: hydrogen refueling near Alliance Texas Mobility Innovation Zone, Southern Dallas County Inland Port, and around the Texas Triangle, up to seven hydrogen refueling stations, estimated to be $11 million in federal funding per station, and a local freight electric truck depot in Denton, estimated to be $5 million in federal funding. Eligibility for community programs includes projects designed to reduce greenhouse gas emissions and to expand or fill gaps in access to infrastructure. Because of extensive local government interest in building additional infrastructure, NCTCOG’s recommendation and approach for the community program is to apply on behalf of the region for funding to build up to 100 EV charging stations regionwide. At least 50 percent of the stations will be in Justice40 areas and will emphasize the FHWA focus areas. Specialized technical teams will be created to streamline project implementation. The Community Program application will request the maximum award of $15 million. Staff requests public entities submit letters of support by May 19, 2023. Executive Board authorization to submit proposals will be sought on May 25, 2023. The FHWA application deadline is May 30, 2023. Additional details are presented in Electronic Item 6.

A motion was made to approve of North Central Texas Council of Governments (NCTCOG) to pursue funding from the Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program for two grant categories: Corridor Program – develop an application to build up to seven hydrogen refueling sites near Alliance Texas Mobility Innovation Zone, Southern Dallas County Inland Port, and around the Texas Triangle. And a local freight Electric Truck Depot in Denton; Community Program – develop an application to build up to 100 electric vehicle charging stations throughout the Region and to demonstrate the effectiveness of specialized technical teams for implementation. Elizabeth Beck (M); Rick Grady (S). The motion passed unanimously.

7. **Federal and State Legislative Update:** Rebekah Gongora briefed the Regional Transportation Council (RTC) on federal and State legislative actions related to transportation and air quality issues affecting the Dallas-Fort Worth area. Transportation issues continue to be a focus for both the United States Congress and the Texas Legislature. Committee hearings – House Transportation and Infrastructure schedule has upcoming hearings on Federal Aviation Administration reauthorization, pipeline safety reauthorization, and the Water Resources Development (WRDA) Act for 2024, Coast Guard Reauthorization. The recent hearing was on supply chain challenges. The Senate environment and Public Work’s Fiscal Year 2024 Army Corps of Engineers budget and implementation of the 2022 WRDA Act. The Senate Commerce, Science, and Transportation hearing was on railroad safety reform. Dates of Interest for the Texas Legislature: May 8, 2023, was the last day for House committees to report House Bills (HB) and House Joint Resolutions (HJR), May 11 and 12, 2023 was the last day for House
to consider 2nd reading HBs and HJRs 3rd reading, May 20, 2023, was the last day for House committees to report Senate Bills (SB) and Senate Joint Resolutions (SJR), May 23 and 24, 2023, was the last day for House to consider 2nd reading for SBs and SJRs 3rd reading, May 28, 2023, was the last day to adopt conference committee reports, and May 29, 2023, corrections only; final day of the 88th Regular Session, and June 18, 2023 will be the last day Governor can sign or veto bills. State’s budget plan for House Bill (HB) 1 House approved $302.6 billion budget on April 6, 2023. Senate appointed conference committee members. Conferees: Huffman (Chair), Nichols, Kolkhorst, Creighton, and Schwertner. HB 1 Senate approved $308 billion budget on April 17, 2023. House appointed conference committee members; conferees: Bonnen (Chair), Gonzalez of El Paso, Jetton, VanDeaver and Walle. Rebekah provided information on Bills of interest regarding transportation funding proposes an additional $400 registration fee on most new electric vehicles; $200 registration renewal fee for all existing electric vehicles to State Highway fund (SB505) was sent to Governor on May 2, 2023. SB 1232 would extend proposition 1 by 8 years passed in Senate and House Committee on May 9, 2023. Senate Concurrent Resolution (SCR) 2 would extend proposition 7 by 10 years passed in Senate and in House Committee, sent to calendars on April 26, 2023. HB 2230 would eliminate the expiration date of Proposition 1, making the revenue stream permanent, passed House and Senate Committee on May 10, 2023. Bills of interest on the topic of safety include SB 1663 authority of a city to alter speed limits passed Senate and House Committee sent to calendars on May 5, 2023. HB 3297 would end the annual vehicle safety inspection program, adds an annual fee, passes House, and scheduled for Senate Committee Hearing on May 11, 2023. Bills of Interest on the topic of temporary tags include HB 718 issuance of metal plates passed House Committee and referred to Senate Committee on May 4, 2023. HB 914 temporary tag tampering penalties passed House and Senate on May 9, 2023. HB 2195 increases penalties for fictitious and altered plates, passed House and Senate Committee on May 10, 2023. HB 3747 prohibits fraudulent temp tags, increases penalties passed House and referred to Senate Committee on May 9, 2023. Bills of interest on the topic of air quality SB 4885 Texas Hydrogen Infrastructure, Vehicle, and Equipment Grant Program under Texas Emission Reduction Plan (TERP) passed House and referred to Senate Committee on May 4, 2023. Bills of interest on the topic of tire disposal include HB 3282 illegal scrap tire disposal through identification program, authority of a county to impose fines passed House on May 9, 2023. HB 1503 Scrap tire disposal grant program passed House and referred to Senate Committees on May 1, 2023. Bills of interest on the topic of high-speed rail include HB 2357 requires reports on HSR financing, costs, timelines, ridership, routes, foreign investment disclosure. Passed House Committee and set on House Local Calendar on May 12, 2023. Bills of interest on the topic of technology include SB 2144 advanced air mobility technology advisory committee was sent to Governor on May 2, 2023. Bills of interest on the topic of tolling include HB 3843 Texas Department of Transportation study and report on statewide toll facilities. Passed House and referred to Senate Committee on May 10, 2023.

8. **Walk to School Day Promotion 2023:** Shawn Conrad presented for Karla Windsor and provided an overview of activities planned for the 2023 Walk to School Day promotion and information for participation. North Central Texas Council of Governments (NCTCOG) 2023 Walk to School Day promotional efforts. Walk to School Day is an annual event where students from across the nation walk to school on the same day. Community presence on the streets reminds us to help create calm, safe routes to school for students to walk and bicycle. This year, Walk to School Day is scheduled for October 4, 2023. Statistics show that students that walk or bike to school show up more alert and ready to
The event spotlights the benefits of active transportation to school, as well as the importance of safety on our roadways for our communities. For Walk to School Day 2023, NCTCOG will again provide safety-related prizes and promotional items and a bike raffle to schools to generate excitement and incentivize participation for numerous schools in the region. The Dallas-Fort Worth region accounted for over half of the registered Walk to School Day events in the State of Texas. Staff encouraged everyone to save the date for next year’s Walk to School Day: Wednesday, October 4, 2023. Event preparation will begin in Spring 2023. Visit www.WalkBiketoSchool.com for more information about Walk to School Day and how-to guides for starting your own event. Municipalities collaborate with local Independent School Districts and schools in your jurisdiction to hold joint events and raise community awareness. Contact us for assistance in planning your Walk to School Day events. To be added to the Walk to School Day 2023 mailing list, an interest form can be completed at www.nctcog.org/WalkToSchool. Additional information was included in Electronic Item 8.

9. **Regional Scrap Tire Program**: Jenny Narvaez briefly highlighted several items for the Committee regarding challenges for scrap tires: Expensive and inconvenient for citizens to properly dispose of as “Mom & Pop” shops typically lack the resources for proper disposal of large quantities of tires, difficulty with enforcement and prosecution for lack of ordinances and education, illegal dumping on roadways, creeks, private property, rural areas typically experience more illegal dumping than urban areas, and lack of adequate markets. Jenny explained the proper end-of-life tire cycle through Texas Commission of Environmental Quality (TCEQ’s) “Scrap Tire Management Stream from Generator to End-Use Facility” graphic: The cycle starts with the generator of the scrap tire transferring the tire to the transporter, to the tire then either a storage facility or a scrap tire facility, which subsequently would lead to disposal into a landfill, or the tire being used for a recycled or beneficial use. The categories of beneficial uses TCEQ maintains are tire-derived fuel, crumb rubber, recycling, Land Reclamation Projects Using Tires (LRPUT), and other uses. The total number of illegally dumped tires known by the TCEQ has decreased from 14,359,826 in April of 2018 to 12,185,301, as of May 2022. The Air Quality initiative’s funding recently approved a total of $490,000 by the Regional Transportation Council (RTC) for use in a regional tire program over the next few years. Part of this funding goes to the continuation of Regional Tire Task Force, an inter-department partnership and external subject-matter expert collaborative group created in December of 2021, to strategize development and implementation to address regional scrap tire management in the 16-county region. A deliverable from the Task Force created the Regional Scrap Tire Model Ordinance, a unified and comprehensive plan with provisions a city and county can adopt and edit. The Model Ordinance was developed using the City of Dallas’ updated ordinance as a template, and then edited to incorporate aspects of Houston’s ordinance. More information provided via https://www.nctcog.org/envir/materials-management/regional-tire-task-force. Sustainable tire recycling is one of 20 policies in the recently adopted Mobility Plan, that cities and counties can voluntarily participate in to receive Transportation Development Credits (TDCs) by developing a plan, ordinance, or policy for transportation refuse recycling, or implement elements of a transportation refuse recycling plan. Current proposed tire legislation: House Bill (HB) 3282 – creates additional requirements for tire transporters and generators, creates fines for not being registered, fines go into account to recycle tires – approved in committee on 4/18/2023. HB 3352 - creates programs for unique scrap tire identification and enforcement for certain counties - approved in committee on 4/18/2023. HB 1503 - tire disposal grant program – on House calendar for April 28, 2023. Senate Bill (SB) 1328 - add illegal storage of scrap tires to the current list of “common nuisances” in current statute and proposes to reduce number of
legally stored scrap tires from 500 to 200 – no action. SB 2126 - authorizes a county to appropriate and spend money on a program to buy back used tires, as part of managing a current solid waste program – no action. Maps and additional information were provided in Electronic Item 9.

10. **Air Quality Ozone: Federal vs. State**: Agenda item requested not to be presented at this time. The agenda item will be presented at a later date.

11. **Fiscal Year 2023 Multimodal Project Discretionary Grant Program**: Jeff Neal briefed the Regional Transportation Council (RTC) on the Fiscal Year 2023 Multimodal Project Discretionary Grant Program (MPDG). While the program’s Notice of Funding Opportunity (NOFO) is expected for release later in “Spring 2023”, according to USDOT, information was presented to obtain feedback on candidate projects in the interests of advanced project “slotting”. The $2.85 billion program, based on last year’s NOFO, 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). A combined overview of solicited projects; INFRA with $1.55 billion of available funds with up to 80 percent federal, with no maximum on award size, obligation deadline September 30, 2026, and construction deadline March 30, 2028. MEGA with $1 billion of available funds with up to 80 percent federal, and United States Department of Transportation (US DOT) seeks projects that will begin construction before September 30, 2026. Rural with $300 million of available funds with up to 100 percent federal cost/match, no maximum on award size, obligation deadline of September 30, 2026, and construction deadline March 30, 2028. Application deadline for all three projects is July 03, 2023, based on an anticipated NOFO release in late April or early May. As negotiations continue with the Texas Department of Transportation (TxDOT), as many as nine submittals can be submitted, with three each for INFRA, MEGA, and RURAL. The projects/lead applicants that are planned for NCTCOG submittal and/or resubmittal include Dallas County Inland Port (DCIP) Multimodal Connectivity Project to rebuild Belt Line Rd and Sunrise Rd. to 4 lane arterials with side paths for better mobility with total cost of $82,525,000; United States Highway (US) 80 Corridor/Interstate Highway (IH) 635 Junction Reconstruction Project to rebuild US 80 plus IH 635 interchange to address multimodal mobility, safety, and access needs with a total cost of $482,760,151; Alliance Smart Port Deployment and State Highway (SH) 170 connections deliver comprehensive infrastructure assets with a total cost of $241,430,000; US 81/287 North Tarrant County Reconstruction project to reconstruct for six general purposes lanes, continuous one-way frontage roads, and new grade separations with a total cost of $344,400,000; and, US 377 at SH144 reconstruction project in Granbury to rebuild US 377 to a 6-lane limited access roadway with SH 144 upgrades to address safety, mobility, drainage, and multimodal access needs with a total cost of $90,000,000. Additionally, NCTCOG is considering resubmittal as a co-applicant to TxDOT the IH 30 Downtown Dallas Canyon project to rebuild IH 30 to address design, safety, mobility, deficiencies, restore CBD street grid for multimodal connections and surplus ROW re-use and add deck foundations with a total cost of $542,000,000. The schedule for the FY23 MPDG program is as follows: brought to RTC as an information item on May 11, 2023, finalize candidate project scope, cost, funding amounts, sources, and phasing schedule details on May 17, 2023, present for action on the May 26, 2023 at the Surface Transportation Technical Committee and June 8, 2023 at the Regional Transportation Council meeting, RTC letter of support deadline is June 15, 2023, Executive Board action at the June 22, 2023, meeting, and the FY2023 MPDG application deadline (Grants.gov) in July of 2023. The schedule is subject to change based on the
program’s actual NOFO release date. Remaining details provided in Electronic Item 11.

12. **Progress Reports:** Regional Transportation Council attendance was provided in Electronic Item 12.1 and Surface Transportation Technical Committee attendance in Electronic Item 12.2.

13. **Other Business (Old or New):** There was no discussion on this item.

14. **Future Agenda Items:** There was no discussion on this item.

15. **Next Meeting:** The next meeting of the Regional Transportation Council is scheduled for 1:00 pm, Thursday, June 8, 2023, in the Transportation Council Room of the North Central Texas Council of Governments.

   The meeting adjourned at 2:53 p.m.