

AGENDA

**Regional Transportation Council
Thursday, July 14, 2016
North Central Texas Council of Governments**

11:30 am Driverless Vehicles and Automotive Technology Workshop

**1:00 pm Full RTC Business Agenda
(NCTCOG Guest Secured Wireless Connection Password: rangers!)**

1:00 – 1:05 1. Approval of June 16, 2016, Minutes
 Action Possible Action Information Minutes: 5
Presenter: Ron Jensen, RTC Chair
Item Summary: Approval of the June 16, 2016, minutes contained in Reference
Item 1 will be requested.
Background: N/A

1:05 – 1:05 2. Consent Agenda
 Action Possible Action Information Minutes: 0

2.1. Clarification of Capital Funding for Transit Service in Collin County
Presenter: Sarah Chadderdon, NCTCOG
Item Summary: This item requests clarification of the Regional
Transportation Council's (RTC) approval that Dallas Area
Rapid Transit (DART) LGC and/or DART is authorized to
purchase buses with up to \$3.22 million in Congestion
Mitigation and Air Quality Improvement Program (CMAQ)
funding previously approved by RTC and substitute an
equivalent amount of local funding to be spent on capital
costs for transit service in Collin County.
Background: On May 12, 2016, the RTC approved capital funding for
transit service in Collin County, including capital costs
such as vehicles, maintenance, information technology,
and planning expenses. The approval outlined
\$3.22 million in CMAQ funding that was previously
approved to support service outside transit authority
service areas. CMAQ funding is in a Federal Transit
Administration grant and is currently programmed for bus
purchases. In order for DART to meet the needs in Collin
County faster, this item requests clarification of RTC's
approval for DART LGC and/or DART to purchase up to
\$3.22 million in buses for use inside DART's service area
and substitute an equivalent amount of local funding to be
spent on capital purchases consistent with RTC's
approval in May. This item does not change the total
dollar amount approved for capital funding for transit
service in Collin County.

- 1:05 – 1:20** 3. **Orientation to Agenda/Director of Transportation Report**
 Action Possible Action Information Minutes: 15
Presenter: Michael Morris, NCTCOG
1. Moment of Silence for the July 7, 2016, Event Impacting City of Dallas and Dallas Area Rapid Transit Officers
 2. Copy of Senator Robert Nichols' Presentation (Electronic Item 3.1)
 3. Follow Up to Driverless Vehicles and Automotive Technology Workshop: Workshop Presentation to be Transmitted to Members Following the Meeting
 4. Air Quality Funding Opportunities for Vehicles (Electronic Item 3.2)
 5. Ozone Season Update (Electronic Item 3.3)
 6. AirCheckTexas Promotion (Electronic Item 3.4)
 7. 2016 Transportation Conformity Determination
 8. Federal Transit Administration Triennial Review Outcomes
 9. Access North Texas Meetings Begin in August
 10. Quarterly East/West Equity Update (Electronic Item 3.5.1 and Electronic Item 3.5.2)
 11. June Public Meeting Minutes (Electronic Item 3.6)
 12. Recent Correspondence (Electronic Item 3.7)
 13. Recent News Articles (Electronic Item 3.8)
 14. Recent Press Releases (Electronic Item 3.9)
 15. Transportation Partners Progress Reports
- 1:20 – 1:35** 4. **Victor Vandergriff Remarks**
 Action Possible Action Information Minutes: 15
Presenter: Victor Vandergriff, Texas Transportation Commission
Item Summary: Commissioner Victor Vandergriff will provide an overview of Texas Department of Transportation (TxDOT) efforts regarding implementation of HB 20 performance based project prioritization and selection.
Background: TxDOT is advancing efforts that impact transportation funding in the Unified Transportation Program, as well as developing a process to respond to legislative performance measure requirements. Funding categories and priorities from different statewide stakeholders will be reviewed.
- 1:35 – 1:55** 5. **Proposed Resolution to the Texas Transportation Commission Requesting Changes to the Draft Unified Transportation Program**
 Action Possible Action Information Minutes: 20
Presenter: Michael Morris, NCTCOG
Item Summary: The Texas Department of Transportation (TxDOT) has a draft proposal on new funding levels for the next ten years. North Central Texas Council of Governments (NCTCOG) staff will highlight proposed comments to request changes in these allocations based on historical commitments from TxDOT. Specific recommendations will be presented for RTC approval.
Background: With the passage of Proposition 1, Proposition 7, and new federal transportation legislation, TxDOT is proposing funding allocations for the next ten years of the Unified Transportation Program. NCTCOG staff feels the proposed funding allocations

are inconsistent with a previous TxDOT minute order, policies, and historical partnerships. Reference Item 5 contains a copy of the proposed draft resolution. In addition, Regional Transportation Council members will be asked to participate in two events on July 21, 2016, that are requesting comments on proposed TxDOT funding policies and TxDOT performance.

1:55 – 2:05

6. **Potential Transportation Alternatives Program Funds Lapse**

Action Possible Action Information Minutes: 10

Presenter: Ken Bunkley, NCTCOG

Item Summary: Staff will provide an update on Fiscal Year (FY) 2013 Transportation Alternatives Program (TAP) funds that are at risk of lapsing if not utilized by September 30, 2016. In addition, members will be asked to approve a letter requesting assistance from the Texas Transportation Commission.

Background: Texas Department of Transportation (TxDOT) Austin has notified North Central Texas Council of Governments (NCTCOG) staff that TAP funds apportioned in FY2013 are at risk of lapsing at the end of FY2016. Federal regulations state that TAP funds apportioned shall remain available for use for the year of apportionment plus three years. Any amounts that remain unobligated at the end of that period shall lapse.

On July 6, 2012, Moving Ahead for Progress in the 21st Century (MAP-21) was signed into law. In March 2013, TAP apportionments were established at the federal level. In late August 2013, TxDOT established individual metropolitan planning organization allocations including the Dallas-Fort Worth (DFW) region's allocation. Within two months, in October 2013, the DFW Metropolitan Planning Area initiated the 2014-2015 TAP Call for Projects, which resulted in project selection by October 2014. Selected projects were added to the Transportation Improvement Program (TIP) through the next available TIP modification cycle. Many cities/implementing agencies began their contracting/agreement process with TxDOT prior to Statewide TIP approval in order expedite project delivery. However, due to a delay in finalization of a TxDOT agreement template for TAP projects, these projects were delayed statewide.

NCTCOG staff is seeking possible solutions with both the Federal Highway Administration (FHWA) and TxDOT, and is coordinating with local agencies to identify project status and ability to obligate funds by September 30, 2016.

A listing of all TAP projects is provided as Electronic Item 6.1. A total of approximately \$2.4 million in federal TAP funds could potentially lapse. Electronic Item 6.2 contains additional details related to the TAP projects selected and the current funding status. Reference Item 6.3 contains a letter requesting assistance from the Texas Transportation Commission.

2:05 – 2:15 7. **Transportation Rulemaking Update**
 Action Possible Action Information Minutes: 10
 Presenter: Amanda Wilson, NCTCOG
 Item Summary: The Regional Transportation Council will be provided with information and draft comments on the Notice of Proposed Rulemaking (NPRM) for the National Performance Management Measures, as well as receive a summary of the Metropolitan Transportation Planning Final Rule.
 Background: The Federal Highway Administration (FHWA) recently issued a NPRM for National Performance Management Measures on assessing performance of the National Highway System, freight movement on the Interstate System, and the Congestion Mitigation and Air Quality Improvement Program. This NPRM establishes a set of performance measures for States and metropolitan planning organizations to use as required by Moving Ahead for Progress in the 21st Century (MAP-21). Comments are due to the United States Department of Transportation by August 20, 2016. In addition, the final rule for Statewide and Metropolitan Transportation Planning was released and became effective June 27, 2016. This final rule updates the regulations governing the development of metropolitan transportation plans and programs for urbanized areas, long-range statewide transportation plans and programs, the congestion management process, and planning products for the environmental review process as required by MAP-21 and the Fixing America's Surface Transportation Act.

2:15 – 2:20 8. **Follow Up to High Speed Rail Industry Forum**
 Action Possible Action Information Minutes: 5
 Presenter: Kevin Feldt, NCTCOG
 Item Summary: A High Speed Rail Industry Forum was held on Monday, June 20 at the North Central Texas Council of Governments (NCTCOG) with firms potentially interested in proposing a high speed rail project in the Dallas-Fort Worth region. This meeting was in response to a Federal Railroad Administration and United States Department of Transportation request for proposals. Information on regional plans and policies, status of environmental documents, and available data were presented at the forum.
 Background: The Federal Railroad Administration published a Request for Proposals in the March 9, 2016, Federal Register seeking proposers to finance, design, construct, operate, and maintain a high speed rail system. NCTCOG staff will continue to coordinate with prospective proposers to ensure regional transportation goals and objectives are met.

 The Regional Transportation Council (RTC) has adopted regional policies guiding high speed rail implementation and development within the Dallas-Fort Worth region. Currently, three separate projects designed to serve the region are ongoing. NCTCOG staff continues to coordinate with project

partners to ensure the efforts are consistent with the adopted RTC High Speed Rail Policies and with all transportation partners, consultants, and the public to ensure successful high speed rail service implementation. NCTCOG staff will continue to serve as the RTC liaison for regional high speed rail efforts and will provide periodic updates on each proposed project.

2:20 – 2:25

9. **Update on Proposed Volkswagen Settlement Agreements**

Action Possible Action Information Minutes: 5

Presenters: Chris Klaus and Ken Kirkpatrick, NCTCOG

Item Summary: Staff will highlight the latest activity related to ongoing federal and State lawsuits and proposed settlements against Volkswagen AG and related entities for their use of emission “defeat devices” installed in diesel automobiles.

Background: The United States Department of Justice, on behalf of the Environmental Protection Agency (EPA), along with the Federal Trade Commission filed suit against Volkswagen and related entities (Volkswagen) for violating environmental and consumer protection statutes involving the installation of “defeat devices” on certain 2.0 liter and 3.0 liter diesel vehicles. In addition, a consumer class action suit was filed in federal court for similar claims. The cases were consolidated in the United States District Court in the Northern District of California. The California Attorney General also filed suit to join this action. On June 28, 2016, the Parties submitted proposed settlements to the court for approval. Volkswagen has agreed to a settlement of \$14.7 billion to settle allegations of emission “defeat devices” installed on Volkswagen and Audi 2.0 liter diesel vehicles. The settlements partially resolve allegations by the EPA, as well as the California Attorney General’s Office and the California Air Resources Board (EPA’s press release is provided in Electronic Item 9.1). Separately, the Texas Attorney General filed suit against Volkswagen and related entities in State court for violations of State environmental and consumer protection statutes. The Texas Attorney General reached a partial settlement, which includes \$50 million in civil penalties. The Texas Clean Air Act suit is still pending. Additional information is provided in Electronic Item 9.2.

2:25 – 2:35

10. **Auto-Occupancy Verification Technology Procurement**

Action Possible Action Information Minutes: 10

Presenter: Ken Kirkpatrick, NCTCOG

Item Summary: Texas Department of Transportation (TxDOT) and Regional Transportation Council (RTC) staffs have been working to procure technology to automatically detect vehicle occupancy in managed-lane corridors. The RTC will be briefed on the status of the procurement.

Background: The RTC’s Tolled Managed Lane Policies provide for a discount for high-occupancy vehicles of 50 percent during the peak periods. The occupancy requirement for the discount is two or

more occupants (2+) and may go to three or more occupants (3+) on or before June 1, 2018, as determined by the RTC. The policy is currently enforced manually with technology support, but provides that over time more advanced technology verification will be used as it becomes available.

11. **Progress Reports**

Action Possible Action Information

Item Summary: Progress Reports are provided in the items below.

- RTC Attendance (Reference Item 11.1)
- STTC Minutes and Attendance (Electronic Item 11.2)
- Local Motion (Electronic Item 11.3)

12. **Other Business (Old or New):** This item provides an opportunity for members to bring items of interest before the group.

13. **Future Agenda Items:** This item provides an opportunity for members to bring items of future interest before the Council.

14. **Next Meeting:** The next meeting of the Regional Transportation Council is scheduled for ***1:00 pm, Thursday, August 11, 2016, at the North Central Texas Council of Governments.***