

REGIONAL TRANSPORTATION COUNCIL
February 27, 2020

The Regional Transportation Council (RTC) met on Thursday, February 27, 2020, at 10:00 am in the Transportation Council Room of the North Central Texas Council of Governments. The following members or representatives were present: Tennell Atkins, Adam Bazaldua, David Blewett, Mohamed Bur, Loyl C. Bussell, Theresa Daniel, Jon Michael Franks (representing Jeff Davis), Pat Deen, Rudy Durham, Andy Eads, Gary Fickes, George Fuller, Rick Grady, Mojj Haddad, Roger Harmon, Ivan Hughes, Clay Lewis Jenkins, Greg Giessner (representing Ron Jensen), Jungus Jordan, Ray Smith (representing John Keating), Lee M. Kleinman, David Magness, Curtistene McCowan, William Meadows, Cary Moon, Barbara Odom-Wesley, John Ryan, Jeremy Tompkins, T. Oscar Trevino Jr., William Tsao, Paul N. Wageman, Dennis Webb, Duncan Webb, Chad West, B. Glen Whitley, and Ann Zadeh.

Others present at the meeting were: Onyinye Akujuo, Vickie Alexander, Nick Allen, David S. Arbukle, Kim Armstrong, Melissa Baker, Tom Bamonte, Berrien Barks, Sara Bass, Carli Baylor, Robin Bentley, Brandi Bird, David Boski, Ian Bryant, Kristen Camareno, J.C. Campbell, Jack Carr, Angie Carson, Ceason Clemens, Nancy Cline, Clarence Daugherty, Inga Dedow, Melany Dennis, Edie Diaz, Chad Edwards, Gary Enna, Sal Espino, Marcia Etie, Kevin Feldt, Michael Gage, Matt Garcia, Gypsy Gavia, Bob Golden, Barry Gordon, Christie Gotti, Danetta Harris, Jeff Hathcock, Victor Henderson, Rebekah Hernandez, Robert Hinkle, Matthew Holzapfel, Breanne Jackson, Brian Jahn, Amy Johnson, Tom Johnson, Dan Kessler, Ken Kirkpatrick, Kevin Kokes, Dan Lamers, Mike Lang, Eron Linn, Stanford Lynch, Barbara Maley, Ron Massingill, Richard Matyikv, Steven McCullough, Mickey McGuire, Mindy Mize, Rebecca Montgomery, Erin Moore, Michael Morris, Carey Neal, Jeff Neal, Than Nguyen, Tim Palermo, Evan Paret, James Powell, Ezra Pratt, Vercie Pruitt-Jenkins, Chris Reed, Mark Rhea, Kyle Roy, Greg Royster, Steve Salin, Devin Sanders, Madeline Shepard, Walter Shumac III, Samuel Simmons, Vince Sims, Randy Skinner, Chelsey Smith, Tom Stallings, Shannon Stevenson, Dean Stuller, Dan Vedral, Mitzi Ward, Brendon Wheeler, Amanda Wilson, Brian Wilson, and Alicia Winkelblech.

1. **Opportunity for the Public to Speak on Today's Agenda: Consistent with HB 2840:**

This item allows members of the public an opportunity to give input on agenda items. Speaker Request Cards were made available, and those interested in providing public input were asked to complete a card and provide to staff. Regional Transportation Council Chair Andy Eads asked if there were any public comments. No members of the public chose to speak at the meeting or provide written comments to staff.

2. **Approval of the January 9, 2020, Minutes:** The minutes of the January 9, 2020, meeting were approved as submitted in Reference Item 2. Tennell Atkins (M); Theresa Daniel (S). The motion passed unanimously.

3. **Consent Agenda:** The following items were included on the Consent Agenda.

3.1. **McKinney Avenue Trolley Funding:** Regional Transportation Council approval was requested to utilize existing Regional Toll Revenue funds previously authorized by the Regional Transportation Council for transit projects in an amount not to exceed \$650,000 to support the McKinney Avenue Transit Authority's Improved Service Frequency Plan and ensure enhanced connectivity between Uptown and Downtown Dallas. Details were provided in Electronic Item 3.1.

- 3.2. FY2020 and FY2021 Unified Planning Work Program Modifications: Regional Transportation Council (RTC) approval of modifications to the FY2020 and FY2021 Unified Planning Work Program was requested. Direction for staff to also amend the Transportation Improvement Program and other administrative/planning documents, as appropriate, was included in the action. The proposed amendments were provided in Electronic Item 3.2.1 and additional information was provided in Electronic Item 3.2.2.
- 3.3. Future Transportation Alternatives Call for Projects: Regional Transportation Council approval of the recommended eligible project categories, process, scoring criteria, and schedule for the upcoming 2020 Transportation Alternatives Call for Projects for the North Central Texas region was requested. Details were provided in Electronic Item 3.3.
- 3.4. Endorsement of Projects Submitted for the 2020 Infrastructure for Rebuilding American Discretionary Grant Program: Regional Transportation Council (RTC) approval of projects submitted for award consideration in the Fiscal Year 2020 Infrastructure for Rebuilding America Discretionary Grant Program was requested. Proposed projects included the Virgin Hyperloop One (VHO) Certification Center and an updated iteration of the North Texas Multimodal Operations, Velocity, Efficiency, and Safety (MOVES) Program, which was previously submitted in 2019. Information on the MOVES Program was provided in Electronic Item 3.4.1. RTC comments provided to the United States Secretary of Transportation regarding the VHO Certification Center were provided in Electronic Item 3.4.2.

A motion was made to approve the items included on the Consent Agenda. Curtistene McCowan (M); T. Oscar Trevino Jr. (S); The motion passed unanimously.

4. **Orientation to the Agenda/Director of Transportation Report:** Michael Morris provided an overview of items on the Director of Transportation Report. He thanked members who attended the Regional Transportation Council (RTC) New Member Orientation meeting on February 13, 2020. In addition, he noted a recent presentation to the Fort Worth City Council regarding the Trinity River Vision bridges that will be presented to the RTC at its March 12, 2020, meeting. He also noted North Central Texas Council of Governments staff member Jeff Neal recently returned from a series of seminars with the United States Department of Transportation in Indonesia and thanked him for representing the region.
5. **Mega-Development Program: Collin Creek Mall Redevelopment:** Michael Morris presented proposed funding and details of the Collin Creek Mall redevelopment project. He highlighted previous requests from entities interested in relocating to the region and local partners seeking to redevelop existing areas within the region. The Collin Creek Mall project includes redevelopment at the current location with access to the Downtown Plano Light Rail Station. Parking will be included as part of the redevelopment and will also provide parking for the downtown area. Staff proposed that the Regional Transportation Council (RTC) contribute \$30 million in federal funds for a parking garage and that the City of Plano contribute \$25 million. Half of the RTC funding will be a loan. Since the redevelopment is near light rail and there is not enough parking in Downtown Plano, the project will include transit service using next generation electric vehicles to the Downtown Plano Light Rail Station. Transit routes operated by Dallas Area Rapid Transit (DART) already exist at this location, and some adjustments in routing by DART may be necessary. Various market segments would use the parking garage, providing the ability to grow ridership at this rail

station. Additional details of the partnership were provided in Reference Item 5. Action will include a request for \$30 million in federal funds, \$15 million to be repaid as a loan, and \$25 million in local funds. Flexibility to use Congestion Mitigation and Air Quality Improvement Program or Surface Transportation Block Grant Program funds will be needed, with Federal Transit Administration funds potentially used to assist in the purchase of approximately three transit vehicles for shuttle purposes. Specific agreement terms will be finalized. Roger Harmon discussed a recent request by the City of Burleson for Johnson County to enter into a Tax Increment Financing (TIF) agreement with the City for a parking garage in Downtown Burleson. Considering limited funds for transportation, he noted he would like to see funding be used towards the construction of roads and not parking garages. Mr. Morris discussed the continued growth in the Dallas-Fort Worth region. As the region approaches 8 million persons, a tipping point is reached regarding the tools needed to respond to the increasing population with increased focus necessary on land use and transit. While building roads has a direct transportation benefit, infilling the region around transit stations has a significant indirect benefit on congestion and air quality through the promotion of alternative modes of transportation. He added that because of the economic benefit to the City of Plano as a result of the project, half of the funding will be repaid by the City. Ann Zadeh noted that she had similar reservations regarding the project and expressed her opinion that parking garages incentivize people to drive. She noted that as other projects come forward, it will be important to consider that the projects must have a transit nexus if the RTC is providing funding for parking. RTC Secretary Theresa Daniel asked how economic development fits into the RTC's responsibilities and if the specific location of the parking garage was closer to the shopping center or the light rail station. Mr. Morris noted the parking garage is integrated into the development. In addition, he noted that infill in the urban portion of the region has tremendous benefits regarding air quality and congestion, of which reducing both are the responsibility of the RTC. Curtistene McCowan asked for clarification of the repayment terms for the \$15 million loan. Mr. Morris discussed Tax Increment Finance (TIF) revenue and repayment by the City of Plano with a 2.4 percent interest rate. Revenues will flow back to the RTC for other purposes. B. Glen Whitley discussed revenue resulting from TIF agreements and redevelopment in the area. He asked if Collin County was part of the TIF agreement for the parking garage and why the City of Plano was not repaying the full \$30 million. Duncan Webb noted the project was in his precinct and that he was supportive of the project, not only because of the transit element, but because of the lack of necessary parking in Downtown Plano. The project will enhance the ability for citizens to utilize a high-density development and connect to transit. Mr. Morris added that only \$15 million is being repaid because of the park-and-ride element for transit. Rick Grady noted that the TIF for this project has already been approved by the Plano City Council. Most of the parking garage is underground with buildings located on top. TIF funds will be used to improve the entire area, which is just adjacent to US 75. Discussion continued regarding funding, the revenue benefit versus the economic development, the purpose of the project, and what other entities in Collin County were supportive. George Fuller noted that he supports the holistic approach to transportation that includes transit in order to reduce congestion and that one could argue that any project approved by the RTC results in economic development. Cary Moon noted that in his opinion, the \$15 million being repaid should be tied to a development plan with revenue dollars that will support the payback. If this is not an economic development plan, then the RTC is at risk of not being repaid the \$15 million. He noted, in his opinion, it is important to confirm local participation of other jurisdictions in the TIF and possibly other waterfalls, and that other options should be revisited. RTC Chair Andy Eads thanked staff, the City of Plano, and Collin County for their efforts on this project, and noted this is an opportunity for redevelopment and to increase access for the public. He discussed the innovative efforts of the RTC and its success in

balancing practices and standards across the region and noted that a future item could come back to the RTC to address the concerns of the body and establish criterion for parking garages. Chair Eads noted that based on discussion, North Central Texas Council of Governments staff has significant direction regarding the RTC's concerns when considering future requests. A motion was made to approve the proposed partnership for parking and transit at the Collin Creek Mall mixed-use redevelopment: \$30 million federal funding with a \$15 million payback for the parking garage, \$25 million local funds, and approximately three transit vehicles for shuttle purposes. Action included flexibility in the federal funding source of either Congestion Mitigation and Air Quality Improvement Program or Surface Transportation Block Grant Program funds, with Federal Transit Administration funds possible to assist with transit. Specific agreement terms will be finalized. Also included in the action was approval for staff to administratively amend the Transportation Improvement Program and other planning/administrative documents to include this project and funding. Clay Lewis Jenkins (M); Tennell Atkins (S). Roger Harmon and Cary Moon were opposed. The motion passed.

6. **Next Steps with the Texas Department of Transportation and 2021 Unified**

Transportation Program: Michael Morris presented the latest efforts regarding the partnership with the Texas Department of Transportation (TxDOT) and the 2021 Unified Transportation Program (UTP), as well as the larger policy issue of transportation funding in the State. Electronic Item 6.1 contained information from the last Texas Transportation Commission (TTC) meeting. The latest funding targets from TxDOT were provided in Electronic Item 6.2, and a summary presentation was provided in included in Electronic Item 6.3. He highlighted the responsibilities of the Regional Transportation Council (RTC) as the Metropolitan Planning Organization (MPO), as well as the responsibilities of the State Legislature and Texas Transportation Commission. In January 2020, North Central Texas Council of Governments (NCTCOG) staff presented the need to advance tolled managed lanes and submitted four projects directly to TxDOT Headquarters for funding consideration in the UTP. Over the next several months, conversations with TxDOT will occur regarding how best to advance the projects. As a result of the January presentation, the current private-sector provider for SH 183 contacted NCTCOG regarding recent projections that indicate the general purpose and managed lane capacity improvements are anticipated to be triggered immediately. The capacity improvements total approximately \$162 million to be paid by the private sector. These improvements will create a lane imbalance near Dallas Fort Worth International Airport, and the private sector has proposed an additional \$860 million of improvements as an extension of the current facility to balance lanes between SH 121 and SH 161. In addition, \$270 million is proposed for payment to TxDOT for lane balance improvements east of SH 161 for a total of \$1.3 billion to the region. NCTCOG staff proposed continued conversations with the TTC requesting that the projects be grandfathered, similar to IH 35W 3C and IH 635 East, so that the projects can proceed into the 2021 UTP and the region and State receive the benefit of \$1.3 billion in improvements paid by the private sector. In addition, Mr. Morris noted that at today's TTC meeting, the Commission will propose to fund IH 35 in Austin with revenues from across the state. The RTC's direction to staff has been to continue with efforts to maintain the historical TTC formula funding allocation to the region. As a result of the proposal for IH 35 in Austin, he noted that members should respond with measured outrage for Plan A and propose Plan B which is a win-win situation for Austin and the State. This proposal will be presented to the RTC for consideration at its March 12 meeting. Plan A, proposed by the TTC, would require an additional \$3.4 billion in Category 12 Strategic Priority funds, as well as another \$300 million totaling \$5.7 billion for the project. As a result of the TTC's proposal, there would be a \$1 billion impact to the region, which contradicts the current relationship with the

TTC for formula allocation. He noted that the answer for IH 35 in Austin seems clear and exists in the real world as LBJ/NTE. Implementing the IH 35 project with tolled managed lanes will allow the Austin project to be built, as well as other projects across the state. Since the TTC is expected to select projects in May, staff believes there are 60 days to communicate the value of a Plan B option to the TTC, Governor's Office, Lieutenant Governor's Office, the private sector, the North Texas legislative delegation, Attorney General's Office, and the Austin MPO. The message will focus on equity, legal issues, project elements, and lost opportunity costs. He noted that the TTC Chair has communicated with NCTCOG and that a response to the IH 35 proposal from the RTC is anticipated. Several members discussed support for the IH 35 project and understanding of the congestion issue in Austin. Also discussed was the promise of formula allocation and that the region is not penalized for its innovation to move projects forward. It was noted that citizens have been supportive of tolled managed lanes in the region because of the promises for continued formula allocation, but that future support may be difficult if the fair share allocations are not honored. In addition, it was suggested that formula allocation be included in the RTC Legislative Program for the upcoming session. Mr. Morris noted that although the IH 35 project in Austin is the right project, the proposal is not the correct mechanism to fund the project. He suggested that members of the Austin MPO be invited to drive the region's managed lane corridors and discuss reliability, reduced congestion, choice lanes, funding waterfalls, and the success of leveraging available funds. RTC Chair Andy Eads noted that over the span of his experience on the RTC, there has been a good relationship with TxDOT and that the positive relationship will continue. Members of the RTC appreciate the Governor's desire to implement the IH 35 project in Austin and realize that IH 35 in Austin is a statewide issue important to everyone in the State. Chair Eads pledged his time and energy, as well as that of the RTC staff, to continue to work with partners in Austin and the TTC.

7. **Virgin Hyperloop One Certification Center Request for Proposals Response:** Michael Morris provided an overview of the resolution and funding proposal for the response to Virgin Hyperloop One (VHO) regarding its Request for Proposals for a Hyperloop Certification Center. On November 14, 2019, the Regional Transportation Council (RTC) approved submittal of a response to the first round of the VHO Request for Proposals, provided in Electronic Item 7.1. Since that time, an Open Records request was received by the North Central Texas Council of Governments. Legal staff requested an opinion from the Attorney General, provided in Electronic Item 7.2. Mr. Morris noted members were provided information regarding the technology, proposed Hyperloop Certification Center route, implications to the existing and future Mobility plans, and proposed funding in Electronic Item 7.3. A draft resolution for RTC consideration was provided in Reference Item 7.4 and proposed correspondence to the Secretary of Transportation was provided in Reference Item 7.5. In addition, Mr. Morris noted Lee M. Kleinman has proposed an additional section for the draft resolution, which was distributed at the meeting in Reference Item 7.6. The proposed language reaffirms transit access within Arlington is contingent upon the City of Arlington participating in one of the existing three public transportation authorities. Mr. Morris noted Virgin Hyperloop One has selected the SH 360 and Dallas Fort Worth International Airport corridor as its preferred option and IH 635 east of the airport as the contingency option. Mobility 2045 high-speed recommendations were highlighted, as well as the proposed Hyperloop Certification Center location in relation to high-speed rail recommendations. If hyperloop technology is selected for the east/west high-speed corridor, travel will be possible from Downtown Dallas and Downtown Fort Worth directly to the Dallas Fort Worth International Airport with travel time anticipated at approximately 7 minutes. He also highlighted the typical technology sections of the hyperloop for various portions of the

project and the use of autonomous transit. Mr. Morris also reviewed proposed funding for the project. Because of the low emissions of the hyperloop technology and the goods movement potential, North Central Texas Council of Governments (NCTCOG) proposed the RTC pursue approximately \$50-100 million in Texas Emissions Reduction Program air quality funds for the project. In addition, staff proposed the RTC pursue with the Federal Railroad Administration \$50-100 million of the \$900 million high-speed rail funds returned from California. NCTCOG staff has also applied for \$30 million in Fiscal Year 2020 Infrastructure for Rebuilding America funds. Also proposed was a request for the Texas Legislative Budget Board to allocate \$10-\$30 million of the \$160 million in AirCheckTexas funds being held by the State for air quality enhancement projects. NCTCOG staff also proposed \$40 million in Surface Transportation Block Grant Program (STBG) funds and \$10 million in RTC Local funds be contributed to the project. Approximately \$2.5 million of the RTC Local funds will be used for University partnerships. Transportation Development Credits, as well as Carbon Credits will also be requested. If short-listed for Round 3 of the proposal process, NCTCOG will work with the Texas Transportation Commission (TTC) and/or Governor's Office to request Category 12 Strategic Priority funds be allocated to the project, request funds from the Environmental Protection Agency/Department of Energy due to the energy elements of the project, pursue interest by the private sector, and discuss potential city and county contributions. Duncan Webb noted he was supportive of the VHO Hyperloop Certification Center being located in the region but noted he had some questions and comments. He asked if the Hyperloop Certification Center proposed corridor of SH 360 and Dallas Fort Worth International Airport was selected by NCTCOG staff or VHO. He discussed the negative perception given during the corridor presentations to VHO of asking City of Dallas and Collin County to leave during the City of Arlington presentation, and then the corridor being chosen as the preferred option. In addition, he discussed the Dallas Area Rapid Transit Orange Line and asked if staff has considered the proposed Hyperloop Certification Center corridor will compete directly with the Orange Line. Mr. Morris noted the proposed corridor was selected by VHO, and the City of Arlington requested that other entities not be present during its presentation to VHO. In addition, he discussed the potential east-west, high-speed corridor and connections to the airport. He noted the hyperloop technology provides a different service than rail and is not expected to be in competition with the Orange Line. Chad West discussed RTC's goals to reduce congestion and improve air quality but asked how taking a new technology like hyperloop to a City that does not participate in mass transit correlates with the goals of the RTC. Mr. Morris discussed the City of Arlington's efforts regarding mass transit and noted Mr. Kleinman's proposed addition to the draft RTC resolution reaffirms the RTC's position that the City of Arlington will not have access to these types of transportation modes without its participation in a transportation authority. B. Glen Whitley noted in the 23 years he has been on the RTC, he has never seen an entity penalized because it is not a member of one of the three transportation authorities. He discussed progress made by the City of Arlington and some resistance in the region regarding transit due to low ridership in areas of Fort Worth. He also noted the benefits of a potential VHO Hyperloop Certification Center corridor that is not a throw-away project and how the proposed SH 360 corridor provides for potential expansion. In response to Mr. Webb's question regarding the Orange Line, Lee M. Kleinman noted the Orange Line is primarily a multi-stop line with ridership typically consisting of employees. Regarding his proposed addition to the resolution, he noted the new section is proposed to reiterate the RTC policy to focus on transit both as a method for congestion relief and air quality mitigation. As a regional entity, he noted the proposed additional language reiterates the importance of all entities participating in the concept of regionalism. Paul Wageman asked if the distinction was that the City of Arlington must participate in transit or be a member of a transportation authority. Mr. Kleinman noted he is comfortable using the term

"participate" with the understanding the RTC would make the decision on what level of participation was necessary for members to feel the City was participating fairly in the overall process. Jungus Jordan noted Arlington's participation is a valid discussion which may be better served separately and noted the VHO Hyperloop Certification Center could be put at risk if the conversation is misunderstood. Barbara Odom-Wesley noted, as a new member of the Arlington City Council, she is unable to address some of the concerns discussed but noted the City Council is interested in a regional plan and being connected to other cities in the metropolitan area. She added the City of Arlington's May ballot will include a measure to capture the ¼ cent of its sales tax which would be eligible for transit through an economic development corporation which provides flexibility. Clay Lewis Jenkins asked if the money to fund the Hyperloop Certification Center would be allocated from the western subregion since the project is in Tarrant County. Mr. Morris noted staff suggested the funding not only come from the western subregion since the project will provide significant travel time benefits to both the east and the west. He noted future discussion can be held with the RTC regarding the proposed \$40 million STBG investment for the Hyperloop Certification Center. Mr. Jenkins proposed a friendly amendment to the resolution section language suggested by Mr. Kleinman to indicate "significant participation" is needed by the City of Arlington so the message is clear, with future RTC conversations to define "significant participation." Mr. Kleinman noted he is comfortable with the revised language for section 3 of the resolution. Mr. Jenkins asked for clarification of the funding request for this effort and whether the east/west formula allocation would be used. Mr. Morris reviewed the funding elements. Of the funding items listed in Electronic Item 7.3, the formula allocation would only be applicable to the \$40 million in Surface Transportation Block Grant Program funds of which it has not been determine how the \$40 million will be allocated since the project will benefit the entire region. The question was called. A motion was made to approve the draft Regional Transportation Council resolution provided in Reference Item 7.4, including the added section proposed in Reference Item 7.6, distributed at the meeting, and the proposed amendment to update language in the section to "significant participation." Also included in the action was approval to send correspondence, provided in Electronic Item 7.5, to the Secretary of Transportation. Theresa Daniel (M); Tennell Atkins (S). Jon Michael Franks, Mojoy Haddad, Roger Harmon, Jungus Jordan, David Magness, Cary Moon, Barbara Odom-Wesley, T. Oscar Trevino Jr., and B. Glen Whitley were opposed. The motion passed. A second motion was made to approve a policy unanimously welcoming Virgin Hyperloop One to select the Dallas-Fort Worth region for its Hyperloop Certification Center. Lee M. Kleinman (M); Duncan Webb (S). The motion passed unanimously.

8. **Progress Reports:** Regional Transportation Council attendance was provided in Electronic Item 8.1, Surface Transportation Technical Committee attendance and minutes in Electronic Item 8.2, and the current Local Motion was provided in Electronic Item 8.3.
9. **Other Business (Old or New):** There was no discussion on this item.
10. **Future Agenda Items:** There was no discussion on this item.
11. **Next Meeting:** The next meeting of the Regional Transportation Council is scheduled for 1:00 pm, Thursday, March 12, 2020, at the North Central Texas Council of Governments.

The meeting adjourned at 12:00 pm.