

## MINUTES

### **REGIONAL TRANSPORTATION COUNCIL August 11, 2016**

The Regional Transportation Council (RTC) met on Thursday, August 11, 2016, at 1 pm in the Transportation Council Room of the North Central Texas Council of Governments (NCTCOG). The following members or representatives were present: Monica R. Alonzo, Bruce Arfsten, Douglas Athas, Brian Barth, Carol Bush, Mike Cantrell, David L. Cook, Rudy Durham, Andy Eads, Charles Emery, Gary Fickes, Robert Franke, Sandy Greyson, Ron Jensen, Jungus Jordan, Lee M. Kleinman, Randy Pogue (representing Brian Loughmiller), David Magness, Scott Mahaffey, Matthew Marchant, Maher Maso, B. Adam McGough, Stan Pickett, Mark Riley, Kelly Selman, Gary Slagel, Lissa Smith, Mike Taylor, Stephen Terrell, T. Oscar Trevino Jr., Oscar Ward, Bernice J. Washington, Duncan Webb, B. Glen Whitley, Kathryn Wilemon, Erik Wilson, and W. B. "Zim" Zimmerman.

Others present at the meeting were: Alka Agnihorti, Vickie Alexander, David Arbuckle, Gustavo Baez, John Baker, Melissa Baker, Tom Bamonte, Berrien Barks, Carli Baylor, Adam Beckom, George Behmanesh, Natalie Bettger, Cal Bostwick, Tanya Brooks, Jesse Brown, Rob Brown, John Brunk, Mo Bur, Loyl Bussell, David Cain, Marrk Callier, Jack Carr, Angie Carson, Dixie Cawthorne, Bill Compton, Hal Cranor, Mike Curtis, Clarence Daugherty, Brian Dell, Kim Diederich, Jerry Dittman, David Dreiling, Tammy Dubberke, Rudy Durham, Chris Dyser, Chad Edwards, Traci Enna, David Gattis, Christie Gotti, Holly Gray-McPherson, Philip Haigh, Tony Hartzel, Jeff Hathcock, Rebekah Hernandez, Axel Herrmann, Robert Hinkle, Jodi Hodges, Shona Huffman, Terry Hughes, Kim Jackson, Yagnesh Jarmarwala, Dan Kessler, Tony Kimmey, Mark Kinnaman, Chris Klaus, Dan Lamers, Sonny Loper, Paul Luedtke, Stanford Lynch, Chad McKeown, Keith Melton, Cliff Miller, Mindy Mize, Angelia Molano, Cesar Molina, Marton Molloy, Rebecca Montgomery, Michael Morris, Jeff Neal, Mark Nelson, Mickey Nowell, Kevin Overton, Chris Paris, Donato Perez, Stan Pickett, John Polster, James Powell, Jeff Price, Vercie Pruitt-Jenkins, Anthony Ragland, Molly Rendon, Bill Riley, Christina Roach, Tito Rodriguez, Carrie Rogers, Kyle Roy, Greg Royster, Russell Schaffner, Kelli Schlicher, Miftah Semane, Lori Shelton, Walter Shumac, Randy Skinner, Jahnae Stout, Neil Strassman, Dean Stuller, Gerald Sturdivant, Vic Suhm, Craig Swancy, Gary Thomas, Lauren Trimble, Whitney Vandiver, Dan Vedral, Kendall Wendling, Sandy Wesch, Gregory White, Amanda Wilson, Brian Wilson, and Bruce Wood.

1. **Approval of July 14, 2016, Minutes:** The minutes of the July 14, 2016, meeting were approved as submitted in Reference Item 1. Glen Whitley (M); Gary Fickes (S). The motion passed unanimously.
2. **Consent Agenda:** The following item was included on the Consent Agenda.
  - 2.1. **Federal Rulemaking Update:** A motion was made to approve comments on the Notice of Proposed Rulemaking for the National Performance Management Measures provided in Reference Item 2.1.1 and for the Metropolitan Planning Organization Coordination and Planning Area Reform provided in Reference Item 2.1.2. Additional information was provided in Electronic Item 2.1.3.

Rob Franke (M); Mike Cantrell (S). The motion passed unanimously.

3. **Orientation to Agenda/Director of Transportation Report:** Michael Morris thanked Regional Transportation Council (RTC) Chair Ron Jensen for meeting with the members of the Texas Transportation Commission in July to discuss transportation funding. He noted that staff would recommend Agenda Item 6a (Proposed Resolution to the Texas Transportation Commission Requesting Changes to the Draft Unified Transportation Program) remain tabled as voted at the July RTC meeting. It was also mentioned that staff would request approval of a letter in Item 6b supporting the Governor's Clear Lanes program and a letter in Item 7 to Senator Nichols thanking him for his works as the Chairman of the Senate Transportation Committee and on an initiative to protect the use of funding options such as toll roads and managed lanes. These comments will be the basis of remarks for the RTC Chair to make at the August Texas Transportation Committee meeting. He also noted the Memorandum of Understanding with the China Academy of Transportation Sciences provided in Electronic Item 3.1. Current air quality funding opportunities for vehicles were provided in Electronic Item 3.2, an ozone season update was provided in Electronic Item 3.3, and information regarding upcoming clean vehicle events and workshops was provided in Electronic Item 3.4. Members discussed the Texas Good Roads Transportation Association and the notification received regarding the dissolution of the entity, provided in Electronic Item 3.5. Mr. Morris provided an update on the Fostering Advancements in Shipping and Transportation for Long-term Achievement of Nation Efficiency Grant opportunity, noting that the Dallas-Fort Worth region was not awarded any funding. In addition, he highlighted Joining Forces public meetings scheduled for August 23-30, 2016, related to the Regional Planning Study for Military Bases. Information about the recent High-Speed Rail Industry Forum was discussed, as well as the upcoming Transportation Summit in Irving on August 16-17. Specifically, he discussed the Blue Green Gray partnership for water, environmental, and infrastructure projects and efforts to remove silos among these different efforts. Oscar Ward reminded RTC members that their registration fee for the Irving Summit would be complimentary. Recent correspondence was provided in Electronic Item 3.6, recent news articles in Electronic Item 3.7, and recent press releases in Electronic Item 3.8. Transportation partner progress reports were provided at the meeting.
  
4. **Disadvantaged Business Enterprise Goal Update for Fiscal Years 2017-2019:** Ken Kirkpatrick presented the proposed Disadvantaged Business Enterprise (DBE) Participation Goal for FY2017-FY2019. The North Central Texas Council of Governments' (NCTCOG's) policy is to award a fair share of contracts to DBE firms for United States Department of Transportation (US DOT) contracting opportunities. NCTCOG currently has a 25 percent overall DBE Participation Goal, requires a demonstration of good faith efforts, ensures certification of DBE eligibility, and updates its goal every three years. Mr. Kirkpatrick highlighted the analyses used to determine the proposed overall DBE goal for the next three years, FY2017-FY2019. The analyses included a review of ready, willing, and able non-DBE firms in the State of Texas and the DBE availability in each market sector of anticipated contracting opportunities in the Dallas-Fort Worth Area. In addition, staff reviews the types of contracting opportunities that the Transportation Department historically completes for US DOT-funded projects. As part of goal development, staff also reviews the amount of DBE participation that would be achieved through DBE contract goals (race conscious) versus DBE participation that would be achieved without establishing DBE contract goals or that exceed the goal (race neutral). For the FY2014-FY2016 DBE program, the ratio of race conscious versus race neutral participation is 56/44. As a result of the analyses, staff proposes to maintain an overall DBE goal of 25 percent by meeting the goal through 14 percent race conscious means and 11 percent race neutral means. Additional details were provided in Reference Item 4. Three public meetings were held in June and generally positive feedback was received regarding the proposed 25 percent DBE Participation Goal.

In addition, a DBE Open House/Workshop was held in July for the consultant and vendor community. Positive feedback was also received and most comments and questions were focused on the procurement process. Pending approval by the Surface Transportation Technical Committee, the Regional Transportation Council (RTC), and the NCTCOG Executive Board, staff will submit the final DBE Participation Goal for FY2017-FY2019 to the Federal Transit Administration on August 26 with implementation of the goal beginning October 1. Bernice J. Washington asked if the DBE availability analysis includes all 12 counties or just the Dallas-Fort Worth area. In addition, she noted that the \$13 million total potential awards seemed low. Mr. Kirkpatrick noted that the analysis is for the 12-county area. He added, potential awards include RTC-approved activities administered by NCTCOG including planning studies, traffic signal improvements, air quality initiatives, etc., for which staff would procure a vendor or consultant. This does not include RTC-allocated funds for roadway and transit in the Transportation Improvement Program. Glen Whitley asked about DBE requirements for partner agencies. Mr. Kirkpatrick noted that the Texas Department of Transportation and local governments have individual DBE requirements. Mr. Whitley asked if a summary of those DBE awards was available. Mr. Kirkpatrick noted that staff could develop a summary for members. Ms. Washington asked if the 25 percent proposed goal was in line with partner agencies. Mr. Kirkpatrick noted that proposed 25 percent goal is in line with partner agencies. A motion was made to approve the 25 percent Disadvantaged Business Enterprise Participation Goal for Fiscal Years 2017-2019 for United States Department of Transportation contracting opportunities. Bernice J. Washington (M); Glen Whitley (S). The motion passed unanimously.

5. **Transportation for Elected Officials to the BigX Events: Police Training:** Michael Morris presented information regarding BigX training events and proposed funding to provide transportation for elected officials to the events. Every two years the North Central Texas Council of Governments (NCTCOG) Emergency Preparedness Department, led by Director Molly McFadden, works with police and first responders on training events within the region to prepare for emergencies. At the July NCTCOG Executive Board meeting, elected official attendance at the events was discussed as a way to show support for the five officers that recently lost their lives and the efforts of first responders every day. Staff proposed approval of an amount not to exceed \$25,000 to reimburse transportation authorities for services to shuttle elected county, State, and federal officials to view certain training events. The funds would be used as a contingency in the event that sufficient funds are not able to be raised through other efforts. Lee Kleinman discussed the BigX events that aim to train first responders of various agencies to interact with one another in order to respond with a coordinated effort. Attendance by State and federal officials will allow them to view the various types of training, equipment, and programs that are implemented through the use of State and federal funds, and will also allow Regional Transportation Council and NCTCOG members to view the efforts of first responders. Lissa Smith noted the events are a full-scale regional training exercise for first responders. She added, she is confident the funds necessary to sponsor the transportation services can be raised and that the reimbursement will not be needed. Bernice J. Washington expressed concern for backstopping this type of project when the risk is unknown. Kathryn Wilemon discussed the anxiety in communities and the desire from citizens to know how cities will prepare if an emergency event should occur. She encouraged cities to publicize what they are doing to prepare. Andy Eads asked for clarification on the purpose of the funds and asked why the costs are not being absorbed by the transportation authorities. Mr. Morris noted that the funds will be used to reimburse transportation authorities for their expenses and clarified that transportation authorities may be willing to absorb the cost. Lissa Smith requested that Emergency Preparedness Director Molly McFadden give a briefing regarding the events to

the Regional Transportation Council. A motion was made to approve the use of Regional Transportation Council Local funds of less than \$25,000 to reimburse transportation authorities for providing transit services to elected officials during a portion of the BigX Events. Oscar Ward (M); Lee Kleinman (S). Bernice J. Washington abstained from the vote. The motion passed.

6. **6a. Proposed Resolution to the Texas Transportation Commission Requesting Changes to the Draft Unified Transportation Program (tabled from last month):** Regional Transportation Council Chair Ron Jensen noted that the item would remain tabled.
- 6b. **Comments to the Texas Transportation Commission Regarding Changes to the Draft Unified Transportation Program:** Regional Transportation Council Chair Ron Jensen noted the letter provided in Reference Item 6.1 supporting the Governor's Texas Clear Lanes program. Electronic Item 6.2 contained background information. A motion was made for the Regional Transportation Council to provide a letter to the Texas Transportation Commission, included in Reference Item 6.1, supporting the Governor's Texas Clear Lanes program. Mike Cantrell (M); Oscar Trevino (S). Brian Barth and Kelly Selman abstained from the vote. The motion passed.
7. **Chairman Nichols Support Letter:** Regional Transportation Council Chair Ron Jensen noted correspondence provided in Reference Item 7.1 thanking Senator Nichols for his work as the Chair of the Senate Transportation Committee and for his efforts to protect transportation tools and other transportation funding efforts. Comments from Senator Nichols to the Texas Transportation Commission regarding the draft Unified Transportation Program were provided in Electronic Item 7.2. A motion was made to approve correspondence from the Regional Transportation Council to Senator Nichols, provided in Reference Item 7.1. Glen Whitley (M); Mike Cantrell (S). Brian Barth and Kelly Selman abstained from the vote. The motion passed.
8. **Recommended Marketing Efforts for DFW Connector Pilot Program:** Ken Kirkpatrick discussed marketing efforts for the DFW Connector Pilot Program and provided an overview of items discussed at the TollTag Marketing and Next Steps on the DFW Connector Workshop held prior to the meeting. A pilot study was initiated on the DFW Connector corridor at the direction of the Regional Transportation Council (RTC) to test the ability to cover the collection risk for pay-by-mail/ZipCash users. Initially, the pay-by-mail surcharge was periodically increased from 50 percent to 90 percent over a six-month period. Staff reviewed data to determine a market-driven approach to increase TollTag usage and potentially apply lessons learned to the IH 35W corridor for which the Texas Department of Transportation (TxDOT) has the toll collection risk. Staff has been coordinating with the North Texas Tollway Authority (NTTA) to develop marketing efforts that target pay-by-mail/ZipCash users in the DFW Connector corridor. Five marketing efforts were presented at the workshop: 1) TollPerks for new TollTag customers, 2) prize giveaways, 3) preloaded TollTags to targeted areas, 4) TollTag sales at inspection stations in targeted areas, and 5) TollTag sales at car dealerships in targeted areas. Funding in the amount of up to \$300,000 from the Regional Toll Revenue regional pool was proposed to implement the marketing efforts, but Mr. Kirkpatrick noted that at the workshop a contingency was discussed related to NTTA and/or TxDOT interest in providing funding assistance from the additional surcharge received as part of the DFW Connector Pilot Program. A motion was made to approve up to \$300,000 in Regional Toll Revenue funds to implement DFW Connector TollTag marketing efforts and to approve administrative modifications to the

Transportation Improvement Program/Statewide Transportation Improvement Program and any other necessary administrative or planning documents. Bernice J. Washington (M); Glen Whitley (S). The motion passed unanimously.

9. **Regional 10-Year Plan/Priorities: Response to HB 20:** Christie Gotti highlighted efforts regarding the next increment of regional priorities covering FY2017-FY2027 and the Dallas-Fort Worth region's response to the House Bill 20 10-year planning requirement. Category 2 funds were last received in 2004, and at that time the Regional Transportation Council (RTC) programmed Category 2 funds by creating a 10-year project priorities map. Although traditional Category 2 funds have not been received since that time, Ms. Gotti noted that Proposition 1 funds have been previously placed into Category 2 and future Proposition 1 and Proposition 7 funds will also be placed into Category 2. Now, the Texas Transportation Commission (TTC) is proposing to allocate new Category 2 funds in FY2017-FY2027 through the 2017 Unified Transportation Program. At the same time, House Bill 20 requires that regions develop a 10-year plan identifying major projects to be implemented over that time span and it should include performance-based criteria. Criteria should consider congestion, safety, economic development, environment and air quality, and other items similar to the criteria used when selecting projects for both the Mobility Plan and Transportation Improvement Program. Given the availability of funds in FY2017-FY2027 and the fact that the transportation conformity of Mobility 2040 identifies projects to be implemented in the 2017-2027 network, staff proposes to establish a 10-year timeframe starting in FY2017 and ending in FY2027. Ms. Gotti reviewed the proposed 10-year plan development process. First, staff will inventory and reassess projects from the previous 10-year planning efforts. A map of those previous efforts was provided in Electronic Item 9. Staff will also coordinate with the Texas Department of Transportation (TxDOT) districts in the region to assess the timing and estimated construction cost of projects. In addition, staff will review the 2027 network year of Mobility 2040 to identify the next set of candidate priority projects. Staff will continue to review and refine performance measures used to develop Mobility 2040 in this effort. Next steps will include developing a new draft map and project listing that will be financially constrained and focus on the creation of a "system" of improvements, followed by the solicitation of public review and comment, and Committee/RTC approval. The final step is transmittal of the final plan to TxDOT/TTC.

Dan Lamers highlighted a map showing the previous 10-year planning effort. The status and various stages of completion for projects was reviewed. The map will be used as a starting point in development of the next 10-year planning effort. Staff proposes to use similar performance measures as used in the development of Mobility 2040 to prioritize improvements in response to the HB 20 10-year plan requirements. The performance measures were developed in response to Moving Ahead for Progress in the 21<sup>st</sup> Century national goals and include traffic volume/roadway capacity, speed, crash rates, pavement conditions, environmental justice, and proximity to implementation. He noted that action is not anticipated regarding a slate of projects until the December timeframe.

Oscar Ward discussed SH 183, currently under construction, and asked if the ultimate design would be submitted in the 10-year plan. Mr. Lamers noted that the current status of the SH 183 project will be the starting point of discussions for that project. Duncan Webb discussed the performance measures under consideration. He noted future traffic volumes and projected congestion as potential criteria related to designing and anticipating the construction of future limited access facilities in the region. Mr. Morris discussed various measures that will be used over the next few months as staff prioritizes proposed improvements. He suggested that staff work with the RTC Chair to schedule a workshop to

discuss how future traffic volumes are determined. It will be important to review past priorities, determine the status of current projects, and then develop the next increment of projects to be included. Glen Whitley asked if the workshop would be by county or TxDOT district. Mr. Morris noted that more will be known following the August 2016 Texas Transportation Commission meeting. There are three potential categories of funding and each may be implemented by a different group. Conversations will be necessary to determine what the groups are willing to fund and how the Dallas-Fort Worth region could participate to develop a system of projects.

10. **Status of the 2016 Transportation Conformity and Recommended Designations for the 2015 Ozone National Ambient Air Quality Standard:** Chris Klaus provided an update on the status of the 2016 Transportation Conformity. In March 2016, the Regional Transportation Council (RTC) approved the 2016 Transportation Conformity of Mobility 2040. Since that time, staff has been working with federal and State interagency partners for a federal approval of the conformity analysis. Following recent conversations with the Federal Highway Administration, staff believes only a few minor issues remain to be clarified and approval will be granted in the near future. Staff will continue to provide updates to the RTC. In addition, Mr. Klaus also provided an update on the Texas Commission on Environmental Quality's (TCEQ's) list of counties being recommended to be designated nonattainment for the 2015 8-hour ozone national ambient air quality standard (NAAQS). In October, the EPA issued a final rule for the 2015 eight-hour ozone NAAQS of 70 parts per billion. As a requirement, states must submit recommended county nonattainment designations to the EPA. He noted that TCEQ has made a recommendation for the Governor to submit to EPA the addition of Hood County to the existing 10-county nonattainment areas in the North Central Texas region. One of the evaluation elements is whether or not a county has a monitor that is over the ozone standard. EPA will deliberate and is anticipated to finalize counties designated as nonattainment by October 2017.
11. **Progress Reports:** Regional Transportation Council attendance was provided in Reference Item 11.1, Surface Transportation Technical Committee meeting attendance and minutes in Electronic Item 11.2, and the current Local Motion in Electronic Item 11.3.
12. **Other Business (Old or New):** There was no discussion on this item.
13. **Future Agenda Items:** There was no discussion on this item.
14. **Next Meeting:** The next meeting of the Regional Transportation Council is scheduled for Thursday, September 8, 2016, 1:00 pm, at the North Central Texas Council of Governments.

The meeting adjourned at 2:01 pm.