The Regional Transportation Council (RTC) met on Thursday, August 11, 2011, at 3 pm in the Mandalay Ballroom of the Omni Mandalay Hotel at Las Colinas. The following members or representatives were present: Ray Clark (representing Ron Brown), Elba Garcia (representing Mike Cantrell), Sheri Capehart, Maribel Chavez, Gary Cumbie, Bob Day, Lee Dunlap, Rudy Durham, Andy Eads, Richard Moore (representing Charles Emery), Mark Enoch, Danny Scarth (representing Salvador Espino), Gary Fickes, Robert Franke, Bill Hale, Roger Harmon, Joel Burns (representing Kathleen Hicks), Vonciel Jones Hill, John Horn, Clay Jenkins, Ron Jensen, Ron Jones, Jungus Jordan, Geralyn Kever, Linda Koop, Kimberly Lay, Mike Leyman, Matthew Marchant, Maher Maso, Bill McLendon, Pauline Medrano, Stan Pickett (representing John Monaco), Rich Morgan, Mark Riley, Rick Stopfer, Sheffie Kadane (representing John Tatum), Tim Welch (representing Oscar Trevino), Bernice J. Washington, Duncan Webb, Glen Whitley, and Kathryn Wilemon.


Michael Morris recognized Senator Wendy Davis and Senator Royce West for their efforts to continue funding for the AirCheckTexas program. In addition, he thanked Senator Davis and Senator Shapiro for efforts related to the additional Proposition 12 funding received by the region. He thanked House members and Representative Linda Harper Brown for efforts permitting public-private partnerships for the North Tarrant Express, SH 183, and IH 35E.

Jungus Jordan recognized Senator Davis for her work during the recent legislative session as an advocate for transportation. Senator Davis thanked RTC for the recognition and the opportunity to be involved with the RTC as a member. She noted that RTC is an example to other communities and the State about what is means to come together in a collaborative, bipartisan, and multi-community way within the region. Senator Davis also thanked Michael Morris for his leadership and commitment to transportation decisions.

1. Minutes: The minutes of the July 14, 2011, RTC meeting were approved as submitted in Reference Item 1. Richard Moore (M); Glen Whitley (S). The motion passed unanimously.
2. **Consent Agenda**: The following items were included on the Consent Agenda:

   2.1. **Federal Functional Classification System Amendments**: A motion was made to approve amendments to Fort Worth and Dallas TxDOT District projects in the currently approved Federal Functional Classification System. Project modifications were contained in Reference Item 2.1.

       Sheffie Kadane (M); Ron Jones (S). The motion passed unanimously.

3. **Orientation to Agenda/Director of Transportation Report**: Michael Morris provided an overview of the Director of Transportation report. Reference Item 3.1 contained current RTC mail out procedures. Members were encouraged to review the procedures and provide comments to staff regarding any issues that may need to be discussed at a future meeting. He highlighted an August 8 meeting in Houston regarding high speed rail and noted the 2011 ozone season update in Electronic Item 3.4. Electronic Item 3.2 contained information regarding the Diesel Idling Reduction Program, Electronic Item 3.3 contained information regarding air quality initiatives, and Electronic Item 3.5 provided a link to the Dallas-Fort Worth Clean Cities events.

Ken Kirkpatrick provided an update on the Texas Attorney General lawsuit against an AirCheckTexas dealer. He noted that a civil enforcement action has been filed against two Arlington used car dealerships related to deceptive trade practices involving the sale and inspection of vehicles. The Attorney General alleges that the dealers made it appear that a vehicle had passed the State’s emission testing requirements, when in fact it had not passed the emission test. Some of these vehicles were sold through or attempted to be sold through the AirCheckTexas Program, which is administered by NCTCOG in the North Central Texas region. The Attorney General is seeking temporary and permanent injunction relief, civil penalties, restitution, and attorney’s fees. Mr. Kirkpatrick noted that updates regarding the lawsuit would be provided to members.

Mr. Morris highlighted Reference Item 3.7 and encouraged entities that have not entered data into the Revenue and Project Tracking System to begin to update data for projects. He noted that the region is moving forward with the Regional Vehicle-for-Hire program, a Mobility 2035 fact sheet was provided at the meeting, recent correspondence was provided as Electronic Item 3.8, and recent news articles were provided as Electronic Item 3.9.

4. **Continue to Pursue Land Use/Transportation Interface**: Karla Weaver presented efforts to continue pursuing land use/transportation initiatives, specifically highlighting the proposed application for the US Housing and Urban Development (HUD) Sustainable Communities Regional Planning Grant. A total of $62 million in funding is available through the grant opportunity. Of the total, $2 million will be retained by HUD to assist in project implementation, $17.5 million will be designated for smaller regions, and $47.5 million will be designated for large regions such as the Dallas-Fort Worth region. Each applicant can be awarded a maximum of $5 million and funds must be spent within 36 months. The preapplication deadline is August 25, 2011 and final applications are expected to be due 30-45 days from the preapplication deadline. Staff proposed to submit an application similar to the projects approved by RTC in March 2010. Ms. Weaver reviewed the following projects to be included in the application: 1) Balance: Housing/Job Balance: Efficient Housing and Transportation Investments in the Same Corridor, 2) Partnerships: Coordination between State/Regions, 3) Connectivity: Institutional Silo Busting-Regional Partnership Program, 4) Urban Design: Addressing the School Issue Head On-Changing
Development Patterns Based on New Partnerships, and 5) Social: Coordination of Housing and Transit Options for Returning US Veterans and Special Needs Populations. A detailed listing of the five projects was provided as Reference Item 4. HUD will require that a consortium of members apply for the application. One of the required members must be the Regional Planning Agency (NCTCOG/MPO/RTC) and membership must include the largest city in the region (City of Dallas). In addition, other communities must make up 50 percent of the population and nonprofit partners must be included. Following proposed RTC approval, staff will work with partners to confirm partnerships and finalize the budget in order to meet the August 25 preapplication deadline. Linda Koop asked if awarded funds would be divided equally among each category or if the award was for funding overall. In addition, she asked who would likely be competing for funds and if the allocations would be made by the State or NCTCOG. Ms. Weaver noted that the allocation process has not been finalized and that many of the larger MPOs were awarded funding through the first Call for Projects leaving a smaller pool competing for funding. She also noted that many factors would impact how the funding is allocated and HUD has provided a scoring method but not information of how they are trying to distribute funds across the country by a specific ratio or formula. A motion was made to approve NCTCOG to pursue transportation/land use funding through a HUD Sustainable Communities Regional Planning Grant application. The application will include projects detailed in Reference Item 4 and include flexibility to substitute partnerships as needed. Linda Koop (M); Pauline Medrano (S). The motion passed unanimously.

5. Federal Legislative Update: Amanda Wilson discussed federal legislative updates. She noted that The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) current extension expires September 30, 2011. In addition, most of the federal gas tax, all but 4.3 cents, will also expire on September 30. At the time of the meeting, Congress was on recess, returning three weeks prior to the September 30 deadline. Therefore, a full reauthorization is not expected. Ms. Wilson also noted that the House has passed a budget that will hold transportation spending to the available funds in the Highway Trust Fund, an approximate 30 percent cut from the last year of SAFETEA-LU. The Senate would like to maintain current spending so a compromise is expected. It is likely that cuts to current spending would be across many programs as opposed to targeted funding cuts. However, the full reauthorization will likely be more targeted, with core programs retaining more of the funding versus cuts to smaller funding programs. In addition to funding cuts, discretionary funding caps put into place as part of the debt ceiling deal will also impact transportation funding at some point in the future. Ms. Wilson also discussed the RTC authorization position provided in Reference Item 5. At the July 14 RTC meeting, RTC approved the addition of language related to positive train control, with the remaining four additions to be discussed further. In addition, she noted the importance full reauthorization and the extension of the gasoline tax and diesel fuel tax. She reviewed the four additions presented at the July 14 meeting: Under the element, adequately fund the transportation system, staff proposed the addition of the phrase “utilize the Highway Trust Fund for system preservation and make General Revenue available to improve the system” and clarification of the innovative funding statement to include “such as toll roads, TIFIA, and infrastructure banks.” Under the element, define a national transportation vision, staff proposed to add a position to “establish a population threshold of 200,000 for the creation of a MPO unless a region of at least 50,000 is designated by the US Department of Transportation (USDOT) as part of a strategic goods movement system.” Under the element, enhance sustainability and accountability, staff proposed to add clarification to “select mid-sized MPOs within mega regions” with regard to Metropolitan Mobility Authorities due to their history of innovation. Ms. Wilson reviewed concerns discussed at the July 14
RTC meeting. She highlighted a chart containing information regarding the creation of MPOs and their relative sizes by population threshold to provide members with an idea of how the 200,000 population threshold may impact current MPOs. It is important to note that less funding divided among more MPOs will mean less funding for each MPO. Another concern of RTC members was related to program consolidation. Ms. Wilson noted that the existing RTC position does address the issue in the Streamlined Project Delivery section of Reference Item 5. In addition, members also expressed concern regarding a vehicle miles traveled tax. Several concerns exist at the legislative level regarding privacy and the collection method. The suggestion of a pilot program to be included in a white paper explaining RTC’s position could be included in the innovative finance section of the authorization position. She also discussed Rob Franke’s comments regarding transportation and land use and noted that staff’s intent is to retain flexibility to implement the sustainable development program focused on land use and transportation connections.

Ms. Wilson reviewed proposed action for legislative items: 1) consideration to send correspondence to Congress related to the SAFETEA-LU extension, funding level, and reauthorizing the gasoline and diesel tax, and 2) approval of additions to the Principles for the Federal surface Transportation Authorization contained in Reference Item 5 and distribution of the principles to the local Congressional delegation. Linda Koop discussed the importance of increasing the population threshold for MPOs. In addition, she noted that she believed a white paper regarding VMT was the most appropriate approach for the issue and that correspondence to the Congressional delegation regarding the gas and diesel tax was also important. Glen Whitley noted that it may be important to include a comment requesting that the federal government does not let what happened to the Federal Aviation Administration (FAA) happen to transportation. Ms. Koop noted that the situation with FAA is a good example of what happens if the region does not get involved. Maribel Chavez discussed the statement in Reference Item 5, “give greater funding, suballocation, project selection, and responsibilities to large MPOs.” She asked if staff was proposing that MPOs receive funding in addition to Category 5 and Category 7 funding. Michael Morris discussed CMAQ and STP-MM funding and related cash flow. He noted that staff was proposing changes to the administrative process to allow more efficient implementation of the funding programs. Mark Riley asked for further explanation of the statement related to the creation and funding of a metropolitan research program and the ability to accomplish the task with limited funding. Mr. Morris discussed research within MPOs and the value of sharing innovative finance ideas with other metropolitan regions. He also discussed the possibility of creating a pilot program to determine ideas to share technology transfers with other regions so that one region has the ability to take advantage of another region’s innovative ideas. Rob Franke discussed transportation land use decisions and the idea that a region’s density determines the efficiency of transportation. He discussed regions that have set aside acreage for state/local parks and the importance that the preservation of these resources does not negatively impact a region because of lower population density. Ms. Wilson noted that the purpose of tying funding to population density was simply to enhance transportation and land use connections. Mr. Morris noted that sustainability and density were interchangeable, and that preservation of natural resources such as acreage is part of a sustainable future. A motion was made to accept the changes to the RTC Principles for the Federal Surface Transportation Authorization in Reference Item 5 and to distribute the principles to the Congressional delegation, send correspondence to the Congressional delegation regarding the importance of revenue, reauthorization of SAFETEA-LU, and reauthorization of the gasoline and diesel taxes, and the creation of a white paper regarding VMT to also be distributed to the Congressional delegation. Linda Koop (M); Joel Burns (S). The motion passed unanimously.
6. **Dallas Streetcar Project Approval of Additional Funding and Status Report on Environmental Clearance**: Tom Shelton presented information regarding the receipt of additional funding for the Dallas-Oak Cliff Streetcar project. This project will connect a streetcar at Union Station and will run 1.6 miles terminating at Methodist Hospital in North Oak Cliff will key connections to employment and medical needs. The project is a starter project envisioned by Dallas City Council to become part of a 40-mile street car system in downtown. The street cars will be dual powered, not requiring a catenary for the full length, and will allow for operation across the Houston Street Viaduct Bridge by battery power. Mr. Shelton noted that the project was initially awarded $23 million in TIGER funding. On July 25, an additional $3 million in unobligated TIGER funds was granted by the US Department of Transportation. He thanked Congresswoman Eddie Bernice Johnson for her assistance with the additional funding. In addition, $15.8 million in Regional Toll Revenue funds and $22 million in DART funding from the Love Field connector project have been allocated to the project. Mr. Shelton thanked Federal Transit Administration Region VI staff, Jay Kline with DART, and Keith Manoy with the City of Dallas for assistance on the project. In addition, he thanked Peter Rogoff and Julieann Dwyer for the expedited environmental clearance of the project. DART has initiated design/build procurement for the final design and construction of the project and have also initiated vehicle purchase procurement. Construction groundbreaking is expected in spring 2012, with opening service expected in summer 2014. Jungus Jordan, Elba Garcia, and Vonciel Jones Hill expressed appreciation to Congresswoman Johnson regarding the additional $3 million. Linda Koop requested that RTC send a letter of appreciation to Congresswoman Johnson. A motion was made to approve the addition of the $3 million received in TIGER funding for the Dallas-Oak Cliff Streetcar project and to administratively amend the TIP/STIP. Elba Garcia (M); Vonciel Jones Hill (S). The motion passed unanimously.

7. **Regional Outer Loop**: Jeff Neal provided an update regarding the Regional Outer Loop Corridor Feasibility Study to evaluate the need and feasibility of a Regional Outer Loop around the Dallas-Fort Worth region. Staff has worked to identify a mile-wide locally preferred study corridor around the region and to determine sections of independent utility. During the study, staff has monitored conditions that impact decision-making such as regional demographic projections, TxDOT commitments to the Trans-Texas Corridor, the importance of goods movement and intermodal freight facilities, and gas well locations and density. The intent of project efforts was to determine whether or not developing the outer loop corridor would allow bypass options for passenger/freight traffic not destined for the region, manage near-term/long-term congestion for predominant commuter routes, improve capacity/mobility/accessibility for outlying communities and developing areas, and serve population areas that currently lack major limited-access facilities for inter-suburban travel. Mr. Neal highlighted the study area and 17 subareas, as well as the evaluation process for Phases 1 and 2 and the 2035 travel demand model results. Phase 1 primarily involved development of corridor options with input from the public, TxDOT, and stakeholders and included environmental data and economic data. Phase 2 involved the regional travel model analysis. In addition, staff has reviewed new regional demographics, the current funding environment, and State priorities. As a result of the study, staff has determined that a continuous, circumferential Regional Outer Loop is not warranted based on year 2035 traffic projections. A large majority of the corridor has insufficient volumes to justify construction of a limited access facility and there are many high-priority local and regional needs that remain unfunded. However, some subareas warrant further study for potential controlled-access facilities and non controlled-access facilities. These projects have independent utility and each serve separate local/regional needs and purposes. Mr. Neal reviewed a map of the potential controlled-access facilities that warrant further study.
highlighted in green. These facilities include a westward extension of the proposed Collin County Outer Loop toward IH 35 in Denton County and the expansion of US 67 in Ellis and Johnson Counties east of IH 35W. Locations highlighted in blue represent areas that warrant further study for thoroughfare type facilities in Rockwall, Parker, and Kaufman Counties, as well as FM1187 between the Chisholm Trail Parkway and US 377. Locations highlighted in purple do not require additional facilities, but staff will continue to review the corridors in the general thoroughfare planning and development process. Staff will be working to complete the draft report and expect to submit the draft to stakeholders for review in August. Following public meetings, the report is expected to be finalized by late fall. Once the final report is complete, staff would like to continue work with local governments and local partners to proceed forward in subareas recommended for further study and provide a progress report on an annual basis. Mr. Neal noted that details of the presentation were provided in Electronic Item 7. Michael Morris discussed the density of gas wells in the western portion of the region and noted that staff would provide a gas well distribution map to members by e-mail. Sheri Capehart noted that gas pipelines are also problematic.

8. **Eligibility of Regional Toll Revenue in the Western Subregion:** Ken Kirkpatrick discussed the eligibility of Regional Toll Revenue (RTR) in the western subregion. Historically, RTR funds (proceeds from SH 121 and SH 161), could only be spent in the Texas Department of Transportation (TxDOT) district in which the project was located. However, Comprehensive Development Agreement (CDA) payments are allocated in the region in which the project is located which permits the funds to be spent in more than one TxDOT district. In the example of SH 121, funds could only be spent in the Dallas District. Senate Bill 19, introduced by Senator Nichols, corrects this issue and conforms the NTTA type payments to the CDA provision allowing funds to be spent in both the eastern and western subregion. This includes future funds deposited into the State Highway Fund, as well as the past SH 121 and SH 161 funds. Jungus Jordan noted the region’s appreciation to Senator Shapiro and Senator Davis for their efforts regarding this issue.

9. **Mobility 2035, 2011-2014 Transportation Improvement Program, and Air Quality Conformity:** Chris Klaus noted that on July 15, 2011, USDOT granted a favorable conformity determination for Mobility 2035 and the 2011-2014 Transportation Improvement Program (TIP). A copy of the letter was provided as Electronic Item 9. This determination letter confirms that the transportation projects and programs in Mobility 2035 and TIP can move forward with implementation. Mr. Klaus thanked RTC members, local partners, local governments, and transit agencies for providing the necessary information allowing staff to conduct the technical analysis for the conformity analysis. He also thanked State and federal partners, including Barbara Maley, for their time and efforts in the process.

10. **Transportation Investment Generating Economic Recovery III Funding Opportunity:** Christie Jestis provided an overview of the recently announced Transportation Investment Generating Economic Recovery III (TIGER III) Discretionary Grant program. A total of $527 million in federal funds will be available for multimodal, innovative projects. Of the total, $140 million is available to rural areas and up to $150 million has been earmarked for Transportation Infrastructure Finance and Innovation Act (TIFIA) applications. Selected projects will be balanced across the country to provide geographic diversity. In addition, only three applications will be accepted per sponsor and funds are only available for surface transportation capital projects. Projects must be ready to go and environmental clearance documentation will be required to be submitted with applications. A 20 percent local match will also be required. Selection criteria includes projects that address a state of good repair,
economic competitiveness, livability, environmental sustainability, safety, job creation/near-term economic activity, innovation, and partnership. Entities are welcome to submit project applications on their own and any entity interested in a letter of support from NCTCOG was encouraged to submit a request to Rebekah Hernandez by September 2. Ms. Jestis noted upcoming Federal Highway Administration (FHWA) webinars scheduled over the next few weeks, and noted that additional information was available online at www.dot.gov/tiger. RTC will be presented the final draft listing in September and the project application list in October. Final applications are due to the United States Department of Transportation on October 31.

Jungus Jordan thanked Rick Stopfer and the City of Irving for sponsoring the annual Transportation Summit and welcoming the RTC meeting to be held in conjunction with the event.

Michael Morris announced that the traffic and revenue study for the Southwest Parkway, now known as the Chisholm Trail, is complete. NTTA is moving forward with the construction of Chisholm Trail projects from Fort Worth to Cleburne. Roger Harmon thanked all partners for the hard work to implement the project.

11. **Progress Reports**: RTC attendance was provided as Reference Item 11.1, STTC attendance and minutes were provided at Electronic Item 11.2, the Local Motion was provided as Electronic Item 11.3, and the North Texas Transportation Connection was provided as Reference Item 11.4.

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, 2011, 1 pm, at the North Central Texas Council of Governments.

The meeting adjourned at 4:30 pm.