

REGIONAL TRANSPORTATION COUNCIL
May 14, 2020

In accordance with the Texas Governor's March 13, 2020, Disaster Declaration and subsequent suspension of certain Texas Open Meetings Act provisions, the May 14, 2020, meeting of the Regional Transportation Council (RTC) was conducted via teleconference call/WebEx. Staff conducted a roll call of members and the presence of a quorum was confirmed. The following members or representatives were present on the conference call: Richard Aubin, Adam Bazaldua, David Blewett, Ricardo Gonzalez (representing Loyl Bussell), Dianne Costa, Theresa Daniel, Jeff Davis, Pat Deen, Rudy Durham, Andy Eads, Kevin Falconer, George Fuller, Rick Grady, Lane Grayson, Mojoy Haddad, Roger Harmon, Ivan Hughes, J.J. Koch (representing Clay Lewis Jenkins), Ron Jensen, Jungus Jordan, Lee M. Kleinman, Mike Leyman, David Magness, Curtistene McCowan, Robert Miklos, Cary Moon, Barbara Odom-Wesley, John Ryan, Jeremy Tompkins, T. Oscar Trevino Jr., William Tsao, Paul N. Wageman, Dennis Webb, Duncan Webb, Chad West, B. Glen Whitley, W. Jeff Williams, and Ann Zadeh. Individual attendance was not taken for non-RTC member attendees.

1. **Opportunity for the Public to Speak on Today's Agenda: Consistent with HB 2840:**
This item allows members of the public an opportunity to give input on agenda items. Regional Transportation Council Chair Andy Eads asked if there were any public comments. No members of the public chose to speak.
2. **Approval of the April 9, 2020, Minutes:** The minutes of the April 9, 2020, meeting were approved as submitted in Reference Item 2. B. Glen Whitley (M); Pat Deen (S). The motion passed unanimously.
3. **Consent Agenda:** The following items were included on the Consent Agenda.
 - 3.1. **Additional Funding for Tier II Environmental Document from Fort Worth to Dallas:** Regional Transportation Council (RTC) approval of an additional \$6 million in Surface Transportation Block Grant Program funds to close the funding gap to conduct the environmental document study on high-speed passenger transportation between Fort Worth to Dallas was requested. Local match will be provided with RTC Transportation Development Credits.

Lee M. Kleinman asked for clarification regarding what account would be used for the local match of RTC Transportation Development Credits. Mr. Morris noted that Transportation Development Credits from the general RTC account would be used as the local match, not credits provided to entities based on policies adopted as part of the Metropolitan Transportation Plan Policy Bundle Program.
 - 3.2. **Clean Fleets North Texas Funding Recommendations:** Regional Transportation Council (RTC) approval of funding recommendations for applications received for the second funding round under the Clean Fleets North Texas 2019 Call for Projects was requested. An overview of the call for projects was provided in Electronic Item 3.2.1 and additional details on recommended projects was provided in Electronic Item 3.2.2.

A motion was made to approve the items on the Consent Agenda. T. Oscar Trevino (M); Richard Aubin (S). The motion passed unanimously.

4. **Orientation to the Agenda/Director of Transportation Report:** Regional Transportation Council (RTC) Chair Andy Eads announced members appointed to serve on the RTC Nominating Subcommittee: Chair Duncan Webb, Vice Chair Barbara Odom-Wesley, Richard Aubin, Jungus Jordan, Lee M. Kleinman, Curtistene McCowan, and T. Oscar Trevino Jr.

Michael Morris presented items on the Director of Transportation Report. Regarding high-speed rail between Fort Worth and Dallas, he discussed the recent ruling by the Court of Appeals of Texas concluding that Texas Central Railroad is a railroad company. In addition, the Federal Railroad Administration recently held public hearings on Rule of Particular Applicability regarding safety standards. The next step is the environmental impact which staff anticipates providing comment on next month. Mr. Morris also discussed his recent op-ed piece regarding focus on the economy similar to the strategy used by the RTC during the 2009 financial crisis. The piece led to an opportunity to give a national presentation on the previous RTC success in partnership with the Texas Department of Transportation. Regarding the Virgin Hyperloop One (VHO) Certification Center, he noted the region is still involved and that VHO is interested in moving its headquarters to the future location of the certification center. He noted no other Texas entities are in the competition and that North Central Texas Council of Governments (NCTCOG) staff are working to respond to questions and hope to make it into Phase 3 of the competition. In addition, he noted the 2021-2024 Transportation Improvement Program would be presented for action at the June 11, 2020, RTC meeting. He also noted the United States Department of Transportation Secretary Elaine Chao thanked America's public transit workers in a recent video available at <https://www.youtube.com/watch?v=5eUUvw-mirU>. Mr. Morris noted that the following items were postponed at the March 12, 2020, RTC meeting and remain postponed: 1) Mobility 2045 Update (High-Speed Rail Recommendations), 2) Metropolitan Transportation Plan Schedule, and 3) Trail of the Month Video. Information on current air quality funding opportunities for vehicles was provided at www.nctcog.org/trans/quality/air/funding-and-resources/fundingvehicle and upcoming Dallas-Fort Worth Clean Cities events were provided at www.dfwcleancities.org/dfw-clean-cities-meetings. An ozone status report was provided in Electronic Item 4.1. Correspondence regarding the redesignation of Dallas-Fort Worth Clean Cities was provided in Electronic Item 4.2 and April online input opportunity minutes were provided in Electronic Item 4.3. The May online input opportunity notice was provided in Electronic Item 4.4. Electronic Item 4.5 contained the latest Public Comments Report. Recent correspondence was provided in Electronic Item 4.6, recent news articles in Electronic Item 4.7, and recent press releases in Electronic Item 4.8.

5. **Federal Transit Administration Funding in Response to COVID-19: Approval of Regional Transportation Council Funding Allocations:** Michael Morris provided an overview of the specific allocations for funding made available through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. At its April 9, 2020, meeting, the Regional Transportation Council (RTC) approved the general funding made available from the Federal Transit Administration (FTA) in response to COVID-19. Funding is provided at a 100-percent federal share, with no local match required, and is available to support capital, operating, and other expenses generally eligible under those programs to prevent, prepare for, and respond to COVID-19. Funding made available through the CARES Act is not required to be included in the Transportation Improvement Program unless funding will be used for projects that have substantial functional, locational, or capacity changes. The Dallas-Fort Worth-Arlington Urbanized Area (UZA) is anticipated to receive approximately \$318 million and the Denton-Lewisville UZA approximately \$23 million. Funding for the McKinney UZA is allocated through the Texas Department of Transportation. For the

Denton-Lewisville UZA, funds are allocated directly to the Denton County Transportation Authority. In the Dallas-Fort Worth-Arlington UZA, Dallas Area Rapid Transit, Northeast Transportation Service, Trinity Metro and the cities of Grand Prairie, Mesquite, and Arlington receive funding directly from FTA. The remaining five entities are subrecipients of the North Central Texas Council of Governments (NCTCOG). Funding is allocated to all recipients using the FTA's allocation methodology. When determining allocations, staff also considered that cities/areas with no transit service still generate funds for the apportionment based on population, population density, and low-income population. Funding generated from these areas are being distributed to recipients based on vehicle revenue mileage. Funding generated from the operation of the Trinity Railway Express were split between Dallas Area Rapid Transit and Trinity Metro based on their interlocal agreement. NCTCOG proposed to retain 0.25 percent from the total apportionment for the Dallas-Fort Worth-Arlington Urbanized Area for administrative purposes to support various related staff activities. Funding allocations by recipient were highlighted and detailed in Electronic Item 5. The timeline for this effort was reviewed. Paul N. Wageman noted the presentation states the 0.25 percent retained by NCTCOG for administrative purposes includes legal and administration activities and asked if there is any connection between actual staff activities or just a percentage believed to be appropriate for such staff activities. Mr. Morris noted that NCTCOG staff developed a bottom-up cost estimate of all staff activities including legal, financial, administrative, and risk/compliance to help determine the appropriate amount for administrative purposes. Mr. Wageman also requested clarification of the process for entities to request reimbursement through NCTCOG. Mr. Morris noted that in the case of Dallas Area Rapid Transit, the entity would request reimbursement directly from the FTA. The administrative efforts include all entities with more focus on smaller agencies. RTC Secretary Theresa Daniel asked if staff has any assurance that the five entities receiving funds directly have been allocated their funds. Mr. Morris noted the funding will be provided to the entities through a reimbursement process. A motion was made to approve the specific funding allocations made available by the Federal Transit Administration through the Coronavirus Aid, Relief, and Economic Security Act as outlined in Electronic Item 5. Action also included approval for staff to revise administrative documents, as appropriate, to incorporate the funds. Capital investment or major capacity change projects will require specific Regional Transportation Council approval. Rick Grady (M); Dianne Costa (S). The motion passed unanimously.

6. **Fiscal Year 2020 Better Utilizing Investments to Leverage Development Discretionary Grant Program:** Jeff Neal presented project recommendations to be submitted for consideration of funding through the Fiscal Year (FY) 2020 Better Utilizing Investments to Leverage Development (BUILD) Discretionary Grant Program. A total of \$1 billion is nationwide and the deadline for application submittal is May 18, 2020. Additional details about the grant program were provided at https://www.transportation.gov/sites/dot.gov/files/2020-02/BUILD%202020%20NOFO_0.pdf. Three projects were proposed for submittal. Project 1 is a new iteration of the North Texas Multimodal, Operations, Velocity, Efficiency, and Safety (MOVES) Program, primarily directed at improvements for the Trinity Railway Express corridor. The proposed project includes approximately 3.5 miles of double track and rail rehabilitation, bridge replacements, and implementation of Clear Path technology. Project 2 is a 1.3-mile thoroughfare link connecting SH 360/Harwood Road and International Parkway/Rental Car Drive. The link will establish a long-distance thoroughfare that is parallel to SH 183 and allows for improved access to and from the Dallas Fort Worth International Airport, as well as the cities and large land uses that are in the area. Project 3 is the South Dallas Enhanced Mobility Project that will enhance mobility within the International Inland Port of Dallas (IIPOD) area to connect rural residents and

large employers surrounding the area to the Dallas Area Rapid Transit light rail system, the Veterans Administration Medical Center, and education/job training sites. The project will include new and upgraded bus facilities to support new vehicles and charging systems to ensure that there is adequate functioning for various trips, as well as sidewalk and traffic signal improvements that help improve safety and efficiency. Since a portion of the project involves efforts with Star Transit, whose service area extends outside of the urbanized area, the project qualifies as a rural project allowing it to compete separately from the other two projects. Mr. Neal highlighted the funding details for each of the proposed projects, along with the proposed BUILD grant request: 1) North Texas MOVES Program, \$25 million; 2) Dallas Fort Worth International Airport East-West Connector, \$13.3 million; and 3) South Dallas Enhanced Mobility Project, \$9.3 million. Details were provided in Electronic Item 6. The timeline for the effort was reviewed. Curtistene McCowan asked for clarification of the local funds identified on the funding table for the South Dallas Enhanced Mobility Project. Mr. Neal noted that \$1.63 million in Dallas County Regional Toll Revenue funds and \$1 million from the cities of Dallas and Desoto are committed for the local portion of the project. Mr. Morris added that the city staffs have indicated the commitment of those funds and North Central Texas Council of Governments staff can provide the information to Ms. McCowan. A motion was made to approve the proposed projects for submission to the Fiscal Year 2020 Better Utilizing Investments to Leverage Development Discretionary Grant Program: 1) North Texas Multimodal, Operations, Velocity, Efficiency, and Safety Program, 2) Dallas Fort Worth International Airport East-West Connector, and 3) South Dallas Enhanced Mobility Project, including the ability to administratively amend the Transportation Improvement Program, Statewide Transportation Improvement Program, and other planning/administrative documents to include the projected projects, if selected for funding. Theresa Daniel (M); Richard Aubin (S). The motion passed unanimously.

7. **Effect of COVID-19 Restrictions on Transportation: Information System RTC4U:**

Michael Morris presented performance metrics impacting transportation in the Dallas-Fort Worth region and proposed focus areas for consideration by the Regional Transportation Council (RTC), with a draft title RTC4U. The performance metrics will help members engage in transportation discussions as the region identifies the impacts of COVID-19 restrictions. The first metric is travel behavior response to COVID-19. Two things trigger travel behavior, government restrictions and the comfort individuals feel about COVID-19. Both are easily represented in the travel behavior response and staff proposes to track in real time for all modes, including pedestrian, bicycle, Uber, transit, toll roads, managed lanes, airplanes, and others. Focus on this data will help the region identify actions to reduce negative impacts. The second metric is financial implications to traditional revenue sources impacting transportation in the region. COVID-19 restrictions may impact the loan on SH 360, North Texas Tollway Authority bonds, transit agencies, Proposition 1 and Proposition 7 revenues, traditional Texas Department of Transportation (TxDOT) resources, gasoline tax, and others. The RTC may choose to adjust as a result of these impacts to revenue sources. A third metric is travel behavior responses that provide benefits to areas of RTC responsibility such as congestion management, national performance measures, and the ozone standard. The fourth metric is the prioritization of infrastructure improvements resulting in economic benefits offsetting unemployment increases, which is the source of the recent op-ed piece. Staff has begun to inventory these metrics as it works in the next Unified Transportation Program. If in fact the cost of construction index slows, there is an opportunity to use innovative approaches to fund transportation and build projects faster, resulting in economic benefits. This includes direct transportation benefits, as well as in-direct benefits such as job creation and related benefits. Mr. Morris requested that members provide feedback to confirm whether the proposed metrics are the correct

area of focus that will help drive the decisions of the RTC. RTC Chair Andy Eads asked if Texas was able to end the streak of roadway fatalities since COVID-19 restrictions were implemented. Mo Bur noted that Texas has not ended the streak. Even though traffic volumes have decreased in some cases by as much as 50 percent, a corresponding decrease in fatalities has not occurred. Paul N. Wageman asked if data related to travel behavior responses will be obtained from readily available public information or if entities would be burdened with additional requirements to provide data to the RTC. Mr. Morris noted most of the information is data already being collected and that entities will not be asked to provide any data unwillingly. Ann Zadeh noted it is important that the RTC look at the positive outcomes, determine ways to avoid returning to normal behaviors, and encourage the behaviors that brought about positive outcomes. RTC Secretary Theresa Daniel noted she appreciated the model being used to review data impacting performance metrics in the region.

8. **2020 Unified Transportation Program and 2021 Unified Transportation Program/Regional 10-Year Plan:**

Michael Morris provided an update on the latest information regarding the Fiscal Year (FY) 2020 Unified Transportation Program and the schedule and process to develop the FY2021 UTP and Regional 10-Year Plan for this year. In April 2020, the Texas Transportation Commission (TTC) approved the use of traditional revenues to fund the IH 35 project in Austin. The TTC reported 3,810 comments were received as part of the public comment process. Letters of support received by the Regional Transportation Council (RTC) were provided in Electronic Item 4.6. He noted a recent online article by Robert Poole from the Reason Foundation who was complementary of the RTC's position to take the no higher, no wider LBJ project and apply the performance metrics to IH 35 in Austin. Mr. Morris also discussed the development of the 2021 UTP. Staff has been working on projects listings with the Texas Department of Transportation (TxDOT) districts since January 2020 to integrate previous RTC actions going back to December 2016 and will present the final listings at the June 11 RTC meeting for action. This includes Collin County revenues not previously supported in the UTP. He noted staff believes a resolution has been reached regarding the control section jobs numbers to ensure funds for Collin County projects are identified in the 2021 UTP. In addition, for projects on which outyear money was borrowed to expedite other projects in the near term, funding has been reprogrammed to the original projects. Staff does not anticipate many new projects will be included due to decreases in revenue. Lastly, Mr. Morris discussed efforts to advance transportation in an innovative manner that helps the regional unemployment and economic development picture. Efforts may include discussion in the upcoming legislative session regarding a public-private partnership in the region or in Austin. For example, he highlighted funding potentially available from the private-sector provider for SH 183 for capacity improvements totaling approximately \$162 million. The improvements will create a lane imbalance near Dallas Fort Worth International Airport, and the private sector has proposed an additional \$860 million of improvements as an extension of the current facility to balance lanes between SH 121 and SH 161. In addition, \$270 million is proposed for payment to TxDOT for lane balance improvements east of SH 161 for a total of \$1.3 billion to the region. This is an example of an innovative project that can proceed through partnership with the private sector. A map of the Dallas-Fort Worth Regional 10-Year Plan projects was highlighted. Staff is continuing efforts to ensure previous RTC actions are implemented. Mr. Morris also discussed elements of the recent op-ed piece outlining how the region no longer has the luxury to do what it wants but must do what it needs. In response to the existing funding constraints, the region should return to the efforts of the financial crisis response from 2009. During that time, the cost of construction index was 25 percent lower which allowed for approximately \$2 billion in projects to proceed during this time. Staff is

working to clear projects as quickly as possible to take advantage of potentially lower costs of construction. Other examples include public-private partnerships as part of the RTC Legislative Program, taking advantage of low interest rates, and the use of infrastructure bonds. As previously discussed, leveraging and innovative funding are important elements. Candidate projects were highlighted, including the approximate \$20 billion private-sector, high-speed rail investment between Dallas and Houston and the advancement of the environmental document for high-speed technology between Dallas and Fort Worth. Efforts continue on the Virgin Hyperloop One Certification Center, autonomous transit, freeway induction loops, SH 183 improvements by the private sector, and US 75 technology lanes. In bad times comes imagination, and the RTC can be a mechanism to create innovation around next generation technology or infrastructure improvements. Jungus Jordan discussed the importance of innovative revenues and having shovel-ready projects ready in the region should opportunities arise. Barbara Odom-Wesley discussed the use of recyclable materials in asphalt and asked if this is a viable option. Mr. Morris discussed various recycling projects and encouraged members to continue to find innovative recycling options that are applicable in the region. Duncan Webb noted that he also believed this is an opportunity to accelerate projects within the region, in particular the clearance of US 380. RTC Chair Andy Eads noted that innovation and being prepared with shovel-ready projects are guiding principles for the RTC that has served the region well.

9. **Progress Reports:** Regional Transportation Council attendance was provided in Electronic Item 9.1, Surface Transportation Technical Committee attendance and minutes in Electronic Item 9.2, and the current Local Motion was provided in Electronic Item 9.3.
10. **Other Business (Old or New):** There was no discussion on this item.
11. **Future Agenda Items:** There was no discussion on this item.
12. **Next Meeting:** The next meeting of the Regional Transportation Council is scheduled for 1:00 pm, Thursday, June 11, 2020.

The meeting adjourned at 2:30 pm.