MINUTES
REGIONAL TRANSPORTATION COUNCIL

October 13, 2011

The Regional Transportation Council (RTC) met on Thursday, October 13, 2011, at 1 pm in the Transportation Council Room of the North Central Texas Council of Governments (NCTCOG). The following members or representatives were present: Ron Brown, Mike Cantrell, Gary Cumbie, Lee Dunlap, Andy Eads, Charles Emery, Mark Enoch, Gary Fickes, Robert Franke, Bill Hale, Roger Harmon, David Magness (representing John Horn), Elba Garcia (representing Clay Jenkins), Ron Jensen, Jungus Jordan, Pete Kamp, Geralyn Kever, Linda Koop, Kimberly Lay, Stephen Lindsey, Matthew Marchant, Ray Smith (representing Maher Maso), Pauline Medrano, Stan Pickett (representing John Monaco), Rich Morgan, Mike Nowels, George Conley (representing Mark Riley), Rick Stopfer, Oscar Trevino, Cheryl Williams (representing Duncan Webb), Glen Whitley, and Kathryn Wilemon.


1. **Minutes:** The minutes of the October 13, 2011, RTC meeting were approved as submitted in Reference Item 1. Gary Cumbie (M); Charles Emery (S). The motion passed unanimously.

2. **Consent Agenda:** The following item was removed from the Consent Agenda and discussed by staff.

   2.1. **2011-2014 Transportation Improvement Program Modifications:** Michael Morris discussed 2011-2014 Transportation Improvement Program (TIP) modifications provided as Reference Item 2.1.1. Reference Item 2.1.3, provided at the meeting, contained corrections to limits and wording in Reference Item 2.1.1 for the City of Garland Bikeway Project and SM Wright project. A motion was made to approve 2011-2014 TIP modifications contained in Reference Item 2.1.1 and corrections to modifications contained in Reference Item 2.1.3.

   Glen Whitley (M); Mike Cantrell (S). The motion passed unanimously.
3. **Orientation to Agenda/Director of Transportation Report:** Michael Morris recognized Joe Jaynes, former RTC member, for his service and leadership on RTC. Joe Jaynes thanked members for the opportunity to serve and the leadership of members. Jim Cline, President of the Denton County Transportation Authority, thanked RTC for its support during his deployment to Afghanistan and presented a flag flown at Forward Operating Base Sharana. Mr. Morris noted that September public meeting minutes were provided at the meeting as Reference Item 3.5. He suggested that RTC Chair Jungus Jordan provide correspondence to Chairman Houghton, congratulating the new Chairman of the Texas Transportation Commission (TTC). He also requested that RTC invite Bill Meadows, former TTC Chair, to an RTC meeting to thank him for efforts during his term to fund several important projects in the region. He also requested that RTC send correspondence to Phil Wilson inviting him to visit RTC and Chair Phillips in recognition of his service on the House Transportation Committee. He noted that a Vision North Texas conference was scheduled for October 28, Reference Item 3.1 contained the Texas Department of Transportation/NCTCOG travel survey schedule, and that Electronic Item 3.2 contained information regarding the Texas Emissions Reduction Plan. Ken Kirkpatrick provided an update regarding the Texas Attorney General lawsuit filed in July 2011 against two used car dealerships who participated in the AirCheckTexas program. The dealerships represented vehicles as passing the emissions testing process, when in fact the vehicles had not. In September, the Attorney General settled the claims with the defendants and a final judgment was made. As part of the process, the defendants agreed to pay $50,000 in fines and penalties to the Attorney General and also agreed to permanent injunction. As part of the injunction, the dealerships are required to report certain information to NCTCOG so that staff can help the Attorney General’s office ensure that the defendants are complying with the terms of the court order. He noted that staff continued to monitor the Local Initiative Project with Glen Whitley for fraudulent inspections efforts in Tarrant County. He also noted the activation of rainy day funds to continue staff efforts in the event that a funding bill is not passed after the March 2012 extension. Recent correspondence was provided as Electronic Item 3.3 and recent news articles were provided as Electronic Item 3.4.

4. **Designation of the 2010 Urbanized Boundary:** Dan Kessler provided an overview of the US Census Bureau designation of the 2010 urbanized boundary. Reference Item 4 contained correspondence to the US Census Bureau and North Texas Congressional delegation expressing the region’s continued concern regarding the designation of the urbanized area boundary for the North Texas region. The US Census has been delineating urbanized areas following each ten year census to classify rural and urban areas. The urbanized area boundary is a boundary designated by the US Census Bureau and is used in determining funding allocations for transportation funding in the region such as Federal Highway Administration (FHWA), STP-MM, and Federal Transit Administration (FTA) Section 5307. RTC has had discussions regarding criteria for the designation of urbanized areas since the 1990 census. In August 2010, the US Census Bureau published proposed criteria for delineating 2010 urbanized areas and in November 2010 RTC provided comments to the US Census Bureau, including support for designation of a single Dallas-Fort Worth urbanized area. Although early criteria from the Census Bureau appeared to support the combining of urbanized areas, the final criteria published on August 24, 2011, does not appear to support a single area and the US Census has determined that it will hold to the 2000 designations for individual urbanized areas. Mr. Kessler reviewed concerns that the reversed position regarding the combining of urbanized areas is arbitrary and that 2010 urbanized area boundary designations are estimated to leave a large portion of the population residing within the metropolitan area but outside the urbanized area boundaries. He noted that comments have been provided to US Census Bureau in the past, with no
resulting changes. Staff believes it is important to work with Congress, the Congressional delegation, and the US Department of Transportation about reconsidering the use of urbanized area boundary designations in determining federal transportation funding allocations. He also noted that staff has worked with transit agencies within the smaller urbanized areas to ensure that potential action to request the combining of urbanized areas would not interfere with their ability to receive federal and State funds. In the event that there was an impact to funding, NCTCOG has agreed to bring a policy to RTC to hold transit agencies harmless. Geralyn Kever thanked NCTCOG staff for their efforts to address City of McKinney concerns regarding the potential impacts of combining urbanized areas. A motion was made to send correspondence to the US Census Bureau and the North Texas Congressional delegation communicating that there has not been enough progress in fully recognizing urbanized areas, particularly for rapidly growing regions. In addition, the region does not support the US Census Bureau’s current position on not combining previously delineated urbanized areas and that the use of urbanized area designation for the purposes of allocating federal transportation funding has equity implications. Proposed correspondence was provided as Reference Item 4. Geralyn Kever (M); Kathryn Wilemon (S). The motion passed unanimously.

5. Regional Outer Loop: Next Steps: Jeff Neal provided an overview of the Regional Outer Loop Corridor Feasibility Study and highlighted corridor locations recommended for further study. When Mobility 2035 was passed, approximately $45 billion in project or programs were deferred. A large part of the deferred projects included the original Regional Outer Loop concept. As a result of the study, staff has recommended that a full circumferential outer loop is not feasible based on many factors. Loop 9 in southern Dallas County, as well as portions of the Collin County Outer Loop north of McKinney are the sections displayed at the meeting in gold that are included in Mobility 2035. Locations displayed in green are considered to be the most feasible corridors that met facility warrant for a limited access facility between now and 2035, including an extension of the Collin County Outer Loop into Denton County and an expansion of the US 67 corridor from Cedar Hill to IH 35W in Alvarado. Mr. Neal noted that staff recognizes the importance to be sensitive to the historic and natural environment issues in Denton County within future corridor studies. Corridors displayed in blue are not recommended for additional corridors and future planning will be left to the ongoing thoroughfare planning process with local governments. Michael Morris noted that discussions should continue with Denton County. Cheryl Williams noted discussed reductions in funding and asked if discussions on the corridors in green should occur prior to reductions in funding. Mr. Morris noted that no funding is being lowered at this time for the projects, staff is simply indicating in which corridors future study is warranted and where attention will be focused. Geralyn Kever asked about the $6.25 million designated for the Outer Loop from Denton to Rockwall County that is being reduced by $1.25 million in Reference Item 2.1.1. She also asked if the funds would be used if the portion of the corridor that is in Collin County requires additional funds. Mr. Morris explained that the money will be available for the gold and green corridors and noted that funding on the corridor is Regional Toll Revenue funds that cannot be moved between counties. Rob Franke requested an offline meeting or future presentation regarding the environmental impacts of this change to Loop 9 due to environmental work that has been done to date and if this has created additional delays. Mr. Morris noted that staff is not indicating any changes to the schedule for corridors displayed in gold, including Loop 9. Glen Whitley noted his concern that no future studies are proposed as warranted for corridors displayed in blue. Although gas wells are a concern in the west, he expressed concern that potential future growth in the west may warrant corridors at some point in the future and suggested that the region at least begin to identify a corridor to limit development. Jungus Jordan
noted the importance of preserving right-of-way and suggested that the issue be addressed. Mr. Morris noted that study results no longer warrant a stand-alone corridor, and that cities and counties must work to expand existing roadways and thoroughfare systems to maintain future volumes. He also noted that a summary could be provided to those interested in volumes for continued discussion until the issues are fully understood. He suggested that staff go through each of the blue corridors with interested parties to identify roadways that will handle traffic volumes. Jeff Neal noted that staff is preparing the final report and that continued local government coordination is planned in the thoroughfare planning process that will look at how changes in growth affect the development of future thoroughfares as the region continues to grow to ensure that the region is developing a thoroughfare system that effectively meets demands.

6. Legislative Update: Amanda Wilson provided an update on federal and State legislative issues. The US Congress has extended The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) through March 31, 2012, as well as motor fuels taxes. Transportation appropriations have been extended through November 18, 2011. She noted that full authorization would be the next step, but that there has not been an agreement to move forward on major topics related to full authorization. Both the House and Senate appear to be moving closer to agreement. Specifically, both have expressed interest in funding transportation at the current funding level, have agreed to make transportation enhancements optional, plan to focus on credit enhancements, TIFIA, and State Infrastructure Banks. The length of the funding bill has been the major point of discussion, with the House interested in a long-term, 6-year bill and the Senate interested in a 2-year bill. Revenue remains to be determined. Ms. Wilson noted that the Deficit Reduction Committee is required to make a recommendation to the full Congress by November 23, 2011, or else it will set in motion $1.2 trillion in across the board discretionary spending cuts. This is not expected to impact transportation, as most transportation funding is considered mandatory. Ms. Wilson also discussed the Texas Legislature. She noted that interim charges had not been released at the time of the meeting and that staff would continue to update members. In addition, she highlighted a draft legislative communications plan to continue to grow relationships and inform legislators of transportation issues before the next session. Increased RTC member involvement could include visits to legislative offices, personalized correspondence, education to legislators on the RTC process and updates on projects, communication with committee leadership, and communication of legislative priorities. Members were encouraged to provide comments regarding this effort. Michael Morris noted that the City of Atlanta is holding a local option election, similar to the legislation proposed by RTC. Members will be updated on the progress of Atlanta’s local option election.

7. Job Access/Reverse Commute and New Freedom 2011 Call for Projects: James Powell provided an overview of the 2011 Job Access/Reverse Commute (JA/RC) and New Freedom Call for Projects. NCTCOG is the designated recipient of these Federal Transit Administration funds for the Dallas-Fort Worth-Arlington and Denton-Lewisville urbanized areas. In this role, NCTCOG is responsible for administering and competitively awarding the funds. The Job Access/Reverse Commute Program is really two programs in one: Job Access supports transportation projects for limited-income individuals to get to and from work and work-related appointments while Reverse Commute supports projects that transport individuals from urban, rural, and suburban areas to suburban employment areas. The New Freedom Program is focused on going above and beyond the Americans with Disabilities Act in transporting individuals with disabilities and enhancing their access to public transportation. Approximately $5.3 million in JA/RC and $2.9 million in New Freedom
funding is available for award in this Call for Projects. Mr. Powell noted that TxDOT administers funds for small urbanized areas and rural areas. In addition, he discussed enhancements to the Call which include strategic project focus areas, enhanced evaluation methodology, and strategic awarding of funds. If projects do not meet minimum requirements, funds may be carried over to future Call for Projects or staff may choose to partially fund a project if necessary. Pre-proposal workshops have been scheduled and additional details were provided in Electronic Item 7. The Call for Projects will close on November 18, 2011, and RTC action is anticipated in March 2012.

8. **Transportation Improvement Program Quarterly Update: East/West Equity, American Recovery and Reinvestment Act Status Update, and Tracking of Texas Department of Transportation/Regional Transportation Council Commitments:** Michael Morris noted that all American Recovery and Reinvestment Act projects are proceeding as scheduled and updates to projects are being tracked in the reporting system. Additional details of projects were provided as Electronic Item 8.3. A report on TxDOT commitments previously assumed by RTC and recent projects funded by TxDOT that offset the original reduction in funding was provided as Electronic Item 8.2. He also highlighted a change in east/west equity. In September, the Texas Transportation Commission approved the financial backstop on SH 161 and Southwest Parkway. In addition, Proposition 12 projects approved by RTC have been funded and staff anticipates an additional $80 million in Proposition 12 Bridge Funding from the Beaumont District moved to Dallas District for “Horseshoe” project. This will bring the equity to 70 percent in the east and 30 percent in west, freeing up approximately $24 million for future allocation to the west at some time in the future to maintain equity. Electronic Item 8.1 contained additional details and updates will continue to be provided to members.

9. **Air Quality Update:** Chris Klaus discussed recent developments regarding the National Ambient Air Quality Standards for ozone. Since implemented in 2004, the region has been under the standard at a level of 85 parts per billion (ppb). Every five years, the Environmental Protection Agency (EPA) reevaluates the standard to ensure adequate protection of public health and welfare. In March 2008, EPA revised the primary and secondary standards for ozone to 75 ppb and in January 2010 EPA proposed to further strengthen the standard to between 60 and 70 ppb. However, in September 2011, these draft proposed standards were withdrawn and EPA has resumed efforts to designate and enforce the 75 ppb standard. The Dallas-Fort Worth region is currently under the 85 ppb standard and has until 2013 to comply. Under the 75 ppb standard, the region is anticipated to receive a moderate nonattainment classification and have until 2018 to reach the standard. Mr. Klaus also discussed the 2011 ozone season. He discussed the design value for the region, which is the test of attainment, currently at 90 ppb for the 2009-2011 reporting period. This is a rise of 4 ppb from the previous reporting period which has likely resulted from the excessively hot and dry weather conditions over the summer. The 2013 ozone attainment will be based on 2010-2012 data so it will be important to continue efforts during next year’s ozone season. In addition, Mr. Klaus also reviewed results of the Diesel Idling Reduction Program (DIRP). NCTCOG received approximately $750,000 from EPA in 2008 for on-board idle reduction projects. A total of 157 activities have been programmed to expend the funds, with contingency projects approved on a wait list in the event that activities are withdrawn or come in under budget prior to the end of the program deadline. In conclusion, Mr. Klaus discussed current air quality funding opportunities. The Sue Pope Fund for Pollution Reduction and the Texas Clean School Bus Grant Program are two new funding opportunities. Additional information is also available at [www.nctcog.org/aqfunding](http://www.nctcog.org/aqfunding). On behalf of the Fort Worth Council, Jungus Jordan thanked Mr. Klaus for his involvement.
during the City of Fort Worth’s extensive review of air quality issues related to Barnett Shale drilling operations.

10. **Progress Reports**: RTC attendance was provided as Reference Item 10.1, STTC attendance and minutes were provided at Electronic Item 10.2, the Local Motion was provided as Electronic Item 10.3, and the North Texas Transportation Connection was provided as Reference Item 10.4.

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

12. **Future Agenda Items**: Jungus Jordan recommended that RTC reconstitute the Rail North Texas effort. In addition, he requested that the three transit agencies provide a coordinated presentation at the November 10, 2011, RTC meeting detailing the seamlessness of regional rail, interoperability, and joint efforts to move transit forward in the region.

13. **Next Meeting**: The next meeting of the Regional Transportation Council is scheduled for Thursday, November 10, 2011, 1 pm, at the North Central Texas Council of Governments.

The meeting adjourned at 2:35 pm.