

MINUTES

REGIONAL TRANSPORTATION COUNCIL October 11, 2012

The Regional Transportation Council (RTC) met on Thursday, October 11, 2012, 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, Sheri Capehart, Maribel Chavez, Gary Cumbie, Rudy Durham, Andy Eads, Charles Emery, Mark Enoch, Gary Fickes, Robert Franke, Sandy Greyson, Kelly Selman (representing Bill Hale), Roger Harmon, Vonciel Jones Hill, Karen Hunt (representing Irving and Coppell), Clay Jenkins, Ron Jensen, Ron Jones, Jungus Jordan, Sheffie Kadane, Pete Kamp, Geralyn Kever, Linda Koop, Stephen Lindsey, Bruce Arfsten (representing Laura Maczka), Matthew Marchant, Maher Maso, Bill McLendon, Mark Riley, Danny Scarth, Lissa Smith, Jere Thompson, Oscar Trevino, William Velasco, Bernice J. Washington, Duncan Webb, Glen Whitley, Kathryn Wilemon, and Joel Burns (representing Zim Zimmerman).

Others present at the meeting were: Venkata Adhnan, Bill Agan, Vickie Alexander, Joe Altemore, Nancy Amos, Christopher Anderson, Gustavo Baez, Sarah Bagwell, Berrien Barks, Brian Barth, Patrick Baugh, Bryan Beck, Steve Berry, Natalie Bettger, John Blain, Alberta Blair, Andrew Boster, Shauna Bowman, Amanda Brimmer, Jason Brown, Ken Bunkley, Michael Burbank, Chris Burkett, Pamela Burns, Brandi Byrd, Angie Carson, Dave Carter, Eduardo Castro, Jim Cline, Darrel Cockerham, Bill Compton, Charles Conrad, Michael Copeland, Mike Curtis, Clif Davis, Kim Diederich, Jerry Dittman, Traci Enna, Gerald Farris, Brian Flood, Scott Forbes, Bob Golden, Christie Gotti, Gary Graham, John Hagan, Scott Hall, Rebekah Hernandez, Mark Hilderbrand, Robert Hinkle, Chris Hocale, Jodi Hodges, Doug Hrbacek, Jessie Huddleston, Donna Huerta, Faiza Ibrahim, Linda Jackson, Greg Janes, Dan Kessler, Muhammad Khan, Gus Khankarli, Max Kimbimbi, Ken Kirkpatrick, Paul Knippel, Tom Krampitz, Garry Kraus, Renee Lamb, Dan Lamers, Tom LeBeau, Barbra Leftwich, April Leger, Stanford Lynch, Michael Mallonee, Keith Manoy, Steve McCullough, Monte Mercer, Michael Miles, Carlos Miranda, Lauren Mish, Cesar Molina, Martin Molloy, Michael Morris, Elizabeth Mow, Ron Natinsky, Rosa Navejar, Jeff Neal, Lloyd Neal, Mark Nelson, Jim O'Connor, Koorosh Olyai, T.J. Patterson, John Polster, Greg Porter, Brian Potter, Vercie Pruitt-Jenkins, Dean Radeloff, Chris Reed, Molly Rendon, Carrie Rogers, Greg Royster, Moosa Saghian, Steve Salin, Gary Savanyu, Russell Schaffner, Rider Scott, Sidney Sexton, Lori Shelton, Tom Shelton, Jody Short, Carolyn Sims, Tammy Sims, Randy Skinner, Gary Slagel, Angela Smith, Shannon Stevenson, Jahnae Stout, Neil Strassman, Dean Stuller, Sam Swanson, Mike Taylor, Gary Thomas, Joe Trammel, Frank Turner, Stacey Udoni, Richard Weber, Barbara Weigel, Sandy Wesch, Elizabeth Whitaker, Diane Williams, Jim Wills, Roy Wilshire, Amanda Wilson, Brian Wilson, Alicia Winkelblech, and John Wood.

1. **Minutes:** The minutes of the September 13, 2012, Regional Transportation Council (RTC) meeting were approved as submitted in Reference Item 1. Linda Koop (M); Sheri Capehart (S). The motion passed unanimously.
2. **Consent Agenda:** The following item was included on the Consent Agenda.
 - 2.1. **Transportation Improvement Program Modifications:** A motion was made to approve revisions to the 2013-2016 Transportation Improvement Program provided in Reference Item 2.1.1.

Glen Whitley (M); Gary Fickes (S). The motion passed unanimously.

Staff requested to remove Agenda Item 2.2 from the Consent Agenda. Mr. Morris noted that a resolution was included in Reference Item 2.2.1 incorrectly. Staff recommendations, also provided in Reference Item 2.2.1, remained unchanged.

- 2.2. Unified Planning Work Program Modifications: A motion was made to approve modifications to the FY2012 and FY2013 Unified Planning Work Program contained in Reference Item 2.2.1.

Glen Whitley (M); Duncan Webb (S). The motion passed unanimously.

3. **Orientation to Agenda/Director of Transportation Report**: Michael Morris and Mike Eastland recognized Senator Florence Shapiro for her dedication to public service over the last 34 years. Senator Florence Shapiro expressed her appreciation to the North Central Texas Council of Governments (NCTCOG) and the Regional Transportation Council (RTC) and thanked the region for the opportunity to serve the public through NCTCOG during her career.

Michael Morris announced that the Texas Transportation Commission will hold its November meeting at The Ballpark in Arlington on Thursday, November 15, 2012, 9 am. There will also be a reception at 5 pm on Wednesday, November 14, in the new Dan Dipert University Welcome Center on the campus of the University of Texas at Arlington. Some members will be asked by the RTC Chair to participate as presenters, and members were encouraged to attend the meeting. He reviewed the items in the Director of Transportation Report, noting that the Mobility 2035 Executive Summary was provided to members as the meeting. In addition, TxDOT wrist bands and thumb bands for its Distracted Driving Campaign were provided to members at the meeting. He discussed a recent news article and editorial regarding the Cotton Belt that was provided in Electronic Item 3.11. Reference Item 3.15 was provided at the meeting to explain the responsibilities of the NCTCOG Executive Board and RTC in response to those news articles. Information regarding Transportation Enhancement funding was provided in Electronic Item 3.1, information about the High Occupancy Vehicle oversight was provided in Electronic Item 3.2, and the 2012 annual update on the Regional Outer Loop was provided in Electronic Item 3.3. In addition, Freeway Incident Management Executive Level Course information was provided in Electronic Item 3.4 and Electronic Item 3.5, September public meeting minutes were provided in Electronic Item 3.6, the ozone season update was provided in Electronic Item 3.7 and air quality funding information was provided in Electronic Item 3.8. AirCheckTexas Drive a Clean Machine information was also provided in Electronic Item 3.9, as well as Clean Cities Event information in Electronic Item 3.10, recent correspondence in Electronic Item 3.12, and recent news articles in Electronic item 3.13. Transportation partners progress reports were provided at the meeting, as well as the Aviation System Plan Executive Summary.

4. **Collin County Regional Toll Revenue Project Prioritization**: Michael Morris reviewed recent funding initiatives by county, including Denton, Johnson, Tarrant, and Dallas Counties. In addition, staff has begun work regarding rail transit in the region and continues to work with the transportation authorities to advance passenger rail vehicle procurement. Staff is moving ahead with its focus to address funding in Collin, Ellis, and Hunt Counties, as well as additional efforts regarding transit. Ellis County funding is anticipated to be addressed in December 2012 and Hunt County is anticipated in February 2013. He also noted that as discussions continue with the transportation authorities regarding vehicle procurement, additional details are expected to be presented at the December 2012 RTC meeting.

Christie Gotti presented funding recommendations resulting from the Collin County Regional Toll Revenue (RTR) prioritization efforts to allocate un-programmed funding available in Collin County. Over the last few years, many RTR-funded projects in Collin County have been implemented that have resulted in cost savings. In addition, SH 161 RTR funding also remains available, as well as un-programmed SH 121 funding. The Collin County RTR Taskforce has worked to prioritize a list of projects for consideration which was provided in Electronic Item 4.2. Projects above the line are primarily existing projects totaling \$105 million and projects below the line are primarily new projects totaling approximately \$653 million. Electronic Item 4.3 contained the draft funding recommendations for projects proposed for funding and Reference Item 4.4 summarizes the recommendations. Staff's recommendation is to fund all existing cost overrun projects for approximately \$105 million and 15 new projects totaling approximately \$45 million for an overall recommendation of \$151 million. Currently, several issues could change the overall RTR funding amount available for projects. These include Collin County's level of participation in the Texas Department of Transportation (TxDOT)/North Texas Tollway Authority (NTTA) loan opportunity, and the amount of TxDOT's direct state costs that will be removed from Collin County projects. In addition, discussions regarding Richardson and Plano projects on the Cotton Belt corridor may impact funding. Ms. Gotti noted that in addition to approval of project recommendations, if pending issues affect available RTR funding, staff recommended that RTC backstop the remaining projects with future federal funding. Projects and project changes are anticipated to be included in the 2013-2016 Transportation Improvement Program (TIP)/Statewide Transportation Improvement Program (STIP) through the November 2012 STIP revision cycle and staff anticipates that Federal Highway Administration/TxDOT approval and Texas Transportation Commission concurrence of RTR funding will be received in January 2013. Duncan Webb requested RTC support regarding the funding effort in Collin County. Geralyn Keever noted the regionalism involved in this funding effort and her support of the item. She also discussed additional funding needs in the City of McKinney such as US 380 and US 75 and the desire that those items are addressed in future funding efforts. Maher Maso expressed his support for this effort, but cautioned that it is important that the creativity and partnership of this funding not cause Collin County to be overlooked for funding in the future since additional needs remain. Pete Kamp noted that this is true for all areas in the Dallas-Fort Worth region. A motion was made to approve staff recommendations for funding and projects changes as detailed in Electronic Item 4.3 and Reference Item 4.4. If outstanding items (e.g., county funding balances, direct state costs on RTR projects) affect available RTR funding, RTC will fund the remaining projects with future federal funding. Approval will allow staff to administratively amend the 2013-2016 TIP/STIP as needed to incorporate these recommendations. Duncan Webb (M); Andy Eads (S). The motion passed unanimously.

Senator Florence Shapiro noted that the discussion about funding is applicable to the entire region and that RTC should include the topic as an agenda item for every legislative session to ensure that other parts of the State are not allocated funding that the Dallas-Fort Worth region deserves. Glen Whitley reminded members that the region is already being penalized regarding maintenance funds due to its toll roads since maintenance funds are allocated based on lane miles, not including toll lanes. Ms. Gotti noted that staff recently provided comments to the State on its upcoming proposed changes to the Texas Administrative Code rules. The point about maintenance funding was discussed and the State agreed with staff's comments. TxDOT plans to incorporate this item into the rules that will be proposed to the Texas Transportation Commission. Staff suggested that this revised language be provided to members once it is finalized.

5. **Draft Regional Transportation Council Legislative Program for the 83rd Texas Legislature:** Amanda Wilson presented the draft Regional Transportation Council (RTC) Legislative Program for the 83rd Texas Legislature, including the results of the RTC Transportation Funding Initiative Subcommittee meetings. She discussed the efforts of the Transportation Funding Initiative Subcommittees to find a way to advance funding for transportation, especially transit. The Legislative Fundamentals Subcommittee was led by Rob Franke. Subcommittee charges were to determine the implementing agency, voting geography, and 4a/4b uses. During the Subcommittee meetings, three actions were taken. Members affirmed support for the three existing transportation authorities with closer partnerships. In addition, they recommended RTC support any statewide funding initiative and that transit is an eligible use from any funding source, but also recommend that should no statewide initiative be brought forward that a county-by-county voter initiative would be the best voting geography. Finally, members recommended the RTC equity principles provided in Reference Item 5.2. Ms. Wilson noted that updates were made to the document and provided at the meeting as a handout. The changes were the result of a letter, contained in Reference Item 5.9 (handout), from John Monaco, City of Mesquite. In response to Mr. Monaco's letter, staff added a third bullet at the bottom of Reference Item 5.2 (handout) that adds the sentence "The RTC's level of financial support towards expanding the regional rail system will be proportional to the level of financial commitment made by communities." This reinforces the Path Forward outline in Reference Item 5.2 by stressing that there is a proportional level of service for a proportional level of investment. The Partnership Subcommittee was led by Charles Emery. The Subcommittee had two charges, transit agency response and transit agency partnership. Members approved the North Central Texas Regional Rail Partnership and recommended an RTC resolution supporting the North Central Texas Regional Rail Partnership. The draft version of this resolution was provided in Reference Item 5.3, and the revised version signed by the three transportation authorities was provided in Reference Item 5.3 (handout). This resolution continues the partnerships among the transportation authorities that are currently in place. The title of the resolution has been changed by the transportation authorities and is now the Resolution Supporting the North Central Texas Regional Passenger Rail Alliance. The Funding Source Subcommittee was chaired by Linda Koop and was charged with determining candidate funding sources and implementation difficulty. Ms. Wilson reminded members that during the Rail North Texas initiative, an online revenue spreadsheet was developed. Subcommittee members directed staff to modify the online revenue tool to include only the most viable options (mobility improvement fee, motor vehicle sales tax, drivers license fee, and new resident vehicle impact fee). Members also recommended that RTC provide a list of potential funding sources to the Legislature, not recommendations, but just an identification of potential resources. This list was provided in Reference Item 5.4. The final subcommittee, Legislative Communications, was chaired by Kathryn Wilemon. The Subcommittee was charged with drafting legislation, developing a communications plan, and meeting with legislators. Members approved a communications plan that includes strategies to communicate the approved RTC Legislative Program with the Legislature, provided in Reference Item 5.5.

Glen Whitley discussed the addition of the third bullet added to Reference Item 5.2 (handout) and the impact to these principles if a community does not wish to have a rail station. Michael Morris noted that a community that is not interested does not get rail access and that the principles address the fair share commitment. Mr. Whitley noted that the principles do not address having access to the rail line, they address expanding regional rail. He expressed concern that these principles would prevent a rail line from being built through a city that does not wish to have access, instead of not providing a station in that community. Gary Fickes discussed the second bullet on the slide presented for the

Legislative Fundamental Subcommittee. He asked if it was important that the statement “recommend RTC support any statewide funding initiative” contain the word “any.” He expressed concern that members would be asked to support “any” statewide funding initiative, especially one that takes funding from other important issues such as education. Ms. Wilson noted that she was not aware of any initiatives in which that would be the case. Mr. Morris added that staff is indicating that RTC wishes the source to be transit eligible. Pete Kamp suggested that the word “any” could be removed.

Ms. Wilson presented information regarding the RTC Legislative Program. She highlighted Reference Item 5.6, the draft legislative strategy that identifies the problem with funding. Revenues are not keeping pace with the demand for transportation. The graphic piece identifies that the best way to build transportation projects is pay-as-you-go, but funding is not always available when projects need to advance. The second best way to build transportation projects is through the public-sector toll model, but bonding capacity may be limited. So, this has led to the need to advance projects due to safety, air quality, mobility, or economic needs which has led to the use of public-private partnerships. The document is a problem statement and addresses the need to identify solutions to the funding problem. Ms. Wilson also presented Reference Item 5.7, legislation to actively pursue. These are the top-priority items for the upcoming legislative session: 1) integrate and enforce all existing driving requirements, 2) retain limited authority for the Texas Department of Transportation (TxDOT) to enter into public-private partnership on specific projects, 3) support full funding for the Low Income Repair and Replacement Assistance Program (LIRAP), also known as the AirCheckTexas Drive a Clean Machine Program, and Local Initiative Projects (LIP), and 4) identify additional transportation revenue. Ms. Wilson also reviewed Reference Item 5.8 (handout) that included legislation to support and monitor. Issues to support and monitor include: 1) air quality, 2) congestion management and system operations, 3) aviation, 4) transportation-land use connection, administrative, and planning. These issues are not recommended to be communicated to the Legislature, but are available if RTC is asked its position on these items. She highlighted support to reinstate provisions of idling near sensitive areas such as schools and hospitals, to develop a workable and equitable road use fee for plug-in electric vehicle owners, the use of shoulders for vehicles during congested periods, and to allow the use of technology to enforce high occupancy vehicle/managed lane occupancy. She noted that the original title, Sustainable Development and Bicycle and Pedestrian, has been changed to Transportation-Land Use Connection. In addition, support of the adoption of a statewide three-foot passing law was moved to the transportation safety section. She also pointed out the last bullet under the planning section, to require notification of natural gas well drilling when the action will occur within certain distance of interstate highways or state highways. Many of the positions are similar to the previous positions of the 82nd Legislature. Ms. Wilson reviewed the action being requested as detailed in Electronic Item 5.1.

Mark Enoch requested that the fourth bullet on page 4 under the Planning section of Reference Item 5.8 (handout) include “passenger rail facilities” in the sentence requiring notification of natural gas well drilling. Clay Jenkins also discussed Reference Item 5.8 (handout) and requested that the last bullet under the Enhance Transportation Safety section at the top of page 3 include support of a move-over law for motorists passing bicyclists, similar to the move-over law for emergency vehicles. Sheffie Kadane asked what is meant by “a certain distance” in reference to the notification regarding oil and gas drilling. Mr. Morris noted that staff is silent regard the specific distance. Maher Maso discussed Reference Item 5.2 (handout), noting the second and third bullet regarding the Transportation Funding Initiative Subcommittee 1, Legislative Fundamentals. He noted that his main concern is the statement “should be created” regarding incentives for the use of

4a/4b sales tax revenue for transit. This crosses the line of no longer being an incentive and potentially penalizes a community. He also noted that he did not understand on what RTC would be basing "proportional to the level of financial commitment." Michael Morris discussed Attachment 2 of Reference Item 5.2, the Path Forward Outline. He referenced footnote 1 that states "or equivalent from now forward. This includes local governments using revenues from various sources, including the private sector. These rates are guidelines, actual revenues need to pay for actual costs. If a city can put together some innovative way that is equivalent to the traditional approach and it is proportional, RTC is graduating the level of service and being flexible regarding the source of revenue. He also noted that he does not believe that the level of detail indicated in Mr. Monaco's additional sentence is necessary. Mr. Maso noted that his main area of concern was the focus on 4a/4b. The manner in which a city raises funding should be left to the community, and he noted that the bullet says that communities who do not use those type funds may not be eligible for incentives. Geralyn Keever agreed. Discussion continued and Mr. Maso explained that the word "should" forces a city into a certain funding source. Mr. Morris asked if changing the statement to "consider their use" was acceptable. Mr. Maso indicated that the change was acceptable. Sandy Greyson discussed the first bullet of page 5 of Reference Item 5.8 (handout). She asked if the statement "re-establish the authority to enter into public-private partnership for railroad projects" meant that the region currently does not have authority to do so. Ms. Wilson noted that this was referring to statewide projects, not local projects. This authority was tied to the Trans Texas Corridor authority which has been removed from statute. Andy Eads asked staff to clarify the strikethrough language on page 4 of Reference Item 5.8 (handout) that references the statewide three-foot passing law. Ms. Wilson noted that statement was moved to the Congestion Management and System Operations section. She also noted that the statement was now proposed to include support of a law related to passing bicyclists similar to the move-over law for emergency vehicles. Mr. Eads discussed the responsibility of the bicyclists as well, and noted that addressing the motorists was only half of the issue. He suggested addressing the bicyclist's responsibility as well. Danny Scarth expressed his concern that the RTC position regarding bicyclists was overly specific and discussed the implications to local control. He also agreed that the use of the word "appropriate" instead of the word "any" in Electronic Item 5.1 Subcommittee 1 actions was a good choice and that it is better that the RTC position be more general than more specific. Mark Riley expressed his concern that the legislative position was too large and too detailed in many ways. He also discussed the fact that RTC is saying it does not wish to tell the Legislature what it should do, but is offering a list in Reference Item 5.4 of potential funding sources. Mr. Morris explained that with RTC approval, only the items in Reference Item 5.7 would be actively pursued. Reference Item 5.8 (handout) simply provides a list of items that the RTC is interested in monitoring and supporting. In addition, he noted that Reference Item 5.4 is not advocating any of the listed funding sources, it is simply an analysis of the funding sources provided as a resource. Mr. Marchant asked if the wording regarding "funding sources to actively pursue" on Reference Item 5.4 could be removed. Ms. Koop suggested that staff remove the titles for funding sources to "actively pursue" and "monitor" from Reference Item 5.4. She also requested that the language be softened to reflect that the funding sources are not recommendations, but for consideration.

A motion was made to approve the information presented by staff at the meeting, including amendments suggested by members, Subcommittee actions in Electronic Item 5.1 that do not have associated reference items, Reference Items 5.2 (handout), Reference Item 5.3 (handout), Reference Item 5.4, Reference Item 5.5, Reference Item 5.6, Reference Item 5.7 (handout), and Reference Item 5.8 (handout). Clay Jenkins (M); Linda Koop (S).

Discussion continued. A substitute motion was made recommending that members consider Reference Item 5.7 in a separate vote. Danny Scarth (M); Glen Whitley (S). The motion passed.

A motion was made to approve Reference Item 5.7, the RTC Legislative Program for the 83rd Texas Legislature, legislation to actively pursue. Glen Whitley (M); Danny Scarth (S). The motion passed unanimously.

Ms. Wilson restated the action. The original motion was made to approve: 1) the Legislative Fundamentals Subcommittee actions to affirm support for the three existing transit agencies with closer partnerships, support for an “appropriate” statewide funding initiative and ensure transit eligibility, and the RTC Equity Principles contained in Reference Item 5.2 (handout) with the update in the second bullet of page 1 to state “The Texas Legislature has allowed “4a/4b” sales tax revenue to be used for transportation purposes and communities should be encouraged to use this source; 2) the Partnerships Subcommittee actions to approve the North Central Texas Regional Passenger Rail Alliance and the recommended RTC resolution supporting the North Central Texas Regional Passenger Rail Alliance in Reference Item 5.3 (handout); 3) the Funding Source Subcommittee actions directing staff to modify the online revenue tool and recommending RTC provide a list of potential funding sources to the Legislature contained in Reference Item 5.4 (all references to funding sources to “actively pursue” and “monitor” were removed and a title was added indicating that these are not recommendation but an analysis of these funding sources); 4) the Legislative Communication action approving the Legislative Communications Plan in Reference Item 5.5; 5) the RTC Legislative Strategy provided in Reference Item 5.6; and 6) legislation to support and monitor in Reference Item 5.8 (handout). Reference Item 5.8 included an addition to the statewide three foot passing rule for passing bicyclist to add a bullet point to passing a law similar to the move-over law for emergency vehicles and a bullet addressing education for properly operating bicycles. In addition, “passenger rail facilities” was added to the fourth bullet in the Planning section regarding gas well drilling notification. A vote was taken on the original motion. The motion passed.

6. Texas Department of Transportation Opportunity 3: North Texas Tollway Authority

Loan: Michael Morris discussed Texas Department of Transportation (TxDOT) Opportunity 3, the potential purchase of the North Texas Tollway Authority (NTTA) loan. He noted that Reference Item 6.1 contained details of the proposal. Staff proposed that the Regional Transportation Council (RTC) purchase the \$145.5 million NTTA/TxDOT loan. This loan will help TxDOT refund its State Infrastructure Bank (SIB), enabling the ability for the State to make future loans. The loan is for a duration of 17 years at an interest rate of 4.2 percent, totaling \$69.3 million in interest. If NTTA’s coverage ratio falls below 1.2, payments will be deferred, and if the coverage ratio goes over 2, additional payments are required. TxDOT will maintain management of on-system projects. TxDOT costs will be removed from on-system projects. Mr. Morris noted that the money will be sent to TxDOT, but designated for RTC, and placed in the RTR Subaccount of Fund 6. Some projects may be delayed, although it is not likely because of revenues coming into the region from other RTR revenue sources. In addition, future considerations regarding the interest payments will be given to the local entities who participate in funding the loan. Regarding on-system charges, \$30 million will be returned to RTC. RTC will send \$8 million to TxDOT as the last payment of the loan and then \$22 million will be spent on projects that the Texas Transportation Commission has interest in funding in the Dallas-Fort Worth region. NCTCOG staff will track these expenditures within the region. Details will be included in a Memorandum of Understanding. In addition, approximately \$35 million in on-system

charges have been incorrectly charged in the TIP. Those funds will be reimbursed, and future charges will not be made. Mr. Morris reviewed the cash flow over the term of the loan. He also reviewed the proportion of the loan that Collin, Denton, and Dallas Counties will own. These counties will be expected to keep a minimum balance equal to their proportion of the loan in the event that it is needed. The share of the interest payment will be distributed to these counties based on the proportion of the loan they own. Reference Item 6.2 contained a resolution for RTC approval that contained the proposed purchase of the loan as presented. In addition, Reference Item 6.3 contained a proposed policy position to track the \$22 million in expenditures for Texas Transportation Commission projects in the region. Reference Item 6.3, provided at the meeting, contained minor corrections to the policy. Matthew Marchant asked how RTC can afford to loan money when there is a shortage of funding and also asked if projects were expected to be delayed. Mr. Morris reviewed the financial request required for the purchase of the loan and noted that this opportunity creates \$69.3 million in interest over time. In addition, this effort removes \$60-70 million in TxDOT expenditures from on-system RTR projects creating a positive revenue flow with very little risk of delaying projects. Mr. Marchant also asked for an explanation of Section 7 in the resolution that states future consideration will be given to local entities concurring to delay projects. Mr. Morris explained that the statement refers to the counties that have since been identified to participate in this effort. Mr. Marchant asked if future TxDOT charges to on-system RTR projects were expected. Mr. Morris noted that the Memorandum of Understanding that will be developed will address the TxDOT on-system charges, as well as other items that may be necessary. Clay Jenkins asked how the \$22 million from TxDOT for projects in the Dallas-Fort Worth region will be allocated. Mr. Morris noted that the allocations for the \$22 million from TxDOT will follow the RTC east/west funding policy. A motion was made to approve the details of the TxDOT/NTTA loan purchase in Reference Item 6.1, RTC Resolution Approving Partnership with TxDOT Concerning the North Texas Tollway Authority State Infrastructure Bank Loan for the President George Bush Turnpike provided in Reference Item 6.2, the RTC Policy On Tracking Of Direct State Costs On Regional Toll Revenue Projects provided in Reference Item 6.3 (handout), and that details of the resolution be included in a MOU to be developed between the parties. Rob Franke (M); Andy Eads (S). Andy Eads asked if the resolution should document the counties that are participating. Mr. Morris suggested that the MOU would contain these details. Mr. Eads also asked if it was necessary for approval at the October RTC meeting. Mr. Morris asked that consideration of the item not be delayed. Vonciel Jones Hill called the question. The motion passed unanimously.

7. **Action Supporting Metropolitan Planning Organization Commitment to the Texas Department of Transportation on High-Speed Rail:** Tom Shelton noted that a Regional Transportation Council (RTC) Multimodal/Intermodal/High Speed Rail/Freight Subcommittee meeting was held prior to the RTC meeting. Subcommittee Chair Rob Franke highlighted discussions which included the freight shuttle initiative on IH 35, progress on the Texas Central Railway high-speed rail efforts, and the consideration of freight goods movement as people move within the region.

Tom Shelton also presented information regarding the Metropolitan Planning Organization commitment to the Texas Department of Transportation (TxDOT) for high-speed rail. TxDOT has received Federal Railroad Administration (FRA) funding for two high-speed rail studies underway through the TxDOT Rail Division, which include the Oklahoma to South Texas corridor and the Houston to Dallas-Fort Worth corridor. The TxDOT Rail Division has contacted North Central Texas Council of Governments (NCTCOG) staff to support these efforts. The anticipated scope of work includes: conceptual planning and location analysis,

development of principles and guidelines for the 3-station concept, analysis of air quality impacts and affected environment, assistance with public involvement coordination, coordination with Amtrak on potential inter-regional service, and coordination with Surface Transportation Technical Committee (STTC) and Regional Transportation Council (RTC) members. Funding is currently in place for this four-year effort and available for NCTCOG staff and regional partners. FRA will play a key role and have advised NCTCOG to use the FRA Station Area Planning for High Speed Intercity Passenger Rail guidelines that were recently published. The FRA region office will assign staff for guidance and oversight. Sandy Greyson discussed the scope of work and asked if staff would be providing recommendations to members for their consideration regarding the principles and guidelines for the three-station concept. Mr. Shelton noted recommendations will be presented to members for their consideration. Matthew Marchant discussed the financial feasibility of the high-speed rail corridor and asked about operating costs. Mr. Shelton noted that the private sector has expressed their interest in constructing, operating, and maintaining the project for a determined length of time which will be included in the agreement with TxDOT. A motion was made to support the previous commitments to the TxDOT Rail Division presented at the meeting and authorize staff to finalize an interlocal agreement with the TxDOT Rail Division as part of a FRA grant agreement. Gary Fickes (M); Ron Jones(S). The motion passed unanimously.

8. **Coordination of Transportation Infrastructure Finance and innovation Act Applications and upcoming Public-Private Partnerships Requiring Legislative Support:** Michael Morris reviewed the public-private partnership projects from the last legislative session to advance IH 35E in Dallas and Denton County, SH 183, and the North Tarrant Express in the western portion of the region and the status of each. He also discussed upcoming public-private partnerships that will require legislative support. For SH 360, the North Texas Tollway Authority (NTTA) has primacy on the project and staff believes that it will come back to RTC with a partnership for SH 360 to proceed as part of this initiative. The list also includes the North Tarrant Express, IH 35E/US 67 from the Horseshoe project south to US 67 and the staged toll bridges for Loop 9. In the future, it may be determined that the Cotton Belt project will benefit from a Transportation Infrastructure Finance and Innovation Act (TIFIA) loan. Mr. Morris discussed the proposed approach for projects and noted that staff is discussing options to move ahead with SH 360 without negatively impacting the Trinity Parkway and the projects moving together as a pair similar to SH 161 and Chisholm Trail. He noted that SH 170 and the George Bush Extension south of IH 30 will likely be held and included in the next set of public-private partnership projects. Details regarding these efforts are anticipated to be presented at the November RTC meeting. The approved list of projects will be provided to the Dallas Regional Mobility Coalition and Tarrant Regional Transportation Coalition to develop support on the next set of projects for the upcoming legislative session. A motion was made to approve staff's recommendation for the next set of public-private partnership projects for the upcoming legislative session presented at the meeting and included in Reference Item 8.1. These include SH 360 (awaiting NTTA concurrence), North Tarrant Express (if needed), IH 35E/US 67, and Loop 9. Glen Whitley (M); Gary Fickes (S). The motion passed unanimously.
9. **Texas Department of Transportation Opportunity 5: Transit Funds, Dallas- Fort Worth Regional Vehicle Procurement, and Regional Transportation Council Transit Partnership Program:** Michael Morris discussed the continuing partnership with the Texas Department of Transportation (TxDOT) regarding transit and efforts to have a passenger rail vehicle manufacturing facility locate in the Dallas-Fort Worth region. In addition, he noted that efforts are continuing with the transportation authorities regarding funding for positive

train control and transit vehicles. Conversations are also occurring regarding street car procurement. Mr. Morris noted that discussions have been positive and additional information will be presented to members as the partnerships proceed.

10. **Managed Lane Policies:** This item was postponed until the November 8, 2012, meeting.
11. **Progress Reports:** Regional Transportation Council attendance was provided as Reference Item 11.1, Surface Transportation Technical Committee attendance and minutes were provided as Electronic Item 11.2, the Local Motion was provided as Electronic Item 11.3, and the North Texas Transportation Connection was provided at the meeting 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, November 8, 2012, 1:00 pm, at the North Central Texas Council of Governments.

The meeting adjourned at 3:40 pm.