

## AGENDA

### SURFACE TRANSPORTATION TECHNICAL COMMITTEE

Friday, January 24, 2025

North Central Texas Council of Governments

**1:30 pm Full STTC Business Agenda  
(NCTCOG Guest Secured Wireless Connections Password: rangers!)**

**1:30 – 1:35**      1. **Approval of December 6, 2024, Minutes**  
 Action       Possible Action       Information      Minutes: 5  
Presenter:      Gus Khankarli, STTC Chair  
Item Summary: Approval of the December 6, 2024, meeting minutes  
contained in [Electronic Item 1](#) will be requested.  
Background:      N/A

**1:35 – 1:40**      2. **Consent Agenda**  
 Action       Possible Action       Information      Minutes: 5

**2.1. Amtrak Heartland Flyer Funding Shortfall**

Presenter:      Michael Morris, NCTCOG

Item Summary: A recommendation for Regional Transportation Council (RTC) approval of up to \$100,000 in Regional Toll Revenue (RTR) funds will be requested for Amtrak's Heartland Flyer passenger service from Fort Worth to Oklahoma City to ensure there are no service disruptions. In addition, staff will seek recommendation for RTC approval to inform the Legislature that the Texas Department of Transportation (TxDOT) request for funding is inadequate.

Background: In November 2024, staff learned that Texas' share of funding for Amtrak's Heartland Flyer Passenger service from Fort Worth to Oklahoma City has a potential funding shortfall of approximately \$72,000. Staff will request approval of up to \$100,000 in RTR funds to be used to supplement the State's funding shortfall. The Heartland Flyer travels along the Interstate Highway 35 Corridor located in both Denton and Tarrant counties. This action ensures that the Amtrak Heartland Flyer passenger service will not experience any disruptions. RTC previously approved \$700,000 for a shortfall for fiscal year 2023, which was ultimately not needed as TxDOT

resolved the funding gap. Staff previously reported this to the RTC. The current request is for the funding shortfall for the 2024 fiscal year.

Performance Measure(s) Addressed: Transit

## 2.2. **Endorsement of Funding for Riverfront Boulevard Cost Overrun**

Presenter: Cody Derrick, NCTCOG

Item Summary: Surface Transportation Technical Committee endorsement will be requested for the Regional Transportation Council's (RTC) approval of \$12,401,658 in Regional Toll Revenue (RTR) funding to cover a cost overrun at letting on the Riverfront Boulevard project, including the ability to administratively amend the Transportation Improvement Program/Statewide Transportation Improvement Program and other planning and administrative documents as needed to incorporate the funding.

Background: Dallas County is implementing a project along Riverfront Boulevard from Cadiz Street to Justice Center Way in the City of Dallas. The project will reconstruct the roadway to six lanes with bicycle and pedestrian accommodations and intersection improvements. The project currently has \$38,291,442 in RTR funds and \$18,149,497 from the County and City of Dallas. Bids for the project were recently opened, revealing a funding gap of approximately \$13.81 million. The County has requested funding assistance to cover a portion of this gap. This project is on RTC's Metropolitan Planning Organization Milestone Policy list and thus it is of particular importance that construction proceeds. Therefore, staff recommended RTC approval of \$12,401,658 in Dallas County RTR funds, with local funds covering the remainder of the gap. In addition, staff requested that additional cost overruns must be covered by Dallas County and/or the City of Dallas.

Performance Measure(s) Addressed: Roadway, Safety

## 2.3. **2024 Transportation Development Credit Annual Report and Updates to Transportation Development Credit Allocations**

Presenter: Cody Derrick, NCTCOG

Item Summary: A recommendation for Regional Transportation Council (RTC) approval of proposed updates to the Transportation Development Credit (TDC) allocations for several categories will be requested and the annual TDC

report submitted to Texas Department of Transportation (TxDOT) is provided for information.

Background: Since 2012, the RTC has received 994,351,658 TDCs from the Texas Department of Transportation (TxDOT) to be utilized in lieu of the local match on projects and programs with federal funding. Once TDCs come to the region, they are allocated into several categories with various goals. North Central Texas Council of Governments staff proposes to make allocation adjustments to several of those categories. Details on the proposed changes can be found in [Electronic Item 2.3.1](#). The TDC Annual Report, which must be submitted annually to TxDOT, is included as [Electronic Item 2.3.2](#). [Electronic Item 2.3.3](#) contains correspondence sent to TxDOT requesting additional TDCs be allocated to the region.

Performance Measure(s) Addressed: Roadway, Transit

#### **2.4. Federal Funding Classification System Amendments**

Presenter: Brian Flood, NCTCOG

Item Summary: Staff will request a recommendation for Regional Transportation Council (RTC) approval of seven amendments to the currently approved Federal Functional Classification System (FFCS).

Background: While inclusion in the FFCS is based on a roadway's purpose and functioning capabilities, it is also used to determine eligibility for federal funding. Amendments to the FFCS occur as the function of existing roadway changes, or as roadways need to be added due to construction, new developments, and shifts in demographic trends. Staff is currently working with the Texas Department of Transportation (TxDOT) on seven proposed FFCS amendments within the Dallas and Fort Worth TxDOT districts. These amendments involve the construction of new roadways and improvement of existing roadways resulting from a project development process involving North Central Texas Council of Governments staff, local governments, and external partners. Maps and tables detailing the proposed functional class changes are included in [Electronic Item 2.4](#).

Performance Measure(s) Addressed: Roadway, Safety

1:40 – 1:50

3. **Potential Endorsement of Allocation of Funding for Potential Litigation Related to the Dallas-Fort Worth High-Speed Rail Environmental Assessment and Briefing on Correspondence from Attorneys for Hunt Realty Investment, Inc., and Hunt-Related Entities**

Action       Possible Action       Information      Minutes: 10

Presenter: Ken Kirkpatrick, NCTCOG

Item Summary: Staff will request Surface Transportation Technical Committee (STTC) endorsement of Regional Transportation Council (RTC) action on allocating RTC Local funds in preparation for potential litigation related to the Dallas-Fort Worth High-Speed Rail Environmental Assessment. The RTC is scheduled to consider this item at the January 23, 2025, RTC meeting. Staff will brief the STTC on numerous correspondence from Attorneys for Hunt Realty Investment, Inc., and other Hunt-related entities (Hunt-related entities).

Background: Since October 9, 2024, Attorneys for Hunt-related entities have sent numerous correspondence to the North Central Texas Council of Governments (NCTCOG) asserting various legal and factual claims regarding the Environmental Assessment, the 1975 Master Agreement between Hunt-related entities and the City of Dallas, Alignment 2B, the City of Dallas June 12, 2024, resolution concerning high-speed rail, RTC's one-seat ride policy, the City of Arlington, among other items. [Electronic Item 3.1](#) contains NCTCOG's responses to date and the corresponding Hunt letter. [Electronic Item 3.2](#) contains additional Hunt correspondence as of January 3, 2025, (date of posting of January 9, 2025, RTC meeting which has been rescheduled). [Electronic Item 3.3](#) contains correspondence received since the posting of the rescheduled January 9, 2025, RTC meeting. NCTCOG is preparing responses as warranted. This is in addition to approximately 2,500 pages of documents NCTCOG provided in April 2024 in response to an informal request from Hunt's Attorney. Included in Electronic Item 3.1 is an October 21, 2024, "formal request and demand" from the Hunt's Attorney for NCTCOG to "Preserve and Not Destroy" documents broadly related to High-Speed Rail and the Environmental Assessment in particular. Such a notice is often a precursor to litigation. Staff recommends that the RTC allocate \$1 million in RTC Local funds to be used in \$250,000 increments for additional legal support to assist in responding to these matters and other preparatory work in anticipation of litigation related to the Environmental Assessment. Staff proposes reporting expenditures of these funds on a quarterly basis to the RTC. If approved by the RTC, staff requests the RTC communicate its action to the Executive Board as follows:



“Upon a vote \_\_\_ to \_\_\_\_\_, the RTC requests the Executive Board to secure external legal counsel to supplement internal legal resources related to the Dallas-to-Fort Worth High-Speed Rail Environmental Assessment.”

Performance Measure(s) Addressed: Administrative, Transit

1:50 – 2:00

4. **Fiscal Year 2025 Rebuilding American Infrastructure with Sustainability and Equity Discretionary Grant Program**

Action       Possible Action       Information      Minutes: 10

Presenter: Michael Johnson, NCTCOG

Item Summary: Staff will request a recommendation for Regional Transportation Council (RTC) approval of projects to be submitted for funding consideration through the Fiscal Year (FY) 2024 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program.

Background: In November 2024, the United States Department of Transportation (USDOT) announced the solicitation of project applications for the FY 2025 RAISE Discretionary Grant Program. The Notice of Funding Opportunity, with information and application requirements for the \$1.5 billion program, can be accessed at: <https://www.transportation.gov/RAISEgrants/raise-nofo>. Applications are due to USDOT by January 30, 2025. [Electronic Item 4](#) provides additional details regarding both the program and candidate projects. For regional agencies planning to submit their own candidate projects, please be aware you must complete the [www.grants.gov](http://www.grants.gov) registration process, usually requiring two to four weeks for completion, prior to submitting applications.

Performance Measure(s) Addressed: Bike/Ped+, Roadway

2:00 – 2:10

5. **Funding Recommendations to Upgrade Existing Charging Stations**

Action       Possible Action       Information      Minutes: 10

Presenter: Jared Wright, NCTCOG

Item Summary: Staff will provide an overview of several programs that are expanding electric vehicle charging infrastructure and request a recommendation for Regional Transportation Council (RTC) approval of funding recommendations for the Electric Vehicle Charging Station Reliability and Accessibility Accelerator Program.

Background: The North Central Texas Council of Governments (NCTCOG) was awarded \$3,660,000 in federal funds from the Federal Highway Administration (FHWA) Electric Vehicle Charger

Reliability and Accessibility Accelerator program in January 2024 to repair, replace, or upgrade existing but non-operational publicly accessible electric vehicle (EV) charging infrastructure. FHWA limited eligibility for this program to a list of identified non-operational EV charging infrastructure stations published in October 2023. The full list is available on [grants.gov](https://www.grants.gov). Staff has evaluated EV charging infrastructure from the eligible site list as provided by FHWA to develop funding recommendations. A detailed ranking of eligible location recommendations for funding and eligible stations that were removed from consideration for funding can be found in [Electronic Item 5.2](#). [Electronic Item 5.1](#) provides an overview of staff's recommendations and more information on regional EV charging infrastructure opportunities.

Performance Measure(s) Addressed: Air Quality

2:10 – 2:20

6. **Work Zone Data Exchange 2024 Call for Projects**

Action       Possible Action       Information      Minutes: 10

Presenter: Vickie Morris, NCTCOG

Item Summary: Staff will request a recommendation for Regional Transportation Council (RTC) approval of the 2024 Work Zone Data Exchange Call for Projects selection and east/west funding split.

Background: In March of 2022, a procurement was issued to secure vendors through the North Central Texas Council of Governments TXSHARE Cooperative Purchase for Work Zone Data Exchange (WZDx). In June 2023, the RTC directed staff to engage regional partners on project scoping and execution to continue this effort. In addition, the RTC has set aside \$2.5 million to award local governments to implement WZDx services to continue to make progress in this area. On September 16, 2024, the Work Zone Data Exchange 2024 Call for Projects opened, and projects were due by November 15, 2024. Submissions were received and reviewed by staff. Additional information is provided in [Electronic Item 6.1](#) and a listing of the project recommendations are provided in [Electronic Item 6.2](#).

Performance Measure(s) Addressed: Roadway, Safety

2:20 – 2:30

7. **Director of Transportation Report on Selected Items**

Action       Possible Action       Information      Minutes: 10

Presenter: Michael Morris, NCTCOG

Item Summary: An overview of current transportation items will be provided.

Background: Efforts continue to advance transportation in the region. Staff will highlight the following:

1. Transit 2.0 Policy Oversight Preparation for February Action ([Electronic Item 7.1](#))
2. \$60 Million Received from Environmental Protection Agency Clean Heavy-Duty Vehicle Program ([Electronic Item 7.2](#))
3. Department of Defense \$4 Million Noise Mitigation Award for Elementary Schools in Lake Worth and White Settlement
4. Transportation Research Board January 5, 2025, (Washington, D.C.): Integrating Operational Change into Transportation Agencies to Optimize Project Delivery (Michael Morris and Ceason Clemons)
5. Texas Commission on Environmental Quality Recommended PM<sub>2.5</sub> National Ambient Air Quality Standard ([Electronic Item 7.3](#))
6. Regional Transportation Council Policy – Temporary Suspension of Dynamic Pricing No Longer Requested
7. Sandy Wesch Celebration of Life - January 24, 2025, at 3:30 pm

Performance Measure(s) Addressed: Administrative

2:30 – 2:40

8. **Mobility 2050 Development**

Action       Possible Action       Information      Minutes: 10

Presenter: Brendon Wheeler, NCTCOG

Item Summary: Staff will provide an update on the development of Mobility 2050, the region's next Metropolitan Transportation Plan. An overview of ongoing efforts and progress toward completing the plan with updates on key plan elements will be presented during the meeting.

Background: Federal guidelines require the Dallas-Fort Worth region to update its long-range transportation plan at least every four years and forecast transportation needs at least 20 years into the future. Mobility 2050 will build on the region's previous plans by incorporating updated demographic forecasts, financial projections, technical analyses, and public input to guide the development of transportation projects, programs, and policies. The plan must comply with federal requirements

to ensure it is financially constrained and aligns with transportation planning regulations. Mobility 2050 will serve as a critical blueprint for shaping the region's multimodal transportation system in the coming decades.

Performance Measure(s) Addressed: Roadway, Transit

2:40 – 2:50

9. **Pavement and Bridge Condition and System Performance, Freight, and Air Quality: PM2/PM3 Performance Measure Targets**

Action       Possible Action       Information      Minutes: 10

Presenter: James McLane, NCTCOG

Item Summary: Staff will present an update on two groups of Federally required performance measures: Pavement and Bridge Condition (PM2) and System Performance and Freight (PM3). Observed progress for the measures will be provided along with a proposal to reaffirm existing targets for the remainder of the current reporting period.

Background: In 2022, the Regional Transportation Council (RTC) adopted 2024 and 2026 targets for two sets of federally required performance measures commonly known as PM2 and PM3. PM2 includes measures related to pavement and bridge condition, while PM3 includes measures related to roadway system performance, freight, and air quality. The North Central Texas Council of Governments now has an opportunity to adjust or reaffirm the previously adopted 2026 targets, if appropriate, based on new data and analysis methodologies. As RTC took action to reaffirm 2026 targets for a subset of PM3 measures in September 2024, this item will cover the remainder of the PM3 measures not included with that action. A general update and schedule for all federal performance measures will be provided as well. [Electronic Item 9](#) provides more information.

Performance Measure(s) Addressed: Goods Movement, Roadway

2:50 – 3:00

10. **Fast Facts**

Action       Possible Action       Information      Minutes: 10

Item Summary: Brief staff presentations will be provided. Please reference the material provided for each of the following topics.

1. *Jesse Brown* – Auto Occupancy/High-Occupancy Vehicle Quarterly Subsidy Report ([Electronic Item 10.1](#))
2. *Kimberlin To* – Air North Texas 2024 Partner Awards ([Air North Texas - Partner Awards](#))
3. *Irlenia Hermosillo* – Local Clean Air Project Spotlight ([Electronic Item 10.2](#))

4. *Juliana VandenBorn* – Air Quality Funding Opportunities  
([www.nctcog.org/AQfunding](http://www.nctcog.org/AQfunding))
5. *Juliana VandenBorn* – Upcoming Dallas-Fort Worth Clean Cities Events  
(<https://www.dfwcleancities.org/events>)
6. Written Progress Reports:
  - Partner Progress Reports ([Electronic Item 10.3](#))
  - October – November Public Comments Report ([Electronic Item 10.4](#))
  - November Public Meeting Minutes ([Electronic Item 10.5](#))
  - November – December Public Comments Report ([Electronic Item 10.6](#))
  - January Public Meeting Notice ([Electronic Item 10.7](#))
  - February Public Meeting Notice ([Electronic Item 10.8](#))
  
11. **Other Business (Old or New)**: This item provides an opportunity for members to bring items of interest before the group.
  
12. **Next Meeting**: The next meeting of the Surface Transportation Technical Committee is scheduled for **1:30 pm on February 28, 2025**.

**MINUTES**

**SURFACE TRANSPORTATION TECHNICAL COMMITTEE  
Friday, December 6, 2024**

The Surface Transportation Technical Committee (STTC) met on Friday, December 6, 2024, at 1:30 pm in the Transportation Council Room of the North Central Texas Council of Governments (NCTCOG). The following STTC members or representatives were present: Melissa Baker, James Bell, David Boski, Shon Brooks, Tanya Brooks, Jim Chin (representing Daniel Burnham), Farhan Butt, Travis Campbell, John Cordary Jr., Clarence Daugherty, Pritam Deshmukh, Becky Diviney, Phil Dupler, Eric Fladager, Chris Flanigan, Gary Graham, Tom Hammons, Barry Heard, John D. Hudspeth, Jeremy Hutt, Kathleen Bednarz (representing Thuan Huynh), Joel James, Major Jones, Gus Khankarli, Paul Luedtke, Chris Bosce (representing Stanford Lynch), Chad Marbut, John Mears, Mark Nelson, Jim O'Connor, Alfredo Ortiz, Cintia Ortiz, Kelly Porter, Than Nguyen (representing Tim Porter), Minesha Reese, Elizabeth Reynolds, James Rogge, Greg Royster, Davis Salmon, Brian Shewski, Ray Silva-Reyes, Errick Thompson, Jennifer VanderLaan, Autumn Permenter (representing Gregory Van Nieuwenhuize), Jana Wentzel, and Robert Woodbury.

Others present at the meeting were: Vickie Alexander, Carli Baylor, Kenny Bergstrom, Natalie Bettger, Angela Cruz, Dawn Dalrymple, Brian Dell, Cody Derrick, Joaquin Escalante, Kevin Feldt, Gypsy Gavia, Bobby Gomez, Rebekah Gongora, Christie Gotti, Behnoush Gurshaschi, Dhaval Jariwala, Jim Jarratt, Amy Johnson, Ryan Jones, Chandra Kanth, Dan Kessler, Madiha Khan, Ken Kirkpatrick, Chris Klaus, Jill Krauter, Siddhesh Kudale, Mike Landvik, Travis Liska, Charles Marsh, Malcolm Mayhew, James McLane, Savana Nance, Jenny Narvaez, Jeff Neal, Quang Nguyen, Joe O'Brien, Tim Palermo, Trey Pope, Ezra Pratt, Vercie Pruitt-Jenkins, Eric Quintana, Lexi Roddy, Kyle Roy, Brandon Sparkman, Toni Stehling, Derek Sweeney, Daniela Tower, Jill Van Hoewyk, Brendon Wheeler, Amanda Wilson, and Hannah Witcher.

1. **Approval of October 25, 2024, Minutes:** The minutes of the October 25, 2024, meeting were approved as submitted in Electronic Item 1. Jim O'Connor (M); Mark Nelson (S). The motion passed unanimously.

2. **Consent Agenda:**

2.1. **February 2025 Transportation Improvement Program Modifications:**

A recommendation for Regional Transportation Council (RTC) approval was requested for revisions to the 2025-2028 Transportation Improvement Plan (TIP), along with the ability to amend the Unified Planning Work Program and other planning documents with TIP-related changes.

2.2. **Fiscal Year 2024 Public Transportation Funding: Programs of Projects:** A recommendation for Regional Transportation Council (RTC) approval was requested on Fiscal Year (FY) 2024 Public Transportation Funding Programs of Projects.

2.3. **City of Everman Signal Funding:** A recommendation for Regional Transportation Council (RTC) approval was requested for \$300,000 in RTC Local funding for a new traffic signal in the City of Everman, including the ability to administratively amend planning, and administrative documents as needed to incorporate this project.

A motion was made to approve Items 2.1, 2.2, and 2.3 on the Consent Agenda. Kelly Porter (M); Clarence Daugherty (S). The motion passed unanimously.

3. **Backstop Funding: Supporting Vehicle Procurement for the Awarded 2021 Rebuilding American Infrastructure with Sustainability and Equity Grant:**

Ken Kirkpatrick requested a recommendation for the Regional Transportation Council (RTC) authorization to utilize \$1,004,000 in RTC Local funds as a temporary backstop to advance mobility enhancements within the Southern Dallas Inland Port.

A motion was made to recommend Regional Transportation Council (RTC) approval to authorize use up to \$1,004,000 RTC Local funds for a temporary backstop to support contract obligations and expenditures for the purchase of electric buses and in-plant inspection services. Tanya Brooks (M); Kelly Porter (S). The motion passed unanimously.

4. **City of River Oaks, Meandering Road Right of Way Acquisition Loan:** Dan Kessler requested a recommendation for Regional Transportation Council approval to advance right-of-way acquisition funding for the reconstruction of Meandering Road from Roberts Cut-Off in River Oaks to LT JG Barnett Road to Fort Worth in the amount of \$900,000 in RTC Local funds. The City of River Oaks is acquiring the right-of-way at the request of the North Central Texas Council of Governments (NCTCOG) and the other project partners. RTC Local funds will be returned to NCTCOG upon River Oaks receiving federal reimbursement.

A motion was made to recommend Regional Transportation Council approval of the right-of-way acquisition loan of \$900,000 for Meandering Road from East Gate of LT JG Barnett Rd to Roberts Cut-Off. Kelly Porter (M); Tanya Brooks (S). The motion passed unanimously.

5. **Fiscal Year 2024 Federal-State Partnership for Intercity Passenger Rail Grant Program:**

Jeff Neal requested a recommendation for Regional Transportation Council approval to submit a project in the Fiscal Year 2024 (FY24) Federal-State partnership for Intercity Passenger Rail (FSP) Grant Program. Applications were due to the United States Department of Transportation by December 16, 2024.

A motion was made to recommend the Regional Transportation Council (RTC) approve submittal of the Trinity Railway Express (TRE) Corridor Double-Tracking Project for funding consideration through the Fiscal Year (FY) 2024 Federal-State Partnership (FSP) for Intercity Passenger Rail Program. Approval included use of up to \$2.4 million in Regional Toll Revenue (RTR) funds and Regional Transportation Council (RTC) Local funds as a backstop in lieu of a partnership with Dallas Area Rapid Transit and Trinity Metro for the 20 percent non-federal match to complete FSP Track 1 (Project Planning) and FSP Track 2 (Project Development) tasks for an application total of \$12 million; and to administratively amend the North Central Texas Council of Governments Transportation Improvement Program and State Transportation Improvement Program (TIP/STIP), as well as other planning and administrative documents, for inclusion of the proposed project if selected for a FY2024 FSP Grant award. Kelly Porter (M); Alfredo Ortiz (S). The motion passed unanimously.

6. **Project Status Report: Fiscal Year 2024 Project Tracking, Fiscal Year 2025 Project Tracking, and Metropolitan Planning Organization Milestone Policy Round 2:** Dylan Niles provided a status report on the Fiscal Year (FY) 2024 Project Tracking, FY2025 Project Tracking, and Milestone Policy Round 2 projects and requested a recommendation for Regional Transportation Council approval of various updates to Milestone Policy project deadlines.

A motion was made to recommend Regional Transportation Council (RTC) approval of staff's recommendations detailed in slide 5 for the Metropolitan Planning Organization Milestone Policy Update as follows: Union Pacific (UP) Railroad Crossing Project (Haltom City), establish a letting deadline of December 2025; United States (US) 81/US 287 Projects (Texas Department of Transportation-Fort Worth), extend letting deadline to December 2026; and administratively amend the Transportation Improvement Program (TIP)/Statewide Transportation Improvement Program (STIP) along with other administrative/planning documents as needed to incorporate any changes to affected projects. Kelly Porter (M); Farhan Butt (S). The motion passed unanimously.

7. **Forecast 2050: Demographics**: Dan Kessler presented a summary of the recently completed Forecast 2050, the region's new population and employment forecasts for the year 2050. The North Central Texas Council of Governments Executive Board approved these forecasts on November 21, 2024. These forecasts will be used to support the upcoming development of Mobility 2050: the Metropolitan Transportation Plan for North Central Texas.
8. **Mobility 2050**: Amy Johnson provided a report regarding efforts to develop the next Metropolitan Transportation Plan, Mobility 2050: the Metropolitan Transportation Plan for North Central Texas.
9. **Fiscal Year 2025 Rebuilding American Infrastructure with Sustainability and Equity Grant Program**: Jeff Neal briefed the Committee on the Fiscal Year (FY) 2025 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program, dedicated for surface transportation infrastructure projects that will have a significant local or regional impact. Details highlighting grant requirements, merit criteria, and possible multimodal project candidates were provided.
10. **Regional Parking Demand Database**: Travis Liska presented findings from data collection on parking demand at 106 private properties and requested ongoing local government participation and coordination. The regional data aggregation and analysis will help local governments with better parking policy and management.
11. **New 511 Dallas-Fort Worth System**: Eric Quintana provided an overview of the new 511 Dallas-Fort Worth (511DFW) Traveler Information System highlighting the public-facing and agency user interface.
12. **End of Ozone Season Recap**: Daniela Tower provided a summary of the 2024 ozone season activity and other air quality updates for the Dallas-Fort Worth region. The ozone season is from March 1 to November 30.
13. **Fast Facts**: Staff provided brief presentations on Items 1 through 7 below:
  1. Joseph O'Brien – 2025 Regional Transportation Council Legislative Program
  2. Joaquin Escalante – Reminder of Annual Required Local Government Energy Reporting
  3. Daniela Tower – Receipt of United States Department of Transportation 2023 Transportation Conformity Determination
  4. Trey Pope – Local Clean Air Project Spotlight



5. Savana Nance – Attendance Report – Dallas-Fort Worth Clean Cities Technical Advisory Board
  6. Joaquin Escalante – Air Quality Funding Opportunities ([www.nctcog.org/AQfunding](http://www.nctcog.org/AQfunding))
  7. Joaquin Escalante – Upcoming Dallas-Fort Worth Clean Cities Events (<https://www.dfwcleancities.org/events>)
  8. Written progress reports were provided for Partner Progress Reports, October Public Meeting Minutes, and September through October Public Comments. Meeting schedules for the 2025 Surface Transportation Technical Committee and Regional Transportation Council meetings were distributed at the meeting.
14. **Other Business (Old or New):** No items were provided.
15. **Next Meeting:** The next meeting of the Surface Transportation Technical Committee is scheduled for ***1:30 pm on January 24, 2025.***

Meeting adjourned at 3:41 p.m.

2024 TRANSPORTATION  
DEVELOPMENT CREDIT ANNUAL  
REPORT AND UPDATES TO  
TRANSPORTATION DEVELOPMENT  
CREDIT ALLOCATIONS

Surface Transportation Technical Committee  
January 24, 2025



# BACKGROUND

- Transportation Development Credits (TDC) are “earned” by the region when toll revenues are used to fund capital projects on public highways.
- They are eligible to “match” a federal funding award in lieu of the typical 20 percent cash match.
- TDCs are not money or cash, and they do not increase funding for a given project.
- The Dallas-Fort Worth Region has been allocated 994,351,658 TDCs.
- A report detailing the amount of TDCs utilized in the previous fiscal year must be submitted to TxDOT each year.
- As of September 30, 2024 (the end of the most recent report), the Dallas-Fort Worth Region has 625,325,132 TDCs available for future allocation.

# TDC BALANCES (AS OF FY2024 REPORT)

Category	Current Allocation	Awarded in 2013-2023	Awarded in 2024	Total Awarded	Remaining for Future Programming
1 - Strategic Awards to Small Transit Providers	41,000,000	23,702,596	4,526,908	28,229,504	12,770,496
2 - RTC has Revenue	60,000,000	42,380,635	14,777,873	57,158,508	2,841,492
3 -Local Agency has Revenue ( <b>RETIRED CATEGORY</b> )	16,691,115	16,691,115	0	16,691,115	0
4 - Selling TDCs to Other MPOs/TxDOT	150,000,000	100,000,000	0	100,000,000	50,000,000
5 - Regional Programs/Management and Operations	107,788,934	84,677,973	23,110,961	107,788,934	0
6 - MTP Policy Bundle	100,000,000	51,562,597	7,595,868	59,158,465	40,841,535
7 - For Future Reallocation	518,871,609	0	0	0	518,871,609
<b>Total</b>	<b>994,351,658</b>	<b>319,014,916</b>	<b>50,011,610</b>	<b>369,026,526</b>	<b>625,325,132</b>

# CATEGORY 1: STRATEGIC AWARDS TO SMALL TRANSIT PROVIDERS

Goal	<ul style="list-style-type: none"><li>• Support public transit by maximizing the use of federal funds, particularly when federal funds otherwise would be unused because of the inability of agencies to provide the local match</li></ul>
Proposed Action	<ul style="list-style-type: none"><li>• Continue the category, and maintain the current allocation</li><li>• Clarify that this category is only intended for entities that do not have taxing authority (i.e., cities that are recipients of transit funds must utilize MTP Policy Bundle TDCs or provide a cash match)</li></ul>

# CATEGORY 2: RTC HAS REVENUE

Goals	<ul style="list-style-type: none"><li>• Advance initiatives of strategic importance</li><li>• Expedite delivery of projects</li><li>• Free up local or State funds for use on:<ul style="list-style-type: none"><li>• Projects that can be expedited outside the federal process</li><li>• Projects not typically eligible for federal funds</li></ul></li></ul>
Proposed Action	<ul style="list-style-type: none"><li>• Increase allocation by 50,000,000</li></ul>

# CATEGORY 4: SELLING/TRANSFERRING TDCs TO OTHER MPOs/TxDOT

Goal	<ul style="list-style-type: none"><li>• Generate local revolving fund to cash flow federal programs administered by NCTCOG</li></ul>
Proposed Action	<ul style="list-style-type: none"><li>• Continue the category, and maintain the current allocation</li></ul>



# CATEGORY 5: REGIONAL PROGRAMS/ MANAGEMENT AND OPERATIONS

Goal	<ul style="list-style-type: none"><li>• Support regional programs and projects that improve air quality, congestion, reliability, safety and accessibility, modernize infrastructure, advance planning efforts in the region, and others that may apply</li></ul>
Proposed Action	<ul style="list-style-type: none"><li>• Increase allocation by 50,000,000</li></ul>



# CATEGORY 6: METROPOLITAN TRANSPORTATION PLAN (MTP) POLICY BUNDLE

Goal	<ul style="list-style-type: none"><li>• Provide support to agencies that implement policies that further Mobility Plan objectives</li></ul>
Proposed Action	<ul style="list-style-type: none"><li>• Continue the category, and maintain the current allocation</li></ul>

# PROPOSED TDC ALLOCATION UPDATES

Category	Current Allocation	Proposed Change	Revised Allocation
1 - Strategic Awards to Small Transit Providers	41,000,000	0	41,000,000
2 - RTC has Revenue	60,000,000	+50,000,000	110,000,000
3 - Local Agency has Revenue (RETIRED CATEGORY)	16,691,115	0	16,691,115
4 - Selling TDCs to Other MPOs/TxDOT	150,000,000	0	150,000,000
5 - Regional Programs/Management and Operations	107,788,934	+50,000,000	157,788,934
6 - MTP Policy Bundle	100,000,000	0	100,000,000
7 - For Future Reallocation	518,871,609	-100,000,000	418,871,609
<b>Total</b>	<b>994,351,658</b>		<b>994,351,658</b>

# REQUESTED ACTION - UPDATES TO TDC ALLOCATIONS

- Recommend RTC approval of the proposed TDC category changes, which would leave our MPO with 418.87 million TDCs for future allocation to the various categories

# CONTACT INFORMATION

Christie Gotti

Senior Program Manager

(817) 608-2338

[cgotti@nctcog.org](mailto:cgotti@nctcog.org)

Brian Dell

Program Manager

(817) 704-5694

[bdell@nctcog.org](mailto:bdell@nctcog.org)

Cody Derrick

Senior Transportation Planner

(817) 608-2391

[cderrick@nctcog.org](mailto:cderrick@nctcog.org)



The Transportation Policy Body for the North Central Texas Council of Governments  
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

November 27, 2024

David Salazar, P.E.  
District Engineer  
TxDOT Fort Worth District  
2501 SW Loop 820  
Fort Worth, TX 76133

Season Clemens, P.E.  
District Engineer  
TxDOT Dallas District  
4777 US Highway 80 East  
Mesquite, TX 75150

Noel Paramanatham, P.E.  
District Engineer  
TxDOT Paris District  
1365 N Main Street  
Paris, TX 75460

Dear Messrs. and Mmes. Salazar, Clemens, and Paramanatham:

Enclosed is the 2024 Transportation Development Credits (TDC) Annual Report for the Dallas-Fort Worth region. This report details the TDC allocations and projects approved in Fiscal Year 2024 by the Regional Transportation Council, which serves as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area. The following attachments are provided:

Attachment 1 Summary of Transportation Development Credits Allocation and Award Amounts in the Dallas-Fort Worth Metropolitan Planning Organization

Attachment 2 Projects with Approved Transportation Development Credits in the Dallas-Fort Worth Metropolitan Planning Organization

The North Central Texas Council of Governments and the Regional Transportation Council anticipate awarding additional TDCs in 2025. Please transmit this report to the appropriate division(s) within your agency. This report fulfills our December 1, 2024, TDC annual report submittal. Should you need any additional information, please contact Brian Dell, Program Manager or me at (817) 704-5601.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christie J. Gotti', written in a cursive style.

Christie J. Gotti  
Senior Program Manager

DN:bw  
Enclosures

cc: Marc D. Williams, P.E., Executive Director, Texas Department of Transportation  
Stephen Stewart, CPA, Chief Financial Officer, Texas Department of Transportation  
Shannon Hawkins, Transportation Planner – MPO Coordinator, Transportation Planning & Programming Division, Texas Department of Transportation  
Latrica Good, Accountant, Texas Department of Transportation

**Summary of Transportation Development Credits (TDCs)  
Dallas-Fort Worth Metropolitan Planning Organization (MPO)  
(As of September 30, 2024)**

TDC Award Type	TDC Awarded Amount							Remaining (for Future Programming)
	Current Allocation	Awarded in 2013-2020	Awarded in 2021	Awarded in 2022	Awarded in 2023	Awarded in 2024	Cumulative Total Awarded	
Category 1 - Strategic Awards to Small Transit Providers	41,000,000	18,846,382	2,623,023	88,335	2,144,856	4,526,908	28,229,504	12,770,496
Category 2 - RTC Has Revenue - Transportation Alternatives Program; TxDOT/RTC Partnership for Reliability, Congestion Mitigation, and Air Quality; Collin County LIP/LIRAP <sup>1</sup> Partnership; COVID Infrastructure Program	60,000,000	12,821,313	2,461,375	12,222,441	14,875,506	14,777,873	57,158,508	2,841,492
Category 3 - Local Agency Has Revenue	16,691,115	16,691,115	0	0	0	0	16,691,115	0
Category 4 - Selling/Transferring TDCs to Other MPOs/TxDOT (MPO Revolver Fund)	150,000,000	100,000,000	0	0	0	0	100,000,000	50,000,000
Category 5 - Regional Programs/Management and Operations	107,788,934	32,785,803	24,133,213	(290,307)	28,049,264	23,110,961	107,788,934	0
Category 6 - Metropolitan Transportation Plan (MTP) Policy Bundle	100,000,000	32,929,881	8,514,279	5,713,506	4,404,931	7,595,868	59,158,465	40,841,535
Category 7 - TDC Pool for Future Reallocation	518,871,609	0	0	0	0	0	-	518,871,609
<b>Subtotal</b>	<b>994,351,658</b>	<b>214,074,494</b>	<b>37,731,890</b>	<b>17,733,975</b>	<b>49,474,557</b>	<b>50,011,610</b>	<b>369,026,526</b>	<b>625,325,132</b>

TDC Allocation Summary	
<b>TDCs Originally Allocated for Dallas/Fort Worth MPO</b>	<b>465,486,222</b>
<b>Additional TDCs Allocated to Dallas/Fort Worth MPO via 2019 UTP<sup>2</sup></b>	<b>528,865,436</b>
<b>Total TDCs Allocated to Dallas/Fort Worth MPO</b>	<b>994,351,658</b>
<b>Total TDCs Awarded as of September 30, 2024</b>	<b>(369,026,526)</b>
<b>Remaining TDC Pool for Future Programming</b>	<b>625,325,132</b>

Notes:  
 1: LIP: Local Initiative Projects, LIRAP: Low-Income Vehicle Repair, Retrofit, and Accelerated Retirement Program  
 2: Approved by the Texas Transportation Commission on 8/30/2018 (Minute Order #115291)

**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

<b>Projects Approved with MPO Transportation Development Credits:</b>						
<b>TIP Code</b>	<b>Project Description</b>	<b>Project Sponsor</b>	<b>Fiscal Year in TIP</b>	<b>Year Awarded/ Adjusted</b>	<b>TDC Amount*</b>	<b>TDC Category (1-6)</b>
12122.17	5307 - BUS PREVENTIVE MAINTENANCE	PUBLIC TRANSIT SERVICES	2018	2024	4,103	1
12122.18	5307 - BUS PREVENTIVE MAINTENANCE	PUBLIC TRANSIT SERVICES	2019	2024	4,000	1
12205.24	5307 - PROJECT ADMINISTRATION	NCTCOG	2025	2024	180,353	1
12206.23	5307 - PROJECT ADMINISTRATION	NCTCOG	2025	2024	170,573	1
12241.23	5307 - PROJECT ADMINISTRATION	STAR TRANSIT	2025	2024	40,000	1
12241.24	5307 - PROJECT ADMINISTRATION	STAR TRANSIT	2025	2024	40,000	1
12247.23	5307 - PROJECT ADMINISTRATION	PUBLIC TRANSIT SERVICES	2025	2024	4,000	1
12247.24	5307 - PROJECT ADMINISTRATION	PUBLIC TRANSIT SERVICES	2025	2024	12,000	1
12375.23	5307 - PROJECT ADMINISTRATION	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	1,000	1
12483.17	5307 - ACQUISITION OF HARDWARE	STAR TRANSIT	2018	2024	(16,304)	1
12483.18	5307 - ACQUISITION OF HARDWARE	STAR TRANSIT	2019	2024	(5,420)	1
12484.17	5307 - ACQUISITION OF SOFTWARE	STAR TRANSIT	2018	2024	16,304	1
12484.18	5307 - ACQUISITION OF SOFTWARE	STAR TRANSIT	2019	2024	5,420	1
12484.23	5307 - ACQUISITION OF SOFTWARE	STAR TRANSIT	2025	2024	67,400	1
12484.24	5307 - ACQUISITION OF SOFTWARE	STAR TRANSIT	2025	2024	41,919	1
12576.18	5307 - PURCHASE REPLACEMENT VEHICLES	NCTCOG	2019	2024	(56,951)	1
12576.21	5307 - PURCHASE REPLACEMENT VEHICLES	NCTCOG	2025	2024	1	1
12576.23	5307 - PURCHASE REPLACEMENT VEHICLES	NCTCOG	2025	2024	261,600	1
12576.24	5307 - PURCHASE REPLACEMENT VEHICLES	NCTCOG	2025	2024	240,098	1
12600.24	5307 - CAPITAL COST OF CONTRACTING	NORTHEAST TRANSPORTATION SERVICES	2025	2024	(64,000)	1
12600.25	5307 - CAPITAL COST OF CONTRACTING	NORTHEAST TRANSPORTATION SERVICES	2025	2024	64,000	1
12600.26	5307 - CAPITAL COST OF CONTRACTING	NORTHEAST TRANSPORTATION SERVICES	2026	2024	64,000	1
12600.27	5307 - CAPITAL COST OF CONTRACTING	NORTHEAST TRANSPORTATION SERVICES	2027	2024	64,000	1

\*Negative numbers indicate a reduction in the number of credits awarded on a project

**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
12600.28	5307 - CAPITAL COST OF CONTRACTING	NORTHEAST TRANSPORTATION SERVICES	2028	2024	64,000	1
12625.23	5307 - PREVENTIVE MAINTENANCE	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	28,000	1
12625.24	5307 - PREVENTIVE MAINTENANCE	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	76,000	1
12627.23	5307 - PREVENTIVE MAINTENANCE	STAR TRANSIT	2025	2024	109,000	1
12627.24	5307 - PREVENTIVE MAINTENANCE	STAR TRANSIT	2025	2024	95,867	1
12653.25	5310 - PURCHASE OF SERVICE	NORTHEAST TRANSPORTATION SERVICES	2025	2024	83,200	1
12653.26	5310 - PURCHASE OF SERVICE	NORTHEAST TRANSPORTATION SERVICES	2026	2024	83,200	1
12653.27	5310 - PURCHASE OF SERVICE	NORTHEAST TRANSPORTATION SERVICES	2027	2024	83,200	1
12653.28	5310 - PURCHASE OF SERVICE	NORTHEAST TRANSPORTATION SERVICES	2028	2024	83,200	1
12664.17	5307 - ACQUISITION OF HARDWARE	PUBLIC TRANSIT SERVICES	2018	2024	(4,103)	1
12664.18	5307 - ACQUISITION OF HARDWARE	PUBLIC TRANSIT SERVICES	2019	2024	(4,000)	1
12664.19	5307 - ACQUISITION OF HARDWARE	PUBLIC TRANSIT SERVICES	2020	2024	(4,000)	1
12666.23	5307 - MOBILITY MANAGEMENT	PUBLIC TRANSIT SERVICES	2025	2024	15,600	1
12666.24	5307 - MOBILITY MANAGEMENT	PUBLIC TRANSIT SERVICES	2025	2024	25,949	1
12678.23	5310 - PROGRAM ADMINISTRATION	NCTCOG	2025	2024	115,605	1
12696.16	5307 - PREVENTIVE MAINTENANCE	PUBLIC TRANSIT SERVICES	2017	2024	4,231	1
12696.19	5307 - PREVENTIVE MAINTENANCE	PUBLIC TRANSIT SERVICES	2020	2024	4,000	1
12696.23	5307 - PREVENTIVE MAINTENANCE	PUBLIC TRANSIT SERVICES	2025	2024	38,600	1
12696.24	5307 - PREVENTIVE MAINTENANCE	PUBLIC TRANSIT SERVICES	2025	2024	20,000	1
12710.16	5307 - ACQUISITION OF SIGNAGE	PUBLIC TRANSIT SERVICES	2022	2024	1	1
12711.24	5307 - MOBILITY MANAGEMENT	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	48,000	1
12712.17	5307 - ACQUISITION OF HARDWARE	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	4,000	1
12712.24	5307 - ACQUISITION OF HARDWARE	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	8,000	1
12713.17	5307 - ACQUISITION OF SOFTWARE	SPECIAL PROGRAMS FOR AGING NEEDS	2018	2024	(4,000)	1
12713.24	5307 - ACQUISITION OF SOFTWARE	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	22,404	1

\*Negative numbers indicate a reduction in the number of credits awarded on a project



**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
12716.23	5307 - ACQUISITION OF SIGNAGE	STAR TRANSIT	2025	2024	10,000	1
12717.19	5307 - MOBILITY MANAGEMENT	STAR TRANSIT	2025	2024	100,000	1
12717.23	5307 - MOBILITY MANAGEMENT	STAR TRANSIT	2025	2024	128,000	1
12717.24	5307 - MOBILITY MANAGEMENT	STAR TRANSIT	2025	2024	55,872	1
12719.23	5310 - PURCHASE OF SERVICE - MESQUITE	STAR TRANSIT	2025	2024	97,015	1
12735.24	5307 - PROJECT ADMINISTRATION	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	6,000	1
12736.23	5339 - PURCHASE REPLACEMENT VEHICLES	NCTCOG	2025	2024	76,800	1
12737.22	5310 - MOBILITY MANAGEMENT - STRATEGIC PARTNERSHIP	NCTCOG	2023	2024	(65,545)	1
12747.24	5307 - ACQUISITION OF HARDWARE	CITY/COUNTY TRANSPORTATION	2025	2024	5,405	1
12750.24	5307 - PROJECT ADMINISTRATION	CITY/COUNTY TRANSPORTATION	2025	2024	10,600	1
12752.18	5310 - MOBILITY MANAGEMENT	NCTCOG	2020	2024	(22,360)	1
12752.21	5310 - MOBILITY MANAGEMENT - STRATEGIC PARTNERSHIP	NCTCOG	2025	2024	93,860	1
12752.23	5310 - MOBILITY MANAGEMENT	NCTCOG	2025	2024	646,656	1
12755.24	5307 - ACQUISITION OF SECURITY EQUIPMENT	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	2,000	1
12766.16	5307 - ACQUISITION OF MISCELLANEOUS EQUIPMENT	PUBLIC TRANSIT SERVICES	2019	2024	(4,231)	1
12779.20	5310 - MOBILITY MANAGEMENT - STRATEGIC PARTNERSHIP	NCTCOG	2025	2024	(320,351)	1
12779.22	5310 - MOBILITY MANAGEMENT - STRATEGIC PARTNERSHIP	NCTCOG	2023	2024	12,751	1
12782.23	5307 - PREVENTIVE MAINTENANCE	CITY/COUNTY TRANSPORTATION	2024	2024	10,500	1
12782.24	5307 - PREVENTIVE MAINTENANCE	CITY/COUNTY TRANSPORTATION	2025	2024	11,000	1
12786.24	5307 - PREVENTIVE MAINTENANCE	COMMUNITY TRANSIT SERVICES	2025	2024	2,000	1
12793.21	5339 - PROJECT ADMINISTRATION	NCTCOG	2022	2024	1	1
12793.23	5339 - PROJECT ADMINISTRATION	NCTCOG	2025	2024	14,252	1
12793.24	5339 - PROJECT ADMINISTRATION	NCTCOG	2025	2024	23,001	1
12808.19	5310 - MOBILITY MANAGEMENT	NCTCOG	2022	2024	(41,072)	1
12808.20	5310 - MOBILITY MANAGEMENT	NCTCOG	2023	2024	(43,505)	1
12808.23	5310 - MOBILITY MANAGEMENT	NCTCOG	2025	2024	68,708	1
12813.23	5307 - GENERAL PLANNING	NCTCOG	2025	2024	40,000	1
12833.18	5307 - ACQUISITION OF BUS SHELTERS	STAR TRANSIT	2019	2024	(10,000)	1
12833.24	5307 - ACQUISITION OF BUS SHELTERS	STAR TRANSIT	2025	2024	2,000	1
12870.23	5307 - MOBILITY MANAGEMENT	NCTCOG	2025	2024	170,573	1
12870.24	5307 - MOBILITY MANAGEMENT	NCTCOG	2025	2024	180,353	1
12874.24	5307 - ACQUISITION OF SUPPORT VEHICLES	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	18,000	1
12875.19	5310 - PURCHASE OF SERVICE - DENTON COUNTY	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	265,224	1

\*Negative numbers indicate a reduction in the number of credits awarded on a project

**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
12875.20	5310 - PURCHASE OF SERVICE - DENTON COUNTY	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	234,777	1
12876.24	5307 - STRATEGIC PARTNERSHIP FUNDING	NCTCOG	2025	2024	367,712	1
12877.24	5339 - VEHICLE PROCUREMENT	NCTCOG	2025	2024	92,003	1
12886.24	5307 - PROJECT ADMINISTRATION	NCTCOG	2025	2024	16,583	1
12887.24	5307 - MOBILITY MANAGEMENT	NCTCOG	2025	2024	16,583	1
12888.24	5307 - PROJECT ADMINISTRATION	NCTCOG	2025	2024	8,446	1
12889.24	5307 - MOBILITY MANAGEMENT	NCTCOG	2025	2024	8,446	1
12900.22	5307 - TRANSIT MAINTENANCE, VEHICLES, AND OTHER CAPITAL PROJECTS	NCTCOG	2025	2024	(38,160)	1
12904.18	5307 - CAPITAL COST OF CONTRACTING - VIA	ARLINGTON	2020	2024	(170,000)	1
12915.19	5310 - MOBILITY MANAGEMENT-STRATEGIC PARTNERSHIPS	NCTCOG	2025	2024	331,530	1
12917.18	5307 - ACQUISITION OF BUS SHELTERS	PUBLIC TRANSIT SERVICES	2020	2024	(55,000)	1
12920.21	5310 - PURCHASE OF SERVICE - LITTLE ELM	SPECIAL PROGRAMS FOR AGING NEEDS	2025	2024	30,426	1
12947.23	5310 - PURCHASE OF SERVICE -TCTS	TRINITY METRO	2025	2024	55,000	1
12968.23	5307 - PROGRAM ADMINISTRATION	CITY/COUNTY TRANSPORTATION	2025	2024	8,405	1
12974.19	5310 - ON-DEMAND SERVICES - ELLIS COUNTY	STAR TRANSIT	2025	2024	17,600	1
12989.24	5307 - GENERAL PLANNING	NCTCOG	2025	2024	25,000	1
12990.19	5307 - CONSTRUCTION OF PARKING FACILITY	STAR TRANSIT	2025	2024	(100,000)	1
<b>Subtotal of Category 1 - Strategic Awards to Small Transit Providers</b>					<b>4,526,908</b>	
11616.1	REGIONAL TRAFFIC SIGNAL RETIMING PROJECT; DEVELOP & IMPLEMENT TRAFFIC SIGNAL COORDINATION IN THE DFW NONATTAINMENT AREA; INCLUDES IMPROVING SIGNAL OPERATION AND PROGRESSION THROUGH TRAFFIC SIGNAL RETIMING, EQUIPMENT AND IMPLEMENTATION, AND EVALUATION OF THE RESULTANT IMPROVEMENTS; INCLUDES NCTCOG STAFF TIME AND CONSULTANT ASSISTANCE	NCTCOG	2024	2024	627,500	2
			2025		690,000	
			2026		900,000	
11684.6	AUTONOMOUS MOBILE VEHICLE TO RESIDENTIAL LOCATIONS PILOT PROJECT MCKINNEY - PHASE 1; DALLAS PHASE 2; AUTOMATED, INTERNET-CONNECTED, & TELEOPERATED VEH TECH TO DELIVER SERVICES TO UNDERSERVED COMMUNITIES; INVOLVES PROCURING "INTEGRATOR" W/BROADBAND CONNECTIVITY TO PROVIDE VEH PLATFORM, SERVICE, & COORD W/ LOCAL STAKEHOLDERS; PART OF NEW TDM+TECH INITIATIVE	NCTCOG	2024	2024	(1,000,000)	2
11979.4	CLEAN FLEET TECHNOLOGIES PROGRAM INCLUDING REPLACEMENT/REPOWER/RETROFIT; IDLE-REDUCTION & OTHER EMISSIONS-REDUCTION TECHNOLOGIES; REFUELING INFRASTRUCTURE	NCTCOG	2016	2024	(76,529)	2

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**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
16005	LOVE FIELD SURFACE TRANSPORTATION PLANNING STUDY (MOCKINGBIRD) FROM SH 183 TO DALLAS NORTH TOLLWAY AND FROM STEMMONS FREEWAY TO MOCKINGBIRD LANE; STUDY TO EVALUATE IMPROVEMENTS TO EXISTING ROADWAY AND TRANSIT OPTIONS TO MAXIMIZE ACCESSIBILITY TO LOVE FIELD AIRPORT NOW AND IN THE FUTURE	NCTCOG	2025	2024	(15,000)	2
20003.1	MEANDERING WAY AT SILVER LINE RAIL CROSSING; INSTALL FLASHING OR LIT SIGNAGE FOR ENHANCED VISIBILITY AT MEANDERING WAY	DART	2025	2024	24,922	2
20003.2	SILVER LINE RAIL LINE FROM EXISTING TERMINATION OF SAFETY WALL TO WATERVIEW (UNIVERSITY PLACE WALL EXTENSION); EXTEND SAFETY WALL TO WATERVIEW	DART	2025	2024	200,000	2
20003.3	SILVER LINE ROADWAY/RAIL CROSSINGS FROM COIT ROAD TO HILLCREST ROAD; CONSTRUCT 6 FOOT SIDEWALKS ON EACH SIDE OF HILLCREST ROAD, ALONG COIT ROAD, AND IN QUIET ZONE AREA	DART	2025	2024	216,693	2
20003.4	ON COIT ROAD AT OSAGE PLZ COURT; CONSTRUCT NEW SIGNAL	DART	2025	2024	172,667	2
20003.5	COTTON BELT/SILVER LINE RAIL LINE FROM DFW AIRPORT STATION TO SHILOH STATION IN PLANO; CONSTRUCTION ENGINEERING FOR SILVER LINE RAIL	DART	2025	2024	45,820	2
21021	ON CHISHOLM TRAIL PARKWAY AT WORTH CREEK PARKWAY; CONSTRUCT INTERCHANGE	NTTA	2025	2024	(400,000)	2
			2026		(3,600,000)	
21086	ON N MCDONALD STREET FROM VIRGINIA ST TO LOUISIANA ST; CONSTRUCTION OF LOWER SH 5 PEDESTRIAN AMENITIES	TXDOT-DALLAS	2027	2024	1,281,800	2
21094	CR 4668 AT BOBO'S CROSSING; RECONSTRUCT 2 TO 2 LANE ROADWAY, INCLUDING CONSTRUCTION OF BRIDGE TO ELEVATE THE ROADWAY OUT OF FLOOD PLAIN	TXDOT-FORT WORTH	2027	2024	2,400,000	2
21096	REGIONAL OUTER LOOP PARTNERSHIP; PLACEHOLDER FOR FUTURE PROJECT TO BE FUNDED IN EXCHANGE FOR ROCKWALL COUNTY FUNDING ENGINEERING AND ENVIRONMENTAL CLEARANCE FOR A PORTION OF THE REGIONAL OUTER LOOP (FM 1138 TO SH 276)	ROCKWALL COUNTY	2046	2024	(1,760,000)	2
24007	ON HARRY HINES BLVD AND WITHIN 1-MILE RADIUS AROUND SOUTHWEST MEDICAL DISTRICT/HARRY HINES BLVD; UPDATE ADVANCED TRAFFIC MANAGEMENT SYSTEM (ATMS) TO ACCOMMODATE AND INTEGRATE SIGNAL PREEMPTION AND CLOUD-BASED IMPROVEMENTS TO THE CITY'S SIGNAL SYSTEM; CONSTRUCT SIGNAL IMPROVEMENTS TO GIVE EMERGENCY VEHICLES PRIORITY IN THE CORRIDOR	DALLAS	2025	2024	400,000	2
			2027		2,000,000	
24021	EVERMAN SAFE STREETS PROJECT; BOUNDED BY ENON AVENUE TO THE NORTH, OAK GROVE ROAD TO THE WEST, OAK GROVE-SHELBY ROAD TO THE SOUTH, AND FOREST HILL DRIVE TO THE EAST; CONSTRUCT BIKE/PED & TRAFFIC CALMING IMP INCL RESTRIPING TO REDUCE LANE WIDTHS, BIKE LANES, SIDEWALKS, CROSSWALKS & HAWK SIGNALS NEAR EVERMAN HS, EVERMAN ACADEMY HS, DAN POWELL EARLY LEARNING ACADEMY, ROY JOHNSON STEM ACADEMY, JW BISHOP ELEM & HOMMEL ELEM	FORT WORTH	2026	2024	100,000	2
			2029		830,000	

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**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
24022	ON LTJG BARNETT AT NAVAL AIR STATION JOINT RESERVE BASE FORT WORTH EAST GATE; CONSTRUCT SECOND BRIDGE AT EAST ENTRANCE TO NASJRB FORT WORTH	FORT WORTH	2026	2024	400,000	2
24032	FLOODED ROADS INFORMATION SYSTEMS PROJECT; REGIONWIDE; IMPROVE ROADWAY SAFETY BY PROVIDING ADVANCE WARNINGS TO DRIVERS/VEHICLES THROUGH MOBILE DRIVING APPS AND CONNECTED VEHICLE SYSTEMS; SYSTEM WILL FOCUS ON ALERTING USERS OF A HIGH PROBABILITY OF WATER POOLING , PONDING, OR FLOODING ON ROADWAY SURFACES; INCLUDES INTEGRATION WITH EXISTING REGIONAL FLOOD DETECTION SYSTEMS AND A NEEDS ASSESSMENT TO DETERMINE WHERE ADDITIONAL RAIN SENSING INFRASTRUCTURE IS NEEDED	NCTCOG	2025	2024	400,000	2
24034	TRAFFIC SIGNAL EQUIPMENT STANDARDIZATION AND UPGRADE PROGRAM FUNDING POOL; CONSTRUCT TRAFFIC SIGNAL IMPROVEMENTS IDENTIFIED IN REGIONAL TRAFFIC SIGNAL SURVEY	NCTCOG	2029	2024	6,000,000	2
24035	ON FOREST HILL DRIVE; FROM LON STEPHENSON ROAD TO SHELBY ROAD; RECONSTRUCT AND WIDEN 2 LANE RURAL TO 4 LANE DIVIDED ROADWAY WITH SIDEWALKS	TXDOT-FORT WORTH	2026	2024	500,000	2
			2029		4,000,000	
25002	TRINITY RAILWAY EXPRESS (TRE) RAIL STATIONS; TRE STATION UPDATES FOR RIDER AMENITIES INCLUDING IMPROVED SIGNAGE, LIGHTING, SECURITY, WAITING AREAS, AND PARKING ENHANCEMENTS TO FACILITATE UTILIZATION OF TRANSIT FOR EVERYDAY & SPECIAL EVENTS RIDERS	DART	2025	2024	200,000	2
25012.1	ON EAST ROSEDALE STREET AT VEAL STREET; REALIGN INTERSECTION	FORT WORTH	2029	2024	150,000	2
25012.3	ON EAST ROSEDALE STREET AND VEAL STREET; CONSTRUCT TRANSIT PORTICO STATION, INCLUDING REAL-TIME ARRIVAL/DEPARTURE INFORMATION	TRINITY METRO	2029	2024	100,000	2
25012.4	BOUNDED BY IH 35W TO THE WEST, EAST ROSEDALE ST ON THE SOUTH, TERRELL AVE ON THE NORTH, AND SOUTH RIVERSIDE DR ON THE EAST; DEPLOY BROADBAND AS A TRAVEL DEMAND MANAGEMENT PROGRAM TO REDUCE THE NEED FOR SINGLE OCCUPANT VEHICLE TRAVEL	FORT WORTH	2029	2024	50,000	2
25092.2	TRANSIT PASSES FOR COMMUNITY COLLEGES (EASTERN SUBREGION); PROVIDE TRANSIT PASSES FOR DALLAS COUNTY COLLEGE STUDENTS TO ASSIST WITH STUDENT TRANSPORTATION NEEDS AND TO INCREASE TRANSIT RIDERSHIP	NCTCOG	2025	2024	(60,000)	2
<b>Subtotal of Category 2 - RTC Has Revenue</b>					<b>14,777,873</b>	
11186.3	M&O - REGIONAL COMMUNICATION SYSTEM/INTERAGENCY COMMUNICATION NETWORK & SOFTWARE (EASTERN SUBREGION) PHASE III; FREEWAY INCIDENT MANAGEMENT PROGRAM	NCTCOG	2019	2024	(194,604)	5

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**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
11554.3	AUTOMATED TRANSPORTATION SYSTEM INITIATIVE; ANALYSIS OF VARIOUS TECHNOLOGIES AND ALIGNMENT OPTIONS FOR WARRANTED AUTOMATED TRANSPORTATION SYSTEMS (ATS) IN THE DFW REGION AND EVALUATE CONNECTIONS TO EXISTING REGIONAL TRANSPORTATION NETWORKS; INCLUDES PROJECT PLANNING AND DEVELOPMENT SUPPORT FOR ATS	NCTCOG	2025	2024	50,000	5
			2026		50,000	
11554.4	LAS COLINAS AUTOMATED TRANSPORTATION SYSTEM (ATS); TOWER 909 STATION (LAKE CAROLYN PKWY) TO BELL TOWER STATION (MANDALAY DRIVE) AND TO URBAN TOWERS STATION (NEAR FULLER DRIVE); ENGINEERING STUDY TO MODERNIZE PORTION OF EXISTING LAS COLINAS AREA PERSONAL TRANSIT GUIDEWAY FOR AUTOMATED TRANSPORTATION SYSTEM OPERATION INCLUDES LAS COLINAS AUTOMATED TRANSPORTATION SYSTEM (ATS), CONSULTANT AND COG STAFF TIME	NCTCOG	2025	2024	100,000	5
11612.2	REGION-WIDE EMPLOYER TRIP REDUCTION PROGRAM (ETR); TRACK AND IMPLEMENT ETR STRATEGIES THROUGH COMMUTER/EMPLOYER OUTREACH; MANAGEMENT/OVERSIGHT OF TRYPARKINGIT.COM PERFORMANCE MONITORING/REPORTING; MAINTAIN/UPDATE THE TDM TOOLKIT, TRIP REDUCTION MANUAL FOR EMPLOYERS, OUTREACH MATERIALS; MANAGED LANE REIMBURSEMENT; INCLUDES NCTCOG STAFF TIME AND CONSULTANT ASSISTANCE	NCTCOG	2020	2024	(41)	5
			2022		(34,173)	
11613	REGIONAL GOODS MOVEMENT/CORRIDOR STUDIES; CONDUCT GENERAL CORRIDOR STUDIES & PLANNING ACTIVITIES IN SUPPORT OF THE REGION'S GOODS MOVEMENT INCLUDING; NCTCOG STAFF TIME & CONSULTANT ASSISTANCE TO ASSESS IMPACT OF TRUCK, RAIL, & OTHER FREIGHT MOVEMENT, DATA COLLECTION & ANALYSIS, SAFETY, COORDINATION WITH PRIVATE SECTOR PARTNERS IN FREIGHT BUSINESSES; MONITORING TRUCK LANE CORRIDORS, HAZMAT, ECON ANALYSIS, LAND USE COMPATIBILITY, PASSENGER & FREIGHT RAIL INTEGRATION, PUBLIC OUTREACH & EDUCATION	NCTCOG	2019	2024	(4,206)	5
11613.2	REGIONAL GOODS MOVEMENT/CORRIDOR STUDIES; CONDUCT GENERAL CORRIDOR STUDIES & PLANNING ACTIVITIES IN SUPPORT OF THE REGION'S GOOD MOVEMENT INCLUDING; NCTCOG STAFF TIME & CONSULTANT ASSISTANCE TO ASSESS IMPACT OF TRUCK, RAIL, & OTHER FREIGHT MOVEMENT, DATA COLLECTION & ANALYSIS, SAFETY, COORDINATION WITH PRIVATE SECTOR PARTNERS IN FREIGHT BUSINESS; MONITORING TRUCK LANE CORRIDORS, HAZMAT, ECON ANALYSIS, LAND USE COMPATIBILITY, PASSENGER & FREIGHT RAIL INTEGRATION, PUBLIC OUTREACH/EDUCATION	NCTCOG	2020	2024	(24,954)	5
11617.1	PLANNING/OVERSIGHT/ ADMINISTRATION OF IMPLEMENTATION INITIATIVES/REGIONAL PROJECT TRACKING, MONITORING, ASSESSMENT, & SOFTWARE DEVELOPMENT PROJECT/REGIONAL EMISSIONS REDUCTION PROGRAM; AIR QUALITY INITIATIVES/SPECIAL EVENTS ITS, MOBILITY ASSISTANCE PATROL, SUSTAINABLE DEVELOPMENT PROGRAM, ITS AND OTHER IMPLEMENTATION INITIATIVES/DEVELOP AND IMPLEMENT REGIONAL PROJECT TRACKING, MONITORING, AND ASSESSMENT SYSTEM	NCTCOG	2017	2024	(104,731)	5

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**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
11626	ROADWAY SAFETY AUDITS; REGIONWIDE ROADWAY SAFETY AUDIT TO EVALUATE VARIOUS ROAD SEGMENTS AND INTERSECTIONS HIGHLIGHTED IN THE REGIONAL PEDESTRIAN SAFETY ACTION PLAN; IDENTIFY RECOMMENDED SAFETY COUNTERMEASURES THAT WILL ENHANCE SAFETY AND REDUCE THE NUMBER AND SEVERITY OF CRASHES; INCLUDES CONSULTANT AND COG STAFF TIME	NCTCOG	2025	2024	300,000	5
11657.1	M&O - AIR QUALITY PUBLIC EDUCATION AND OUTREACH PROGRAM; IMPLEMENT STRATEGIC COMMUNICATION EFFORTS TO EDUCATE AND INFORM THE REGION ON TRANSPORTATION AND AIR QUALITY RELATED ISSUES, INCLUDING STRATEGIES FOR IMPROVEMENT, FUNDING OPPORTUNITIES, TRAINING INITIATIVES, AND NEW PROGRAMS/POLICIES; MAJOR EFFORTS WILL FOCUS ON TRANSPORTATION AND AIR QUALITY, PUBLIC OUTREACH, EDUCATION, AND ENGAGEMENT PROGRAMS	NCTCOG	2021	2024	(8,166)	5
11660.1	AIR QUALITY ENERGY EFFICIENCY INITIATIVES: ENERGY EFFICIENCY MEASURES TO IMPLEMENT PROJECTS TO REDUCE ENERGY USE AND INCREASE ENERGY EFFICIENCY WITHIN THE PUBLIC AND PRIVATE SECTOR TO REDUCE AIR QUALITY IMPACTS; COORDINATE REGIONAL COLLABORATION, EVALUATE IMPACTS, AND DEVELOP RESOURCES ADDRESSING ELECTRIC GRID IMPACTS ASSOCIATED WITH ELECTRIFICATION OF TRANSPORTATION, AND DEPLOY STRATEGIC ELECTRIFICATION INFRASTRUCTURE TO ASSESS IMPACTS AND FILL GAPS; INCLUDES NCTCOG STAFF TIME	NCTCOG	2024	2024	(100,000)	5
			2025		(180,000)	
			2026		(190,000)	
11671	MULTIPURPOSE AUTOMATED VEHICLE DESIGN, DEVELOPMENT, TESTING, AND DEPLOYMENT; MULTIPURPOSE AUTOMATED VEHICLE DESIGN, DEVELOPMENT, TESTING, AND DEPLOYMENT	NCTCOG	2018	2024	(67,157)	5
11674	DFW CORE EXPRESS HIGH SPEED RAIL FROM DALLAS TO FORT WORTH; COMPLETION OF THE DFW CORE EXPRESS SERVICE HIGH-SPEED RAIL PROJECT ENVIRONMENTAL PROCESS; INCLUDES COG STAFF TIME AND CONSULTANT ASSISTANCE	NCTCOG	2024	2024	219,931	5
11678	DFW AUTOMATED VEHICLE WORK ZONE PROJECT (REGION-WIDE); ADVANCE HIGH-SPEED AUTOMATED VEHICLE PROGRAM AND IMPROVE ROADWAY SAFETY THROUGH THE IMPLEMENTATION OF WORK ZONE REPORTING FOR USE BY NAVIGATION SYSTEMS; PROJECT WILL CONVERT RAW WORK ZONE DATA INTO THE WORK ZONE DATA EXCHANGE (WZDX) SPECIFICATION DEVELOPED BY USDOT; ALL VEHICLES WILL BENEFIT FROM IMPROVED WORK ZONE REPORTING	NCTCOG	2025	2024	500,000	5
11684	REGION WIDE PROJECT TO ASSIST LOCAL PARTNERS PLAN AND IMPLEMENT CAV DEPLOYMENTS BY PROVIDING FUNDING FOR COSTS RELATED TO DEPLOYMENTS AND SUPPORTING COSTS OF ACTIVE AV DEPLOYMENTS IN PARTNERSHIP WITH PRIVATE SECTOR; INCL LOCAL GOVT STAFF, NCTCOG STAFF & CONSULTANT TIME, INFRA UPGRADES (EX: SIGNAL, STRIPING, DSRC & 5G CONNECTIVITY), LEGAL SVCS, PUBLIC ED, SAFETY (EX: COORD W/FIRST RESPONDERS); SOFTWARE & TECH EXPERTISE; EQUAL ACCESS TO INTERNET AS TDM TOOL	NCTCOG	2020	2024	(255,227)	5

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**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

ATTACHMENT 2

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
11684.8	DOWNTOWN ARLINGTON AND UNIVERSITY OF TEXAS AT ARLINGTON CAMPUS; EXPAND ON-DEMAND, SHARED RIDE SERVICE AND EQUIP VEHICLES WITH TELEOPERATIONS AND FIRST RESPONDER V2X COMMUNICATION DEVICES, INCLUDING BEFORE AND AFTER DATA COLLECTION AND REPORTING	ARLINGTON	2023	2024	202,667	5
			2024		202,667	
			2025		202,667	
11685	REGION WIDE PROJECT TO PROVIDE AV RELATED PLANNING ASSISTANCE TO LOCAL PARTNERS; INCLUDES STAFF AND CONSULTANT TIME, AND NCTCOG ADMIN; AUTOMATED TRANSPORTATION PLANNING RESOURCES FOR CITIES; PLANNING ACTIVITIES MAY INCLUDE: TRAFFIC MODELING; IDENTIFYING USE CASES; POLICY DEVELOPMENT; PUBLIC OUTREACH & ED; SCENARIO PLANNING; LAND USE PLANNING	NCTCOG	2020	2024	(104,193)	5
11692	REGIONAL PARKING MANAGEMENT TOOLS & STRATEGIES PROGRAM; CONDUCT DATA COLLECTION AND/OR PLANNING TO DEVELOP AND IMPLEMENT DATA DRIVEN TOOLS AND STRATEGIES TO SUPPORT PUBLIC SECTOR IN MANAGEMENT OF PARKING AT MULTIMODAL LOCATIONS	NCTCOG	2020	2024	(3,396)	5
11693	SMART TRANSIT CORRIDORS AND WALKABLE PLACES; DEVELOP AND IMPLEMENT MULTIMODAL STRATEGIES TO INCREASE NON-SINGLE OCCUPANT VEHICLE TRANSPORTATION OPTIONS THROUGH COORDINATED LAND USE AND TRANSPORTATION PLANNING IN PRIORITY TRANSIT CORRIDORS AND WALKABLE NEIGHBORHOODS	NCTCOG	2020	2024	(594)	5
11698	INTERMODAL TRANSPORTATION HUB PLANNING STUDY IN DENTON COUNTY INCLUDING TRANSIT HUB FEASIBILITY, TRAFFIC PATTERN IMPACT ANALYSIS, & UNIVERSITY TRANSPORTATION OPTIONS; INCLUDES NCTCOG STAFF TIME & CONSULTANT ASSISTANCE	NCTCOG	2020	2024	(1,745)	5
11898.6	ON HASLET PARKWAY/SH 170 FROM IH 35W TO INTERMODAL PKWY; CONSTRUCT 0 TO 2 LANE GRADE SEPARATED DIRECT CONNECTORS	TXDOT-FORT WORTH	2025	2024	1,600,000	5
			2026		1,000,000	
12981.21	5307 - ACQUISITION OF PASSENGER INFORMATION DISPLAY SYSTEM (PIDS)	DART	2025	2024	231,365	5
12981.22	5307 - ACQUISITION OF PASSENGER INFORMATION DISPLAY SYSTEM (PIDS)	DART	2025	2024	38,160	5
12981.23	5307 - ACQUISITION OF PASSENGER INFORMATION DISPLAY SYSTEM (PIDS)	DART	2025	2024	230,475	5
14013.2	COTTON BELT VELOWEB TRAIL FROM DFW AIRPORT NORTH COTTON BELT STATION TO SHILOH COTTON BELT STATION; DESIGN FOR COTTON BELT VELOWEB TRAIL (26 MILES) AND CONSTRUCTION OF MULTIPLE SECTIONS OF THE TRAIL CORRIDOR (IN COPPELL, CARROLLTON, ADDISON, DALLAS, PLANO, AND RICHARDSON)	DART	2024	2024	870,000	5
14015.1	HARRY HINES BLVD AT MOCKINGBIRD LANE; RECONSTRUCT INTERSECTION	DALLAS	2025	2024	600,000	5
			2027		5,000,000	

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**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
14015.3	ON HARRY HINES BLVD/MCKINNON STREET FROM DALLAS NORTH TOLLWAY TO MOODY STREET; REHABILITATE ROADWAY WITH SIGNAGE, SIGNAL, AND INTERSECTION IMPROVEMENTS TO ADDRESS SAFETY ISSUES (WRONG WAY DRIVING ON DNT)	DALLAS	2025	2024	500,000	5
16001	REG SCRAP TIRE ABATEMENT PGRM DEV & IMPL; SCRAP TIRE PUB EDUC/OUTREACH/AWARENESS CAMPAIGN; PROVIDE TECH SUPPORT TO LOC GOVTS, INCL ORDINANCE & MODEL CREATION TO INCR REGU & ENFORCEMENT; DB FOR ABANDONED TIRE LOCATIONS, HAULERS, DEALERSHIPS; & END USERS IN REGION; IDENTIFY & IMPL ADDL POLICIES FOR REG IMP, ASSIST LOC GOVTS, BUSINESSES, & CITIZENS IN PROJ & PGRM IMPL; ADDL RESEARCH INTO EXISTING & POTENTIAL END USES TO INCL LOC SCRAP TIRE UTIL AS A RESOURCE; COLLECTION EVENTS	NCTCOG	2024	2024	(158,000)	5
20268.4	UPDATE HUNT COUNTY AND COLLIN COUNTY TRANSPORTATION PLAN; UPDATE HUNT COUNTY TRANSPORTATION PLAN TO IDENTIFY IMPROVEMENTS TO IH 30, SH 66, AND US 380 AND START A MULTIMODAL TRANSPORTATION PLAN IN COLLIN COUNTY INCLUDING ADDING NORTH/SOUTH CAPACITY AND EAST/WEST CONNECTIONS ACROSS THE LAKES	NCTCOG	2016	2024	(155,784)	5
21013	FOREST HILL DRIVE FROM LON STEPHENSON ROAD TO SHELBY ROAD; PLANNING STUDY OF TRANSPORTATION, LAND USE, AND FLOODING; ENGINEERING TO RECONSTRUCT AND WIDEN FROM 2 LANES TO 4 LANES WITH SIGNAL RETIMING AND INTERSECTION IMPROVEMENTS	NCTCOG	2024	2024	(500,000)	5
24030	NEW TEXRAIL VEHICLES FOR TEXRAIL LINE; PURCHASE 4 NEW PASSENGER RAIL VEHICLES FOR TEXRAIL TO ENABLE EXPANSION OF SERVICE FROM EXISTING T&P STATION TO NEAR SOUTHSIDE STATION IN THE FORT WORTH MEDICAL DISTRICT	TRINITY METRO	2024	2024	1,100,000	5
			2025		3,900,000	
			2026		5,850,000	
			2027		650,000	
25022	CENTERPOINT TRAIL FROM TRINITY BLVD/SKYVIEW DR TO TRINITY RAILWAY EXPRESS (TRE) CENTREPORT RAIL STATION; CONSTRUCT SHARED-USE PATH (TRAIL) FROM THE INTERSECTION OF TRINITY BLVD/SKYVIEW DR TO CENTREPORT RAIL STATION; PRELIMINARY ENGINEERING FOR CONNECTION TO MIKE LEWIS TRAIL	FORT WORTH	2024	2024	1,000,000	5
25097.3	SILVERLINE RAIL PROJECT FROM DFW AIRPORT TO SHILOH STATION IN PLANO; CONSTRUCTION OF SILVER LINE REGIONAL RAIL PROJECT (COTTON BELT/SILVER LINE PROJECT #13)	DART	2024	2024	740,000	5
25130	ELECTRIC VEHICLE CHARGER RELIABILITY AND ACCESSIBILITY ACCELERATOR PROGRAM; PHASE 1 ACTIVITIES, INCLUDING COORDINATION WITH CHARGING STATION COMPANIES TO REPAIR AND/OR REPLACE UP TO 197 NONOPERATIONAL EV CHARGING PORTS	NCTCOG	2025	2024	60,000	5
<b>Subtotal of Category 5 - Regional Programs/Management and Operations</b>					<b>23,110,961</b>	
12022.24	5307 - CAPITAL COST OF CONTRACTING - HANDITRAN	ARLINGTON	2025	2024	298,000	6
12852.22	5310 - MOBILITY MANAGEMENT	DCTA	2025	2024	65,545	6

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**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
12852.23	5310 - MOBILITY MANAGEMENT	DCTA	2025	2024	16,974	6
12865.18	5307 - MOBILITY MANAGEMENT	MESQUITE	2019	2024	(14,400)	6
12907.23	5307 - PREVENTIVE MAINTENANCE	ARLINGTON	2024	2024	74,000	6
12907.24	5307 - PREVENTIVE MAINTENANCE	ARLINGTON	2025	2024	20,000	6
12909.23	5337 - RAIL PREVENTATIVE MAINTENANCE	DCTA	2025	2024	638,122	6
12922.23	5307 - ACQUISITION OF SURVEILLANCE/SECURITY EQUIPMENT	MCKINNEY	2025	2024	9,741	6
12970.23	5307 - CAPITAL COST OF CONTRACTING - HANDITRAN	ARLINGTON	2025	2024	192,000	6
12979.19	5307 - MOBILITY MANAGEMENT	DCTA	2025	2024	11,223	6
14015	HARRY HINES BLVD FROM AKARD STREET TO SL 12 (WEST NORTHWEST HIGHWAY); PERFORM CORRIDOR ANALYSIS & DVL P MASTER PLAN FOR HARRY HINES CORRIDOR W/ EMPHASIS ON SUST DEV, PROVIDING MULTIMODAL TRANS NEEDS, TECH OPTIONS FOR ADDL CAPACITY, INT IMPRV MNTS, & LAND USE/TRANS COMPONENTS; INCL NCTCOG STAFF TIME & MAY INCL CONSULTANT ASST	NCTCOG	2019	2024	(69,384)	6
14054	HORNE STREET FROM VICKERY BLVD TO CAMP BOWIE BLVD; RECONSTRUCT AND WIDEN FROM 2 TO 3 LANES WITH BICYCLE LANES, PEDESTRIAN/SIDEWALK IMPROVEMENTS, AND TRAFFIC SIGNAL IMPROVEMENTS	FORT WORTH	2021	2024	82,493	6
14058	TRINITY TRAIL FROM TRINITY BLVD. TO TRINITY LAKES STATION; CONSTRUCT SHARED USE PATH	FORT WORTH	2025	2024	32,347	6
			2026		245,507	
21027	DALLAS TRAFFIC SIGNAL PROJECT AREA BOUNDED BY IH 35 ON THE W, IH 635 ON THE E & N, AND NORTHWEST HWY TO THE S; ALONG HAMPTON ROAD FROM LEATH STREET TO CAMP WISDOM; ALONG LANCASTER ROAD FROM ELMORE AVENUE TO SHELLHORSE DRIVE; DESIGN AND CONSTRUCT 22 SIGNALS IN AREA DAMAGED BY 2019 TORNADO; 9 SIGNALS ALONG HAMPTON ROAD; AND 13 SIGNALS ALONG LANCASTER RD; ALL SIGNAL WORK INCLUDES SIGNAL RETIMING	DALLAS	2025	2024	(1,162,000)	6
21086	ON N MCDONALD STREET FROM VIRGINIA ST TO LOUISIANA ST; CONSTRUCTION OF LOWER SH 5 PEDESTRIAN AMENITIES	TXDOT-DALLAS	2025	2024	280,000	6
			2027		1,188,200	
21086.1	ON N MCDONALD STREET FROM VIRGINIA ST TO LOUISIANA ST; CONSTRUCTION OF LOWER SH 5 PEDESTRIAN AMENITIES	TXDOT-DALLAS	2025	2024	1,360,000	6
			2027		100,000	
24004	ON FRANKFORD ROAD AT DNT/DALLAS PARKWAY; CONSTRUCT ADDITIONAL LANE ON SOUTHBOUND DALLAS PKWY FROM DNT EXIT RAMP; CONSTRUCT RIGHT TURN LANE AT SB DALLAS PKWY AT FRANKFORD RD; IMPROVE GEOMETRY AT NB DALLAS PKWY AT FRANKFORD RD BY ADDING PROTECTIVE BARRIER AND IMPROVE PEDESTRIAN INFRASTRUCTURE	DALLAS	2026	2024	25,000	6
			2028		330,000	

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**Projects with Approved Transportation Development Credits (TDCs)  
in the Dallas-Fort Worth Metropolitan Planning Organization  
(As of September 30, 2024)**

TIP Code	Project Description	Project Sponsor	Fiscal Year in TIP	Year Awarded/ Adjusted	TDC Amount*	TDC Category (1-6)
24008	ON BELT LINE ROAD AT SOUTH NORTH LAKE ROAD; CONSTRUCT RIGHT TURN/DECELERATION LANE TO IMPROVE SAFETY	DALLAS	2026	2024	9,000	6
			2027		90,000	
24021	EVERMAN SAFE STREETS PROJECT; BOUNDED BY ENON AVENUE TO THE NORTH, OAK GROVE ROAD TO THE WEST, OAK GROVE-SHELBY ROAD TO THE SOUTH, AND FOREST HILL DRIVE TO THE EAST; CONSTRUCT BIKE/PED & TRAFFIC CALMING IMP INCL RESTRIPING TO REDUCE LANE WIDTHS, BIKE LANES, SIDEWALKS, CROSSWALKS & HAWK SIGNALS NEAR EVERMAN HS, EVERMAN ACADEMY HS, DAN POWELL EARLY LEARNING ACADEMY, ROY JOHNSON STEM ACADEMY, JW BISHOP ELEM & HOMMEL ELEM	FORT WORTH	2026	2024	100,000	6
			2029		830,000	
24024	BOMBER SPUR TRAIL (SOUTHERN SECTION) FROM CAMP BOWIE/US 377 TO VICKERY BLVD; CONSTRUCT SHARED USE PATH	FORT WORTH	2026	2024	225,000	6
			2028		900,000	
24030	NEW TEXRAIL VEHICLES FOR TEXRAIL LINE; PURCHASE 4 NEW PASSENGER RAIL VEHICLES FOR TEXRAIL TO ENABLE EXPANSION OF SERVICE FROM EXISTING T&P STATION TO NEAR SOUTHSIDE STATION IN THE FORT WORTH MEDICAL DISTRICT	TRINITY METRO	2024	2024	1,500,000	6
40071	GREENVILLE AVE MULTIMODAL IMPROVEMENTS PROJECT; ALONG GREENVILLE AVE FROM DART ARAPAHO CENTER STATION TO EAST ARAPAHO RD; EAST ARAPAHO RD FROM GREENVILLE AVE TO US 75; CONSTRUCT NEW SHARED-USE PATH ALONG EAST ARAPAHO RD; SEPARATED BICYCLE LANES AND INTERSECTION IMPROVEMENTS, NEW AND ENHANCED SIGNALIZATION, AND PEDESTRIAN LIGHTING	RICHARDSON	2023	2024	218,500	6
<b>Subtotal of Category 6 - MTP Policy Bundle</b>					<b>7,595,868</b>	
<b>Total Transportation Development Credits Awarded in 2024</b>					<b>50,011,610</b>	

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The Transportation Policy Body for the North Central Texas Council of Governments  
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

October 14, 2024

Mr. Marc D. Williams, P.E.  
Executive Director  
Texas Department of Transportation  
125 East 11<sup>th</sup> Street  
Austin, TX 78701


Dear Mr. Williams:

As part of the Federal Highway Administration's (FHWA) toll credit program, the Dallas-Fort Worth (DFW) Metropolitan Planning Organization (MPO) was initially allocated 465,486,222 Transportation Development Credits (TDC) from the Texas Transportation Commission (TTC). Through the 2019 Unified Transportation Program (UTP), an additional 528,865,436 TDCs were allocated to the DFW region. Since that time, no additional TDCs have been allocated.

TDCs have been valuable to entities in our region in order to leverage federal funding and implement important transportation projects, and we wish to continue utilizing them to the maximum extent possible. Therefore, the Regional Transportation Council requests confirmation from TxDOT that maintenance of effort requirements have been met in recent years. If so, we ask that TxDOT request additional TDCs from FHWA and allocate them to MPOs to ensure that we are maximizing the ability to accrue TDCs as a state for future use.

If you have any questions, please contact Christie Gotti at [cgotti@nctcog.org](mailto:cgotti@nctcog.org) or (817) 608-2338.

Sincerely,

  
Clay Lewis Jenkins, Chair  
Regional Transportation Council  
County Judge, Dallas County

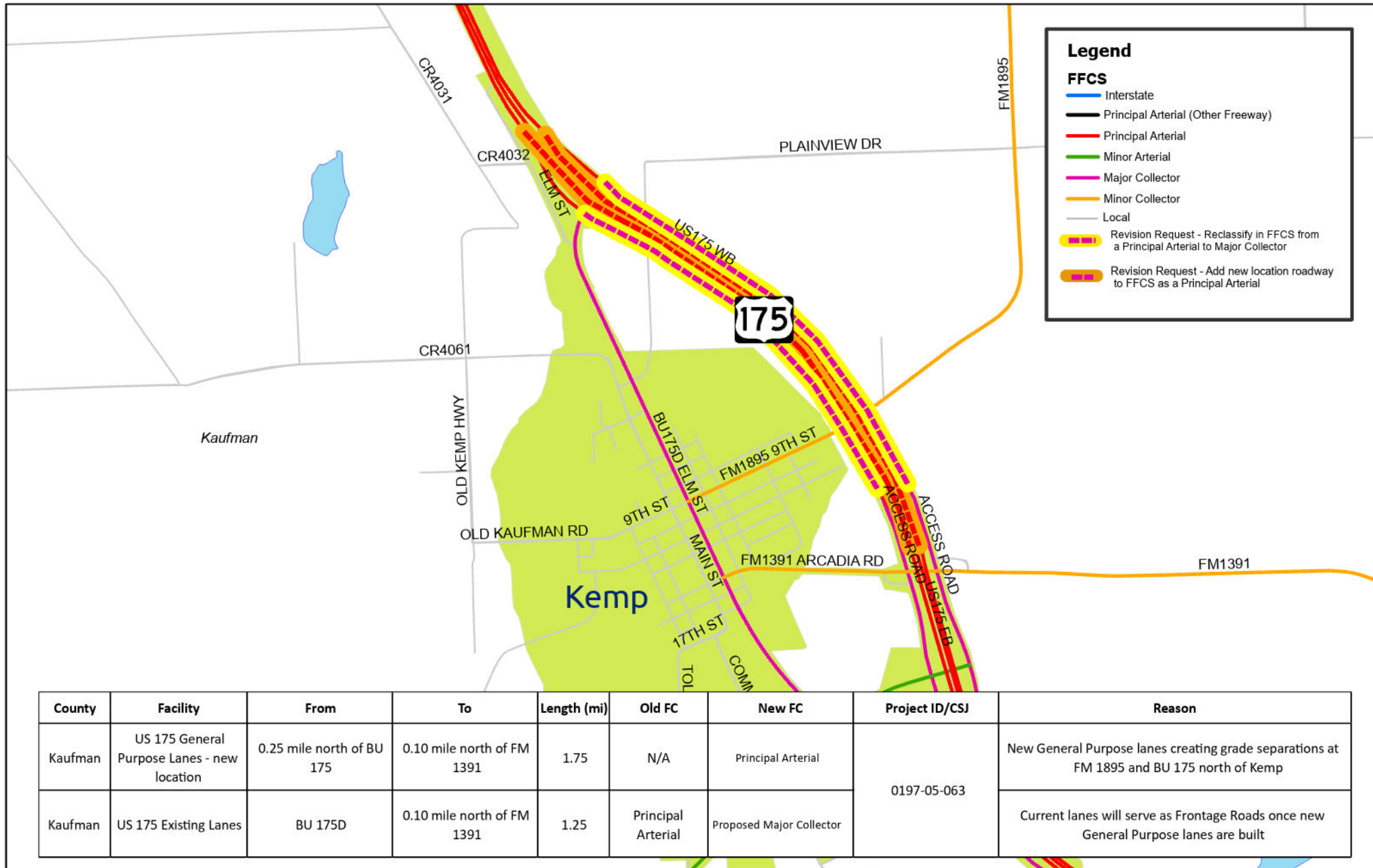
DN: jc

cc: Brian Barth, P.E., Deputy Executive Director for Program Delivery, Texas Department of Transportation  
Brandye Hendrickson, Deputy Executive Director for Planning and Administration, Texas Department of Transportation  
Stephen Stewart, CPA, Chief Financial Officer, Texas Department of Transportation  
Ceason Clemens, P.E., District Engineer, Texas Department of Transportation, Dallas District  
David Salazar, P.E., District Engineer, Texas Department of Transportation, Fort Worth District  
Noel Paramanatham, P.E., District Engineer, Texas Department of Transportation, Paris District  
Shannon Hawkins, Transportation Planner – MPO Coordinator, Texas Department of Transportation

MARCI,  
I hope your fall is off to a great start. Thanks for all you do!

# Federal Functional Classification System (FFCS) Amendment

As requested by NCTCOG and TxDOT Dallas and included in the Mobility 2045 Update



County	Facility	From	To	Length (mi)	Old FC	New FC	Project ID/CSJ	Reason
Kaufman	US 175 General Purpose Lanes - new location	0.25 mile north of BU 175	0.10 mile north of FM 1391	1.75	N/A	Principal Arterial	0197-05-063	New General Purpose lanes creating grade separations at FM 1895 and BU 175 north of Kemp
Kaufman	US 175 Existing Lanes	BU 175D	0.10 mile north of FM 1391	1.25	Principal Arterial	Proposed Major Collector		Current lanes will serve as Frontage Roads once new General Purpose lanes are built



# Federal Functional Classification System (FFCS) Amendment

As requested by NCTCOG and TxDOT Fort Worth and included in the Mobility 2045 Update



**Legend**

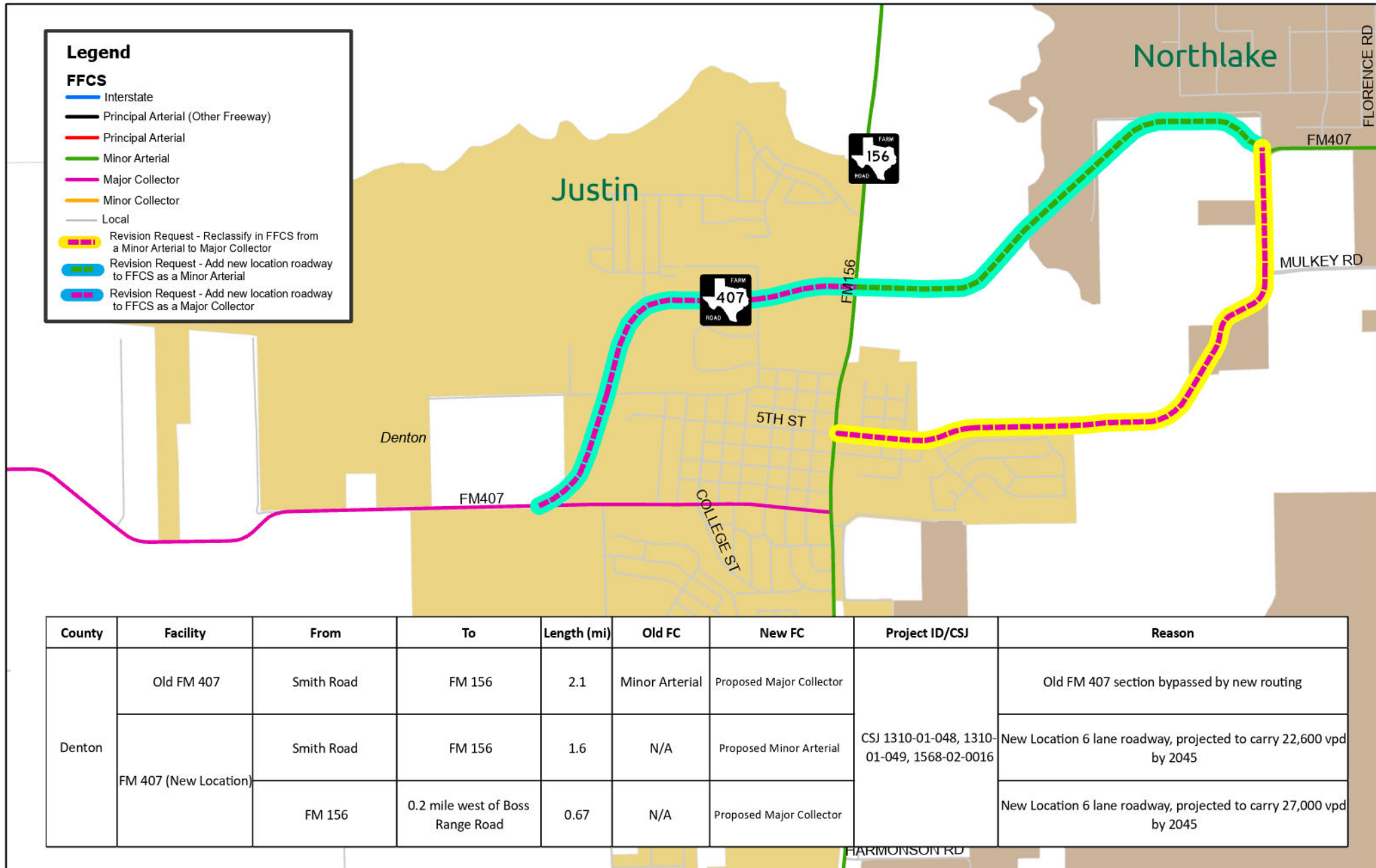
**FFCS**

- Interstate
- Principal Arterial (Other Freeway)
- Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Local
- Revision Request - Add new location roadway to FFCS as a Major Collector

County	Facility	From	To	Length (mi)	Old FC	New FC	Project ID/CSJ	Reason
Tarrant	Alta Mesa Blvd (new location)	Anglin Drive	Dick Price Road	1.2	New Location	Proposed Major Collector	CSJ 0902-00-390	A section of planned Alta Mesa E-W corridor in southern Tarrant County

# Federal Functional Classification System (FFCS) Amendment

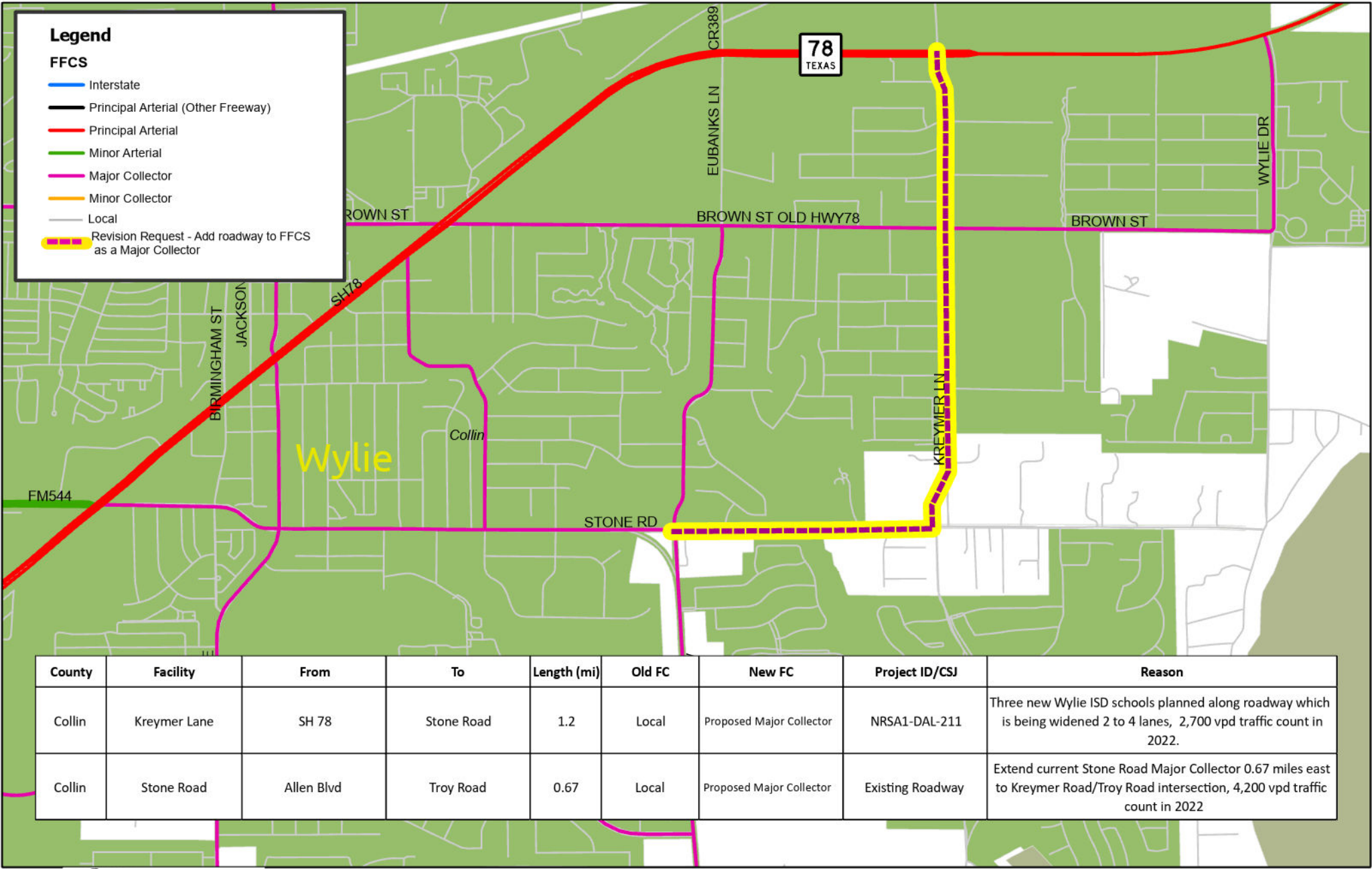
As requested by NCTCOG and TxDOT Dallas and included in the Mobility 2045 Update



County	Facility	From	To	Length (mi)	Old FC	New FC	Project ID/CSJ	Reason
Denton	Old FM 407	Smith Road	FM 156	2.1	Minor Arterial	Proposed Major Collector	CSJ 1310-01-048, 1310-01-049, 1568-02-0016	Old FM 407 section bypassed by new routing
	FM 407 (New Location)	Smith Road	FM 156	1.6	N/A	Proposed Minor Arterial		New Location 6 lane roadway, projected to carry 22,600 vpd by 2045
		FM 156	0.2 mile west of Boss Range Road	0.67	N/A	Proposed Major Collector		New Location 6 lane roadway, projected to carry 27,000 vpd by 2045

# Federal Functional Classification System (FFCS) Amendment

As requested by NCTCOG and TxDOT Dallas and included in the Mobility 2045 Update

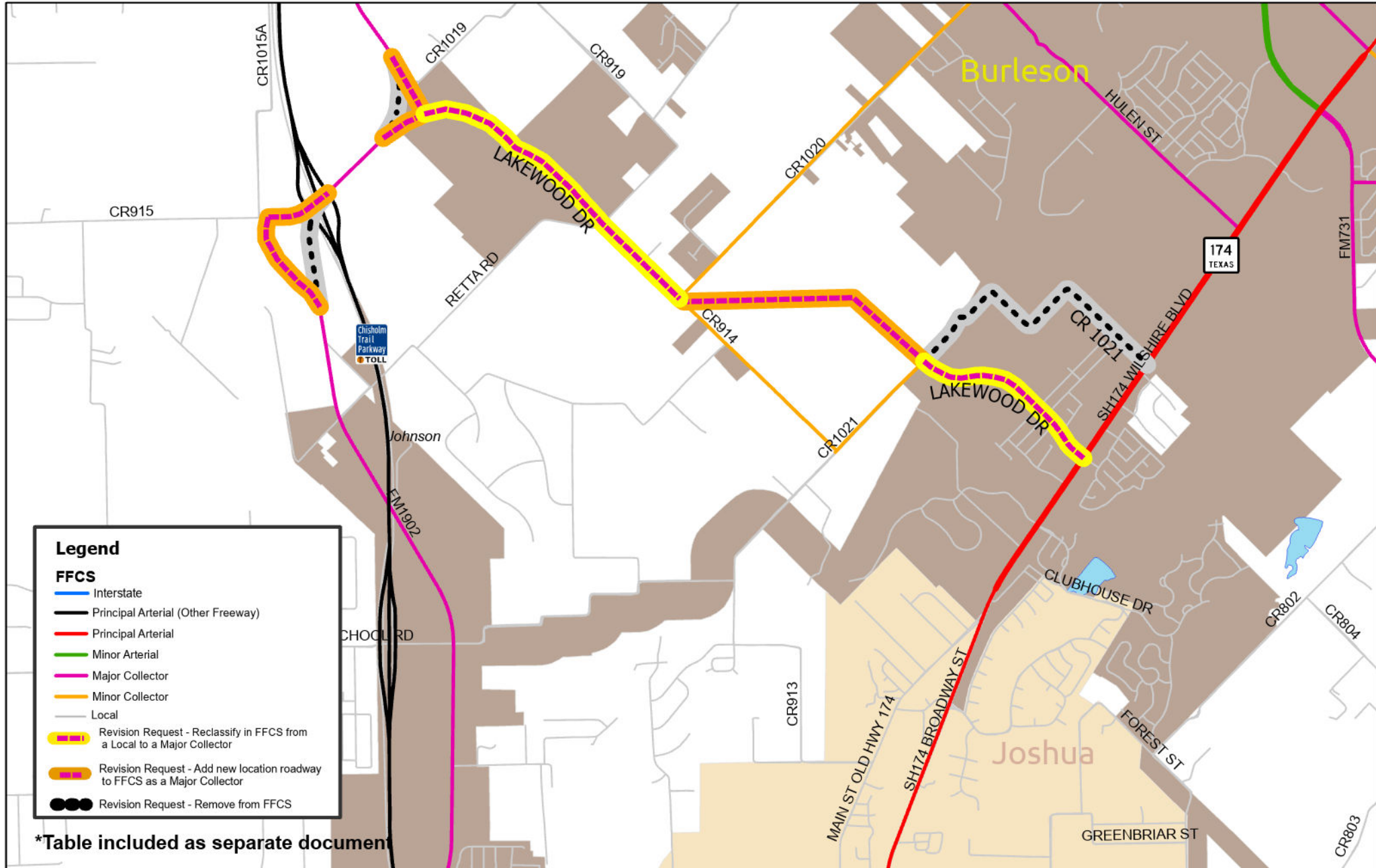


County	Facility	From	To	Length (mi)	Old FC	New FC	Project ID/CSJ	Reason
Collin	Kreymer Lane	SH 78	Stone Road	1.2	Local	Proposed Major Collector	NRSA1-DAL-211	Three new Wylie ISD schools planned along roadway which is being widened 2 to 4 lanes, 2,700 vpd traffic count in 2022.
Collin	Stone Road	Allen Blvd	Troy Road	0.67	Local	Proposed Major Collector	Existing Roadway	Extend current Stone Road Major Collector 0.67 miles east to Kreymer Road/Troy Road intersection, 4,200 vpd traffic count in 2022



# Federal Functional Classification System (FFCS) Amendment

As requested by NCTCOG and TxDOT Fort Worth





County	Facility	From	To	Length (mi)	Old FC	New FC	Project ID/CSJ	Reason
Johnson	FM 1902	0.25 mile north current Lakewood Dr intersection	0.15 mile south of current Lakewood Dr intersection	0.55	N/A	Major Collector	N/A	Realigned roadway; new, safer intersection with Lakewood Drive
	FM 1902	Chisholm Trail Pkwy NB ramps	0.4 mile south of Chisholm Trail SB ramps	0.8	N/A	Major Collector		Realigned roadway; new, safer intersection with Chisholm Trail Parkway and Johnson CR 915
	Lakewood Drive	FM 1902	Johnson CR 1020	1.5	Local	Major Collector		4 lane facility provides North-South access from Chisholm Trail Parkway to SH 174
	Lakewood Drive	Johnson CR 1020	Johnson CR 1021	1.25	N/A	Major Collector		Future new location 4 lane facility provides North-South access from Chisholm Trail Parkway to SH 174
	Lakewood Drive	Johnson CR 1021	SH 174	0.9	Local	Major Collector		4 lane facility provides North-South access from Chisholm Trail Parkway to SH 174
	CR 1021	Lakewood Drive	SH 174	1.5	Minor Collector	Local		Not a through street; no longer crosses railroad tracks
	FM 1902	Chisholm Trail Pkwy NB ramps	0.4 mile south of Chisholm Trail SB ramps	0.6	Major Collector	Remove from system		Old route superseded by realignment
	FM 1902	0.25 mile north current Lakewood Dr intersection	0.15 mile south of current Lakewood Dr intersection	0.4	Major Collector	Remove from system		Old route superseded by realignment

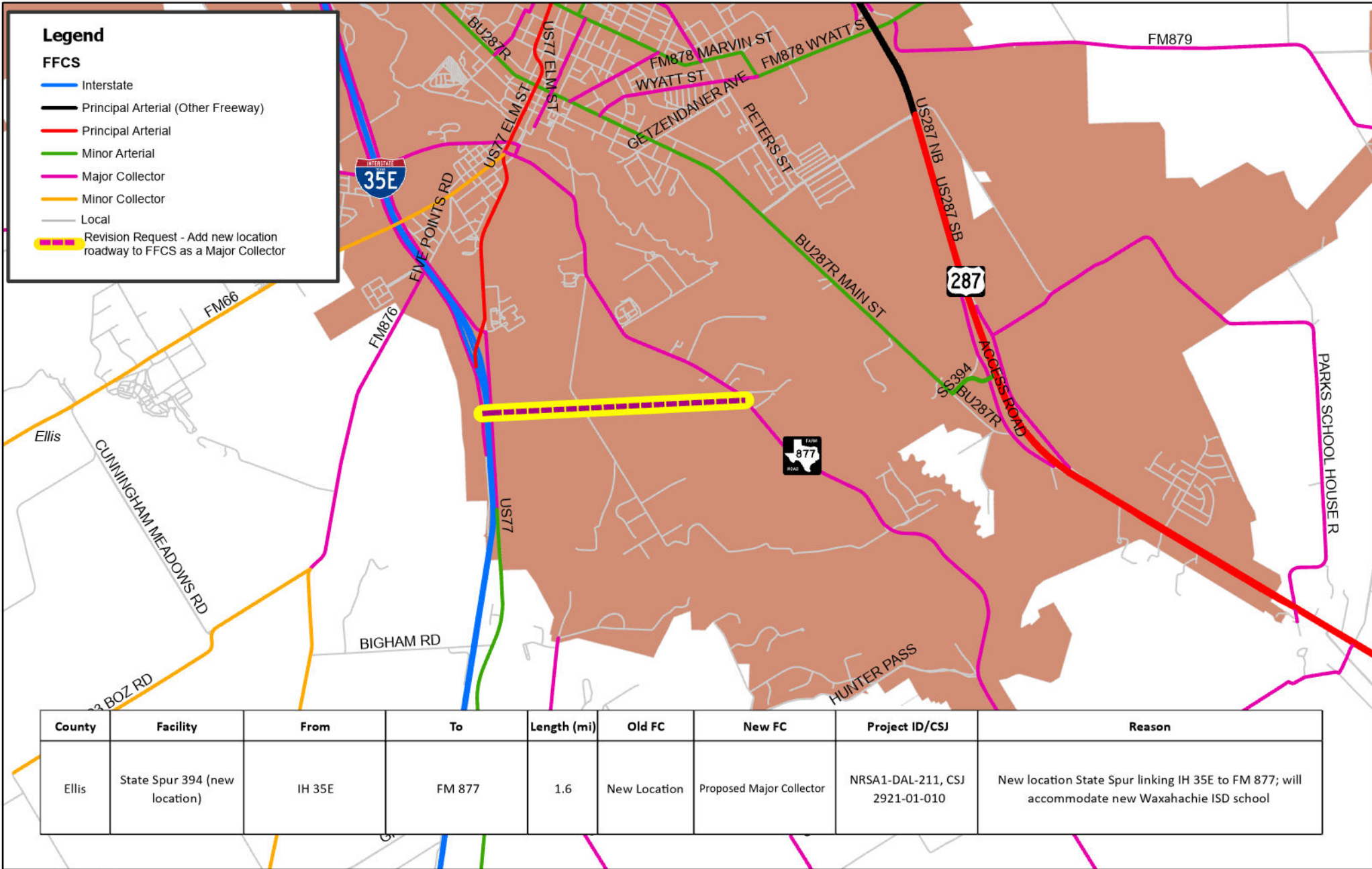
# Federal Functional Classification System (FFCS) Amendment

As requested by NCTCOG and TxDOT Fort Worth and included in the Mobility 2045 Update



# Federal Functional Classification System (FFCS) Amendment

As requested by NCTCOG and TxDOT Dallas and included in the Mobility 2045 Update





**North Central Texas Council of Governments**

**November 1, 2024**

**Mr. Eric Gambrell  
Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street, Suite 1800  
Dallas, Texas 75201**

**Dear Mr. Gambrell:**

**This letter is in response to your October 21, 2024, correspondence, which is attached. You requested that the North Central Texas Council of Governments (NCTCOG), including its employees, agents, and representatives, preserve and refrain from deleting, spoliating or destroying documents and/or information generally related to high-speed rail, high-speed rail between the cities of Dallas and Fort Worth, and ancillary items potentially impacting the ongoing high-speed rail discussions. NCTCOG acknowledges your demand and has taken steps to cause such documents/information to be preserved. Responses to your other letters are forthcoming.**

**Should you have any questions, you can reach me at 817-695-9278.**

**Sincerely,**

A handwritten signature in black ink, appearing to read 'Ken Kirkpatrick', with a large loop at the end.

**Ken Kirkpatrick  
General Counsel**

**KK:bw  
Attachment**

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

October 21, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: Request to Preserve (and Not Destroy and/or Spoliate) Documents*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

You did not respond to or confirm receipt of my October 9, 2024 letter to you as I reasonably requested. You received that letter by both email and, as now evidenced by the signed return receipt, by certified mail. You have also not confirmed that you have, as reasonably requested, instructed Michael Morris, Brendon Wheeler and other representatives and employees of the North Central Texas Council of Government's ("NCTCOG") to refrain from referring to alignment 2(b) as a possible route for any possible future higher speed rail project between Dallas, the Arlington Entertainment District and Fort Worth. The NCTCOG's refusal to communicate is unfortunate.

Resultingly, as Hunt's counsel, I respectfully but formally request and demand that NCTCOG, including its employees, agents and representatives, preserve and refrain from deleting, spoliating or destroying – now or at any time in the future – documents and/or information in NCTCOG's possession, custody, or control evidencing, referencing, regarding or relating to any one more of the following topics, items, subjects, or categories listed below herein.

As you know, documents and information subject to preservation include, but are not limited to: (1) electronically stored information, including but not limited to, e-mails, text messages, voicemail messages, photos, notes, and any other audio or visual notes, media or files, calendar and appointment entries, electronic documents and files on computers, network servers or drives, cloud services, tablets, portable media, and mobile phones; and (2) hard-copy paper documents, including but not limited to, writings, drawings, notations, graphs, charts, photographs, analog sound and/or video recordings, notebooks, journals, calendars, day planners, memoranda, reports, correspondence, contracts, advertising or promotional literature, meeting minutes, notes, and any other paper or media containing handwritten or typed notes. This encompasses not only final versions but also drafts, includes documents maintained anywhere, including for example in homes, offices, or off-site storage, and also applies to documents that come into existence in the

future concerning any of the below subjects or topics. Any program of automatic deletion of data should be suspended to the extent that it might destroy or render inaccessible any document subject to the preservation demand herein. Failure to preserve any of the documents or information described below may have adverse litigation consequences. If NCTCOG has spoliated any of the below-described information or documents, please specifically detail and describe the spoliated material and provide a detailed description of the events and circumstances that resulted in such spoliation.

### **SUBJECT MATTER OF DOCUMENTS AND INFORMATION TO BE PRESERVED**

- High-speed rail, including without limitation, possible future high-speed rail between Dallas, the Arlington Entertainment District and Fort Worth;
- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and any other person or entity regarding high-speed rail, including without limitation, possible future high-speed rail between Dallas, the Arlington Entertainment District and Fort Worth;
- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and the Federal Railroad Administration, the Federal Transit Administration, the Texas Department of Transportation, the Department of Transportation, the Environmental Protection Agency, the Surface Transportation Board, Texas A&M University and/or any other federal or state governmental entity (and/or any of their respective administrators, office holders, appointees, employees, agents, attorneys or representatives) regarding high-speed rail;
- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and the National Railroad Passenger Corporation (a/k/a Amtrak) and/or any of its respective administrators, appointees, employees, agents, attorneys or representatives, including Andy Byford) regarding high-speed rail;
- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and any railroad company or business, including but not limited to the Union Pacific Railroad and/or any of their respective administrators, appointees, employees, agents, attorneys or representatives) regarding high-speed rail;
- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and the City of Arlington (and/or any of their elected officials, employees, agents, or representatives) regarding possible future high-speed rail between Dallas, the Arlington Entertainment District and Fort Worth;



- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and Matthews Southwest, Inspire Dallas (and/or any of their respective agents, representatives, affiliates, related entities, officers, members, partners, or owners);
- Any communication between NCTCOG (and/or any of its agents, representatives or employees) and any other persons or entities regarding what Inspire Dallas refers or has referred to as the “Rail District.”
- The Master Agreement between the City of Dallas and Hunt executed April 29, 1975 relating to Reunion (the “Master Agreement”) and/or any other contractual or legal rights of or accruing to Hunt;
- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and any other person or entity regarding Hunt or any of its employees, agents, representatives, affiliates, owners, businesses, properties, or developments;
- Any hold up or delay of any planned projects in the City of Dallas by NCTCOG in an attempt to force agreement by the City of Dallas on matters relating to high-speed rail;
- Any potential alternatives to possible future high-speed rail between Dallas, the Arlington Entertainment District and Fort Worth;
- Any studies, strategies, analyses, or reports created, authored, drafted or received (in whole or in part) by NCTCOG or any of its representatives, employees, agents, consultants, independent contractors, experts or representatives regarding high-speed rail;
- Any possible transportation or transportation system from Arlington or Dallas to the DFW International Airport that has been considered, planned or discussed at any time in the last five years;
- All agreements, contracts, agreements to agree, letters of intent or letters of understanding regarding or relating to high-speed rail, whether NCTCOG is a party or not;
- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and any other person or entity regarding any environmental analysis or environmental impact statement relating to high-speed rail;

- Any possible station for high-speed rail located anywhere in the City of Dallas, including without limitation any discussion regarding land, businesses, development, and/or landowners in the vicinity of any possible Dallas station;
- Potential final locations (including dimensions and height) of any possible Dallas station for high-speed rail, including without limitation as discussed in the May 29, 2020 Environmental Impact Statement regarding Dallas to Houston high-speed rail that the final dimensions were preliminary and not determined as part of such environmental impact statement but would be subject to future planning, design, consideration, discussion, permitting and approvals;
- The location of any possible Arlington station for high-speed rail, including without limitation any communications regarding that subject;
- The location of any possible Fort Worth station for high-speed rail, including without limitation any communications regarding that subject;
- Any draft, potential, partial, possible or final economic impact study or analysis regarding high-speed rail;
- The 2017 Alternatives Analysis Final Report, Dallas-Fort Worth Core Express Service, prepared by the Federal Railroad Administration;
- The representation by NCTCOG that “thousands” of Texas A&M University students would supposedly “conveniently make day trips between Fort Worth and College Station” to take classes, including but not limited to any alleged support for that NCTCOG statement;
- Any analyses, reports, conclusions or studies relating to any potential or possible benefit to the City of Arlington as a result of a high-speed rail station in the City of Arlington;
- Any legal analyses, conclusions, or opinions drafted by legal counsel of or for the NCTCOG that have been shared with any persons other than NCTCOG;
- Any communications between NCTCOG (and/or any of its agents, representatives, or employees) and any other person or entity regarding any potential adverse impacts or negative consequences of or relating to possible future high-speed rail between Dallas, the Arlington Entertainment District and Fort Worth, including without limitation regarding (1) Martyrs Park, (2) Simmons Park or Trinity Park, (3) West Dallas, (4) dividing neighborhoods, (4) diverting conventioner dollars to the Arlington Entertainment District, (5) sound and noise pollution, (6) sight and visual pollution, (7) impacts to private property, (8) impact upon buildings and shared structures in the vicinity of any proposed alignment, (9)



Ken Kirkpatrick  
General Counsel  
October 21, 2024  
Page 5

aerial infrastructure complexity, (10) effects to the environment, (11) loss of tax revenue by the City of Dallas, the County of Dallas, the Dallas Independent School District, Parkland Hospital and any other taxing jurisdiction, (12) impact upon commercial development, and/or (13) reapportionment of tax revenues.

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please courteously and professionally confirm your receipt of this letter as well as compliance with its requests and demands.

Sincerely,

*Eric Gambrell*

Eric Gambrell



North Central Texas Council Of Governments

November 4, 2024

Mr. Eric Gambrell  
Akin, Gump, Strauss, Hauer & Feld, LLP  
2300 N. Field Street, Suite 1800  
Dallas, Texas 75201

Dear Mr. Gambrell:

This letter is in response to your October 9, 2024, correspondence, which is attached. You requested that I "instruct" staff, specifically Michael Morris and Brendon Wheeler of the North Central Texas Council of Governments (NCTCOG), from referring to Alignment 2B as a "possible route for any possible future higher speed rail project" between Dallas and Fort Worth.

1. Alignment 2B (East of Hyatt with Pedestrian Lobby) is, in fact, a possible route for High Speed Rail between Dallas and Fort Worth pending the City of Dallas economic impact study.

On August 8, 2024, the Regional Transportation Council (RTC) directed staff with respect to the Dallas Alignment Options to 1) advance engineering and stakeholder coordination on the Concept West of Downtown to the same engineering level as Alignment 2B and 2) review opportunities in NEPA<sup>1</sup> to maintain the option for Alignment 2B, pending results of the City of Dallas economic impact study. This is to ensure that both options are available following the conclusion of the economic impact study when the City of Dallas advises the RTC on which option it supports.

Your letter complains of purported contradictory statements by NCTCOG staff. Unfortunately, it misses the proper context of the evolving conversation about the potential high speed rail alignments over the past several months culminating in a path forward at the August RTC meeting. I encourage you to watch the June, July, and August RTC meetings.<sup>2</sup> If so, you will note that the Motion to Approve the above two-pronged RTC direction to staff in August was made by a Dallas City councilmember, with the comment of leaving both options (West and East of the Hyatt) open until the economic impact study was complete for the City of Dallas to "weigh in on". Other City of Dallas councilmembers indicated Dallas was "tapping the brakes" until Dallas reconsiders its position. The above direction to staff was passed unanimously by the RTC, including Dallas' six RTC representatives (5 councilmembers, and one citizen representative). Thus, it does appear that Alignment 2B is possible, as is the Concept West of Downtown, pending further action by the City of Dallas and the RTC.

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<sup>1</sup> National Environmental Policy Act (NEPA) (42 U.S.C., §§4321, *et seq.*).

<sup>2</sup> See NCTCOG website for video archive of RTC meetings – [www.nctcog.org/trans/involve/video](http://www.nctcog.org/trans/involve/video)

November 4, 2024

2. Alternative 2B (or any other alternative) is not "legally precluded" by the 1975 Master Agreement (Master Agreement) related to Reunion between City of Dallas and Hunt Affiliated Entities.

Your letter asserts that Alignment 2B is "legally precluded and could never be approved" as it would "unlawfully" interfere with the rights of the City of Dallas and Hunt Entities under the Master Agreement. Your assertion is not legally correct. The Master Agreement may have implications on the range of impacts to be evaluated associated with Alignment 2B, along with other alternatives, and whether such impacts can be avoided or mitigated as part of the environmental review process required by NEPA. The Master Agreement may impact what position the City of Dallas ultimately takes and the position of the RTC. The Master Agreement may also, along with a variety of other considerations, impact whether an environmental decision is ultimately rendered by the Federal Transit Administration (FTA) regardless of which alternative is approved locally. However, the mere existence of the Master Agreement does not "legally preclude" or make Alternative 2B or any other alternative under consideration "unlawful".

Your letter provided excerpts of the Master Agreement, now nearly 50 years since execution. I have heard anecdotally that it has been amended a number of times since the original execution, and sections may have been superseded. This may or may not be accurate. To that end, NCTCOG staff is interested in learning more about the Master Agreement and potential implications to the alignments under consideration. NCTCOG will be requesting a meeting between the City of Dallas (program and legal staff) and NCTCOG to understand more about the current status of the Master Agreement. NCTCOG would like to extend an invitation to you and your client as well. Please advise if you are amenable to such an invitation.

Given the position of the RTC and the City of Dallas, I decline to "instruct" my client as you have requested. Please advise if you, and your client, are interested in attending a meeting on the Master Agreement. We would welcome your input and insight. You can reach me at (817) 695-9278.

Sincerely,



Ken Kirkpatrick  
General Counsel

KK:tmb  
Attachment

Akin Gump Strauss Meuer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
egambrell@akingump.com

October 9, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The strictly limited purpose of this letter is in reaction to disturbing comments made by the North Central Texas Council of Governments ("NCTCOG"), through its representative Brendon Wheeler, to the Trinity Park Conservancy on October 4, 2024. The statements made by Mr. Wheeler related to possible future higher speed rail between Dallas, the Arlington Entertainment District and Fort Worth.

Mr. Wheeler stated that "NCTCOG's position" and "hope" is the approval of alignment "2(b)" for its proposed higher speed rail concept. Mr. Wheeler's statements are directly contrary to the recorded public statements on July 11, 2024 by NCTCOG (through its representative Michael Morris) that "*alignment . . . 2(b) [is] no longer possible.*"<sup>1</sup>

Stating the obvious, NCTCOG has, and at all relevant times has had, actual knowledge that alignment 2(b) is legally precluded and could never be approved as it would unlawfully contravene and directly interfere with the rights of both the City of Dallas and Hunt under their Master Agreement relating to Reunion, executed on April 29, 1975.

As a courtesy, certain of the sections of the Master Agreement which would prohibit an above-ground 2(b) alignment are attached.

The Master Agreement was filed of public record on July 8, 1975 and has been a publicly filed document at all times since. This conferred upon NCTCOG legal knowledge of the terms of the Master Agreement. NCTCOG has further publicly acknowledged the existence and enforceability of the Master Agreement (and has taken actions in recognition of rights of Hunt and the City of Dallas thereunder).

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<sup>1</sup> Mr. Wheeler's comments further suggest a predetermined result, contrary to the NCTCOG's statements that it is conducting a *bona fide* analysis of route alternatives.

Ken Kirkpatrick  
General Counsel  
October 9, 2024  
Page 2

Additionally, NCTCOG has conceded in the past that alignment 2(b) would contravene the Resolution unanimously passed by the City Council of the City of Dallas on June 12, 2024 (codifying the Dallas City Council's opposition to above-ground higher-speed rail in Dallas' Central Business District).

It is requested and anticipated that you will instruct Mr. Morris, Mr. Wheeler and other representatives and employees of NCTCOG to refrain from referring to alignment 2(b) as a possible route for any possible future higher speed rail project between Dallas, the Arlington Entertainment District and Fort Worth.

Please confirm your receipt and review of this letter.

Sincerely,



Eric Gambrell

(f) OPTION, pursuant to which the City is granting to Hunt an option to purchase the tract designated as the "Houston Loop Tract" (herein so called) on the Master Plat (the "Houston Loop Tract Option").

(g) INDEMNITY AGREEMENT, pursuant to which Hunt is agreeing to indemnify and hold the City harmless from any loss which the City may sustain by reason of Hunt's failure to timely pay the Existing Liens, as hereinafter defined.

3. City and Hunt both desire to more fully express the terms and provisions of the Master Agreement dated April 9, 1974, by a restatement and clarification contained in this document, which after the execution hereof by the parties hereto shall be deemed to be the complete Master Agreement between the parties.

4. It is the intent of the parties, as expressed herein and in the other documents described in Paragraph 2 preceding being contemporaneously executed herewith (this agreement and such other documents being herein called the "Basic Documents"), that all property owned by the parties within the Agreement Area shall be developed by the parties individually, but subject to the terms and conditions contained in the Basic Documents. Further, it is contemplated that the parties will cooperate as fully and completely as possible with each other in order to insure that all development pursued by either party within the Agreement Area shall be done in a first class manner, aesthetically consistent with the other party's development within the Agreement Area.

5. It is presently contemplated by the parties hereto that a hotel and/or theme tower will be constructed by Hunt on the area designated "Hotel and Theme Tower" on the attached Master Plat pursuant to the terms and provisions contained herein. In conjunction therewith, it is the intent of the parties that Hunt will construct a reflecting pool within the North Open Space Area pursuant to the terms and conditions contained herein. It is further contemplated that Hunt may, at its option, construct a similar reflecting pool and/or other improvements within the area referred to as the "South Open Space Area" (herein so called) on the attached Master Plat.

6. It is presently contemplated by the parties that the City will construct some type of municipal activity center, pursuant to the terms and conditions contained herein, within the area designated as the "Municipal Activity Center" (the "MAC") on the attached Master Plat. It is the intent of the parties that the area between the Houston Street Viaduct and the Jefferson Street Viaduct will be used by the City for surface fringe parking. However, it is contemplated by the parties that the City will, at some future time, construct some form of multi-level structured parking within such area (the "City's Structured Parking"), and that Hunt may, at its election, construct some type of commercial structure or structures over a portion of the City's Structured Parking within the area referred to as the "Viaduct Air Rights" (herein so called) on the attached Master Plat, pursuant to the terms and conditions contained herein.

7. Although not immediately contemplated, it is the expressed intent of the parties that the Houston Loop Tract and the Post Office Tract shown on the attached Master Plat shall, in time, be developed for municipal and/or private purposes by the parties hereto. It is also contemplated that, at the parties' election, either or both of these tracts may be utilized for both municipal and private uses simultaneously and that, pursuant thereto, joint and/or individual private and municipal structures may be constructed on either or both of said tracts.

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8. In connection with the contemplated development, it is the intent of the parties that Hunt will, within the area of the Leased Air Rights, construct some form of connecting passageway between the existing Union Terminal Building and the proposed Hotel (as hereinafter defined).

9. It is presently contemplated by the parties hereto, that, in conjunction with the other contemplated development within the Agreement Area, all streets shown on the Master Plat within the Agreement Area, save and except Hotel Street shall be constructed by the City pursuant to the terms and conditions contained herein. It is presently contemplated by the parties hereto that Hotel Street shall be constructed by Hunt.

10. As a condition to, and in further consideration for, the Exchange of Properties, Hunt and the City have agreed to certain terms and conditions which will control the development of all real property owned by either party lying within the Agreement Area.

NOW, THEREFORE, in consideration of the mutual covenants, representations, warranties, and agreements contained herein and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto covenant and agree as follows:

#### ARTICLE I

##### REFERENCES

1.1 Master Plat. The Master Plat indicates the approximate location of all tracts and areas within the Agreement Area and of all streets, structures, and other improvements within the Agreement Area, the construction of which is presently contemplated by the parties hereto. All references in this Master Agreement to named Streets, tracts, areas, structures, and/or improvements, unless otherwise indicated, are references to those shown on the Master Plat. None of such references shall be deemed to permanently name any street, park, or other area within the Agreement Area, and Hunt may from time to time designate names of streets, parks, and other areas which shall be compatible with normal City requirements and compatible with the area, and may submit the same to the City for approval, which approval shall not be unreasonably withheld.

1.2 Master Utilities Plan. The approximate location of all existing utilities presently in use, both public and private, including drainage lines, are shown on the utilities plan attached hereto as Exhibit "X" and made a part hereof (the "Master Utilities Plan"). All references to specific utility lines are references to those shown on said Master Utilities Plan.

#### ARTICLE II

##### PROHIBITION ON CONSTRUCTION

2.1 Prohibition on Hunt's Construction. It is contemplated by the parties that Hunt will commence construction of a hotel and/or theme tower, and/or a bridge connection between such hotel and the Union Terminal Building, costing a minimum of Twenty-Five Million Dollars (\$25,000,000.00) (collectively referred to herein as the "Hotel"), by April 9, 1978. Therefore, it is hereby agreed that Hunt will not commence construction of any alternate structures on any of the property described in Exhibit "B" prior to the first to occur of the following: (a) commencement of construction of the Hotel; or (b) by April 9, 1976.

provided, however, the amount of such reduction shall in no event exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00).

**7.6 Definition of Costs.** The term "costs" whenever used herein in connection with any streets or the Young Street Railroad Underpasses, shall mean the total of all costs of engineering, construction (including relocation of existing utilities necessitated thereby pursuant to Section 9.4 hereof), inspection, adequate appurtenant drainage, sidewalk facilities, landscaping, wing walls to the extent that they are part of the structural support for the Young Street Railroad Underpasses, and the Hotel Street retaining wall (any other retaining wall being specifically excluded from the definition of "costs").

**ARTICLE VIII**  
**OPEN SPACES**

**8.1 Intent.** It is the intent of the parties that all development within the Agreement Area shall be of a first-class nature. Pursuant to this intent, it is contemplated by the parties that certain portions of each party's property shall be utilized by the public for recreation and relaxation. It is the intent of the parties that such areas shall be grassy and may contain fountains and/or other ornamental-type improvements intended to enhance the aesthetic beauty of the area. It is further intended that such areas be maintained in a neat, clean, and attractive manner so as to enhance the aesthetic beauty and attractiveness of the entire Agreement Area. Pursuant to this intent, Hunt agrees to construct a reflecting pool (the "North Reflecting Pool") within the North Open Space Area as soon as reasonably practicable after Hunt commences construction of the Hotel. Hunt shall pay all expenses of construction of the North Reflecting Pool and, subject to the approval requirements of Section 13.2 hereof, shall, in its sole discretion, determine and control the design and construction thereof.

**8.2 Construction of South Open Space Area.** The City hereby agrees to construct the South Open Space Area (herein so called) within the area described on Exhibit "B" attached hereto and made a part hereof, which construction shall include; but shall not be limited to, landscaping and a general program of beautification of the South Open Space Area. In connection with such construction of the South Open Space Area, the City shall comply with the provisions of Section 13.2 hereof. The City shall complete construction of the South Open Space Area for use by the public by the earlier to occur of the following:

(a) April 9, 1979, or

(b) Six (6) months from the date upon which Hunt commences construction of the North Reflecting Pool.

**8.3 South Reflecting Pool.** Hunt shall have the right, but not the obligation, to construct a reflecting pool (the "South Reflecting Pool") and/or any other improvements within the South Open Space Area. If Hunt elects to construct the South Reflecting Pool and/or any other improvements in the South Open Space Area, then, in such event, the costs of designing, planning and constructing all such improvements shall initially be funded by the City, and such costs shall be paid in either of the same two alternative manners set forth with respect to the payment of costs for Hotel Street in Section 7.5(a) hereof. Upon completion of each such improvement, Hunt shall incur an obligation, and such obligation shall then vest, to reimburse the City for one hundred percent (100%) of the costs of each such improvement on the basis of a thirty (30) year amortization of such costs at the City's normal rate of interest;

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75133 0552



(b) Other Uses. The City Property other than that used in connection with the Transportation Center and for open space areas, will be dedicated solely to general municipal purposes. Some of the specific municipal purposes which are presently contemplated by the parties include a sports center, a performing arts center, a library, or other municipal facilities consistent with a development of the nature and magnitude intended and contemplated by the parties hereto. It is hereby agreed that the City shall have the right to include within such municipal facilities those supporting and ancillary facilities which are usually and customarily included within such municipal facilities, including concessions.

11.2 Location of FGT System. The parties agree that the City shall have the right to locate and operate an FGT System under any street located within the Agreement Area. The City shall have the right to locate such FGT System on the Hunt Property, at a location mutually agreed upon by the parties hereto, provided such system does not unreasonably interfere with Hunt's use of the remainder of the property. If such FGT System is located upon the Hunt Property, the City shall, at its sole expense, provide adequate support for such system as well as for any existing street or structure which has been constructed by either party on the property under which such FGT System is to be located. In addition, in the event that the FGT System is constructed under Hunt's property and no improvement is then located above such system, the location of such system shall leave Hunt's surrounding property in a condition that it will be possible, with normal and usual construction techniques, to bridge such system with support from adjoining land such that commercial structures of a size and quality commensurate with others in the Agreement Area may be built over the land which such FGT System traverses.

11.3 Disposition of Surplus City Property. The parties hereby agree that if the City at any time, or from time to time, should decide that it no longer has a use for any portion of the City Property, the City shall dispose of such property (the "Surplus City Property") in the following manner. The City shall give Hunt written notice of the City's intent to declare such property as surplus, and shall grant Hunt an option to purchase such property from the City within sixty (60) days after receipt of such notice. If Hunt elects to exercise such option, Hunt shall deliver written notice of such election within such sixty (60) day period to the City. The purchase price for any such property, other than the tract of property referred to as the "Viaduct Tract" on the Master Plat and more particularly described on Exhibit "P" attached hereto and made a part hereof, shall be determined as follows: The City's acquisition costs of such property shall be added to all interest costs incurred by the City in connection with its ownership of such property from the acquisition date until the receipt of written notice from Hunt electing to exercise the option granted hereunder (the "Total Cost"). If such property is sold to Hunt within five (5) years from the date the City acquired such property, then the purchase price which Hunt shall pay the City for such property shall be exactly equal to the Total Cost. However, if the City has owned such property for more than five (5) years prior to Hunt's exercise of the option created hereby, then, in such event, the purchase price

ARTICLE XIII

APPROVAL AND TIE-IN OF FACILITIES

13.1 Coordination. Each of the parties hereto will strive reasonably to coordinate the design, timing, engineering, construction, operation, and maintenance of its respective improvements to promote the most favorable image and atmosphere possible within the Agreement Area, while achieving a minimum of conflict and interference with the development of the other party.

13.2 Improvements Built by One Party on Its Own Property. Sixty (60) days prior to the commencement of construction by either party of a major structure on such party's property, such party (the "Constructing Party") shall submit a copy of plans showing elevations and exterior design for the contemplated improvement to the other party (the "Reviewing Party"). The Reviewing Party shall have approval rights as to aesthetics, elevations, and exterior design of such improvement. If the Reviewing Party disapproves of the aesthetics, elevations, and exterior design of such improvement, it shall indicate such disapproval by delivery of written notice to the Constructing Party within thirty (30) days after receipt of such plans. Such notice shall contain proposed modifications to the plans for the improvement acceptable to the Reviewing Party. If the Reviewing Party fails to deliver such notice to the Constructing Party within said thirty (30) day period, then, in such event, the Reviewing Party shall be deemed to have approved of the aesthetics, elevations, and exterior design of the improvement involved. If the Reviewing Party does deliver such notice within the time period specified and the Constructing Party finds the proposed modifications to the plans contained therein to be unacceptable, then, in such event, the Constructing Party shall deliver written notice to the Reviewing Party stating that the proposed modifications are unacceptable within thirty (30) days after receipt of the Reviewing Party's notice proposing such modifications. In such event, the Constructing Party shall have the right to seek arbitration of the issue involved pursuant to Section 26.8 hereof. If the Constructing Party fails to deliver such notice within such thirty (30) day time period, then the Constructing Party shall be deemed to have approved of the modifications proposed in the Reviewing Party's notice. It is understood that all approvals permitted or required under this Section 13.2 shall not be unreasonably withheld. It is further understood that the intent of this Section 13.2 with respect to reasonable approval is to insure that any major structure subject to such approval shall comply with all current ordinances of the City, including zoning ordinances, and that such structure(s) shall be compatible with the other major structures built in the Agreement Area.

13.3 Connecting Deck. It is the intent of the parties that the Union Terminal Building and the Hotel be connected by an enclosed mall (the "Connecting Deck") which will be constructed by Hunt. Prior to commencement of construction of the Connecting Deck, Hunt shall submit to the City for the City's approval copies of the architectural plans and specifications for the construction of the Connecting Deck. The City shall have sixty (60) days after receipt of such plans and specifications within which to review and approve them, which approval shall not be unreasonably withheld. If, within such sixty (60) day period, the City determines that such plans and specifications are unacceptable, then, in such event, the City shall deliver written notice to Hunt indicating the modifications to the plans and specifications which the City will require to be made prior to approving such plans and specifications. If the City fails to deliver such notice to Hunt within such period of time, then, in such event, the City shall be deemed to have approved the plans and specifications for the Connecting Deck. If the City delivers such notice to Hunt within the time period specified, and Hunt finds any of the proposed modifications unacceptable, then, in such event, Hunt shall deliver written notice to the City stating that the proposed modifications are unacceptable within thirty (30) days after receipt of the City's

Akin Gump Strauss Hauer & Field LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

November 5, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: "Anecdotal" Comment Regarding the Master Agreement*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter<sup>1</sup> is to reply to the "anecdotal" comment in your letter of yesterday responding to my letter from nearly a month ago regarding the Master Agreement between the City of Dallas and Hunt relating to Reunion, executed on April 29, 1975 (the "Master Agreement"); namely, your claim that "[you] have *heard anecdotally* that [the Master Agreement] has been amended a number of times since the original execution, and sections may have been superseded."

As the North Central Texas Council of Governments (the "NCTCOG") is (and has at all relevant times been) actually aware as a matter of Texas law, the Master Agreement amended the April 9, 1974 Master Agreement. Certain supporting provisions specifically provided to the NCTCOG as attachments to my October 9, 2024 letter are true and correct copies from the April 29, 1975 Master Agreement. Those terms are fully enforceable by their express terms, have not been "superseded," and legally preclude any above-ground "2(b)" alignment. NCTCOG knew all of this when yesterday's letter was sent.

Your "anecdotal" comment is further disconcerting given NCTCOG's public and recorded acknowledgement of the existence and enforceability of the Master Agreement, which it never disputed. NCTCOG has even recently taken affirmative action in overt recognition of the legal rights of the City of Dallas and Hunt under that legal document. NCTCOG specifically reported that it altered certain plans to avoid interfering with those admittedly known rights in that instance.

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<sup>1</sup> This letter does not intend or extend to reply to various misstatements of fact and law, which may be raised in future correspondence.

Ken Kirkpatrick  
General Counsel  
November 5, 2024  
Page 2

Please also recognize that your “anecdotal” comment is even at odds with other statements in yesterday’s letter, including NCTCOG’s concession of the legal “*implications*” of the Master Agreement on alignment “2(b)” and even more, its admission that the Master Agreement *does* – on multiple levels and bases – legally “*impact*” any possible future attempted approval of alignment “2(b).”

NCTCOG has not ever contested and cannot contest that alignment “2(b)” would directly interfere with the express legal rights of the City of Dallas and Hunt. There can be no “2(b)” alignment as a matter of law. Hunt demands that NCTCOG not interfere with those rights.

As a separate consideration, NCTCOG’s attempts to distance itself from its own statements – quoted *verbatim* – are not supportable. Michael Morris unequivocally stated, in July 2024, that “alignment ... 2(b) [is] no longer possible.” Not possible cannot be interpreted as possible.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell



North Central Texas Council Of Governments

December 31, 2024

Mr. Eric Gambrell  
Akin, Gump, Strauss, Hauer & Feld, LLP  
2300 N. Field Street, Suite 1800  
Dallas, Texas 75201

Dear Mr. Gambrell:

This letter is in response to your October 22, 2024, correspondence, which is attached. You request that I advise staff of the North Central Texas Council of Governments (NCTCOG) to refrain from representing that the location, design, or dimensions (including) height of a Dallas area station are “final, much less finally approved.”

NCTCOG has not represented the Dallas High-Speed Rail (HSR) Station “design” as final. To conduct the environmental analysis required by National Environmental Policy Act (NEPA), a certain level of design is necessary, which is typically the 30 percent design level or as referred to in the 2020 Dallas to Houston FEIS (2020 FEIS) as “final conceptual engineering.” The Dallas HSR station location (horizontal, vertical, and orientation)<sup>1</sup> through final conceptual engineering is established in the 2020 FEIS. The Final Conceptual Engineering Report, included in Appendix F of the FEIS, states the following:

“This Final Conceptual Engineering Report (FCE) documents the key requirements, considerations, design criteria, and approaches that formed the basis of the Project Final Conceptual Engineering (FCE) design that was provided to the FRA study team for environmental analysis to be documented in the Final Environmental Impact Statement, the FEIS. The FCE documents the design at a point in time, November 28, 2018, and provides the “project definition” upon which the environmental analyses are based. Design for the Project would continue to evolve based on the results of ongoing environmental and engineering surveys, utilities investigations, permitting requirements, stakeholder engagement, and constructability reviews, and would likely be refined in response to the findings of the environmental analyses. This report is a companion document to the Final Conceptual Engineering Plans and Details, which define the physical Limit of Disturbance (LOD) or “Project Footprint” and conceptual details for infrastructure configuration, systems, and facilities for the proposed Project construction.”

Unless and until these design parameters change, NCTCOG must incorporate these elements including station height, in its environmental analysis of the Dallas to Fort Worth High-Speed Rail project.

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<sup>1</sup> The Final Conceptual Engineering Report that “[t]he station’s tracks would be elevated approximately 73ft (22.3m) above grade, extending over Cadiz Street. The profile elevation at the Dallas Terminal [Dallas HSR Station] was developed to not preclude a possible extension to Fort Worth.” Dallas to Houston High-Speed Rail FEIS, Appendix F, page 97.

Your letter also characterizes the 2020 FEIS approved by the Federal Railroad Administration (FRA) for the Dallas to Houston High-Speed Rail (HSR) project as "dated", "outmoded" and "disassociated." The 2020 Dallas to Houston FEIS is the environmental document of record unless it is refreshed, superseded, or rescinded.

Amtrak Senior Vice President of High-Speed Rail, Andy Byford, stated in a briefing to the Dallas City Council at their March 6, 2024 meeting that, "I think if it sounds like a small matter, but if we were to, if suddenly the question is, should we reopen the [FEIS], the whole question of whether the high speed station should be where it is proposed with all the permits we've got, the ROD [Record of Decision] that's in place, the environmental assessments that have been done, that to me is a massive reopening. And we'll put the entire project at risk. Certainly, in terms of time, timescale, it will put the project back. Putting the timescale back without question adds exponentially to cost and therefore would bring the whole business case into severe question." (Meeting Link/Reference: [Mar 06, 2024 Council Briefing - Dallas, TX](#); Briefing C: Discussion of Major Downtown Transportation Initiatives: Eddie Bernice Johnson Union Station, High-Speed Rail, and Streetcar Expansion, Minutes 2:49:40-2:50:16).

Based on NCTCOG's coordination with Amtrak and Texas Central, we understand that there is no intention to change the horizontal, vertical, and orientation components of the proposed Dallas HSR station, as set by the final conceptual engineering completed in the 2020 Dallas to Houston FEIS. If you learn of any intention of FRA or Amtrak to change these design parameters, please advise. Otherwise, the final conceptual design (horizontal, vertical, and orientation) parameters will continue to be the basis for the proposed Dallas to Fort Worth HSR connection to the west.

Your letter asserts that Alignment 2B would harm and damage Reunion development as the potential for new development adjacent to the new Kay Bailey Hutchison Convention Center. Throughout the environmental analysis NCTCOG has not only looked for ways to avoid, minimize and mitigate any potential environmental and social impacts, but also to *enhance* social and economic opportunities near the proposed alignment. Currently the at-grade Rail District separates the land uses on the east and west sides of the existing rail lines, hindering pedestrian movement which is not allowed at-grade. As an enhancement, we offered to include direct pedestrian access between the proposed high speed rail station, the new Kay Bailey Hutchison Convention Center, Union Station, the Hyatt Regency, *and* the proposed Reunion development through climate-controlled passageways. These passageways would provide access for all of these developments in ways that do not exist today, which is a proposed "enhancement" currently under review.

Your letter asserts that NCTCOG's continued action involving Alignment 2B is in "defiance and disregard" of the City of Dallas Council resolution passed on June 12, 2024. This is not correct. The Council resolution, which is attached for your convenience, provides that "at this time" the Council does not support new above ground passenger rail lines (i.e., high speed rail), in and around downtown. The Council committed to revisit the proposed Dallas to Fort Worth high-speed rail discussion after receiving and considering the economic impact study requested by the City Council in March 2024. NCTCOG understands the study is underway and will be considered by the Dallas Council in due time. Recall that City of Dallas representatives on the

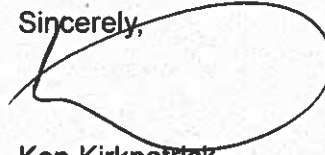
Mr. Eric Gambrell  
Page Three

December 31, 2024

Regional Transportation Council supported the direction to RTC staff to leave both the East and West alignment options open until Dallas considers the economic impact study.

Your letter reasserts your previous position that Alignment 2B is legally precluded by the 1975 Master Agreement between the City of Dallas and Hunt-related entities. For the reasons set forth in my response to you on November 4, 2024, this is not correct.

Sincerely,

A handwritten signature in black ink, appearing to be "Ken Kirkpatrick", written over a large, empty oval shape.

Ken Kirkpatrick  
General Counsel

KK:tmb  
Attachments

cc: Andy Byford, Amtrak Senior Vice President of High-Speed Rail Development Programs



Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

October 22, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: "Preliminary" design, dimensions (including height) and location of a possible future Dallas station*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to memorialize that on September 9, 2024, Brendon Wheeler, as an authorized representative of the North Central Texas Council of Governments ("NCTCOG"), conceded that "plans" for a possible future Dallas high-speed rail station, which includes design, dimensions (including height) and location, are at "about 30 percent design phase," which NCTCOG fully understands to be merely "preliminary" and *not* final.

The NCTCOG has unfortunately previously made certain various contravening and misdirecting representations, supposedly relying on a now nearly five (5) year old environmental impact statement<sup>1</sup> that included discussion and "illustrat[ions]" regarding a possible future Dallas high-speed rail station. Initially, the topic of that now dated document is not even possible future higher-speed rail between Dallas, the Arlington Entertainment District and Fort Worth.

The NCTCOG is actually aware that this disassociated environmental impact statement expressly and repeatedly states that the design, dimensions (including height) and location of a possible future Dallas station are not "final." That outmoded document specifically states that, for example, "final dimensions" cannot be "determined" without (and are subject to) future and "more detailed" "planning and design," which would require "[c]oordination with the City of Dallas, DART, local agencies, project stakeholders, and applicable regulatory bodies." Bluntly, there has been no approval of any final location, dimensions (height) or design of any possible future Dallas station.

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<sup>1</sup> The limited purpose of this letter does not extend responding to those various representations or to the multiple legal and factual issues surrounding the referenced environmental impact statement, which may be raised in future communications.



Ken Kirkpatrick  
General Counsel  
October 22, 2024  
Page 2

As the lawyer for the NCTCOG, please advise representatives and employees of NCTCOG, including Messrs. Morris and Wheeler, to refrain from representing that the location, design or dimensions (including height) of a Dallas station are final, much less finally approved. Moreover, while yesterday's preservation of documents demand certainly covered the subject matter of this letter, please ensure that NCTCOG preserves and does not spoliage any documents or information related to the statements by Mr. Wheeler regarding the mere precursory nature of any possible future dimensions (including height), design and/or location of any possible future Dallas station.

**The so-called "Alignment 2(b)" would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas' new \$3 billion Kay Bailey Hutchison Convention Center.**

**"Alignment 2(b)," would contravene and interfere with the City's and Hunt's legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG's continued action involving the so-called "Alignment 2(b)" is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please courteously and professionally confirm your receipt of this letter as well as compliance with its requests and demands.

Sincerely,



Eric Gambrell

**240876**  
**COUNCIL CHAMBER**

June 12, 2024

**WHEREAS**, in February 2021, the city began development of a master plan for expansion of the Kay Bailey Hutchison Convention Center; and

**WHEREAS**, on November 8, 2022, Dallas voters approved a new two percent hotel occupancy tax to fund expansion of the Kay Bailey Hutchison Convention Center and improvement of certain facilities within Fair Park; and

**WHEREAS**, planned improvements at Fair Park following the November 8, 2022 election include renovations to Cotton Bowl Stadium and Fair Park Music Hall; and

**WHEREAS**, the city is currently examining expansion of the city's streetcar system including a connection to the M-Line Trolley and future connections to Fair Park, the Dallas Zoo, Deep Ellum, Trinity Groves, and Lower Greenville; and

**WHEREAS**, on April 10, 2024, City Council adopted a historic and cultural preservation plan to broaden the role of the city's historical and cultural preservation efforts beyond the historic preservation program within the Department of Planning and Urban Design;

**WHEREAS**, on March 6, 2024, City Council was briefed on major downtown transportation initiatives including the Eddie Bernice Johnson Union Station, high-speed rail, and expansion of the streetcar system; and

**WHEREAS**, City Council requested an economic impact study on the impacts of the Dallas to Fort Worth high speed rail alignment following the March 6, 2024 briefing; and

**WHEREAS**, for purposes of this resolution, the Central Business District is the area defined by Section 28-114.11 of the Dallas City Code.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That, at this time, except for streetcar expansion projects currently under consideration, City Council does not support construction of new aboveground passenger rail lines through the Central Business District, Uptown, and Victory Park areas.

240876

**SECTION 2.** That many large projects are underway in the city and, except for streetcar expansion projects currently under consideration, City Council is prioritizing redevelopment of the Kay Bailey Hutchison Convention Center and the needs of Fair Park and other historically significant parks and residential neighborhoods ahead of construction of new aboveground passenger rail lines through the Central Business District, Uptown, and Victory Park areas.

**SECTION 3.** That City Council commits to revisit the proposed Dallas to Fort Worth high speed rail discussion after it receives and considers the economic impact study requested by City Council at the March 6, 2024 City Council briefing.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.





North Central Texas Council Of Governments

January 2, 2025

Mr. Eric Gambrell  
Akin, Gump, Strauss, Hauer & Feld, LLP  
2300 N. Field Street, Suite 1800  
Dallas, Texas 75201

Dear Mr. Gambrell:

This letter is in response to your October 28, 2024, correspondence, which is attached.

Your letter asserts that actions of the North Central Texas Council of Governments (NCTCOG) staff, specifically Michael Morris, exceeded the authority granted to NCTCOG under Chapter 391 of the Texas Local Government Code. Although the provision in state law you cited regarding NCTCOG's general authority to make plans and recommendations is accurate, it has no bearing on NCTCOG and the Regional Transportation Council's (RTC) federal responsibilities under 23 United States Code, Section 134, as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth metropolitan area.

The legal authority question you raised is related to the RTC's responsibilities under federal law as the MPO Policy body, not NCTCOG's general authority to conduct plans and studies. Specifically at issue is the RTC's authority to allocate funding. As the MPO Policy Body, the RTC has authority to allocate and approve federal and state transportation funds for specific projects through the Transportation Improvement Program (TIP), consistent with the RTC's long-range transportation plan (currently, Mobility 2045) as required by federal law. The RTC considers funding recommendations from staff, but ultimately, RTC has the final decision-making authority in carrying out its federal responsibilities, including the approval of funding for specific projects, no different than local government staff recommendations made at city council and commissioners' courts meetings.

Your letter references statements made by Michael Morris at the January 11, 2024, RTC meeting notifying the RTC that certain projects contemplated by NCTCOG/RTC and City of Dallas staff were "on hold" pending resolution of other policy issues related to high-speed rail. No RTC approved or funded projects were "put on hold" but rather Michael Morris requested City of Dallas projects be approved by the City before RTC action. Such projects and funding details had not previously been approved or endorsed by the Dallas City Council.

These issues were discussed in several meetings before the RTC took action on February 8, 2024<sup>1</sup>, including presentation at public meetings in January 2024 leading up to the final RTC

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<sup>1</sup> At the February 8, 2024, RTC meeting, there were varying positions of the City of Dallas RTC members on whether to delay RTC action another 30 days or proceed with RTC approval. Omar Narvaez, the Chair of the City of Dallas Transportation and Infrastructure Committee, indicated that such project still needed Dallas Council approval.

January 2, 2025

action. The action included nine projects in Dallas, of which six included a contingency statement. Upon RTC approval of the projects, staff continued coordination with City of Dallas staff and leadership to resolve outstanding issues associated with these particular projects. As the outstanding issues were resolved, the projects were added to the region's transportation funding document, the TIP. On June 13, 2024, the RTC took action to add all six projects to the TIP without any contingency statement.

Your letter characterizes the "one-seat ride" policy as Michael Morris' "personal one-seat ride concept and his individualized preferences for" the Dallas High-Speed rail station. The RTC first approved the one-seat ride policy on March 10, 2016, as part the RTC's long-range plan, Mobility 2040, and it has been reaffirmed numerous times by the RTC in subsequent Mobility Plans and RTC policies concerning high-speed rail. The characterization of the RTC one-seat ride policy as a "personal" policy is incorrect. You may not agree with the policy, but it is a policy of the RTC, and until changed by the RTC, staff will continue to advocate for it.

Your letter reasserts that Alignment 2B would harm and damage Reunion development as the potential for new development adjacent to the new Kay Bailey Hutchison Convention Center. My December 31, 2024, letter responds to this issue and outlines a proposed "enhancement" currently under review.

Your letter reasserts that NCTCOG's continued action involving Alignment 2B is in "defiance and disregard" of the City of Dallas Council resolution passed on June 12, 2024. For the reasons set forth in my response to you on December 31, 2024, this is not correct.

Your letter reasserts that Alignment 2B is legally precluded by the 1975 Master Agreement between the City of Dallas and Hunt-related entities. For the reasons set forth in my response to you on November 4, 2024, this is not correct.

Sincerely,



Ken Kirkpatrick  
General Counsel

KK:bw  
Attachment

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

October 28, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: Improperly "Holding" of Important Public Projects for the City of Dallas to Pressure  
Votes by the Dallas City Council on an Unrelated Matter under Color of Law*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The purpose of this letter is to memorialize and detail a particular specific instance of extremely troubling comportment by Michael Morris, while purporting to act under the color of law as an authorized representative of the North Central Texas Council of Governments ("NCTCOG"), a public entity created pursuant to Tex. Loc. Gov't Code § 391.001, *et seq.*<sup>1</sup>

Mr. Morris, under the imprimatur of an agent and public employee of a governmental entity, stated on January 11, 2024 that he was intentionally putting on hold multiple important public transportation projects located in the City of Dallas as a means by which to pressure and force the Dallas City Council to vote in favor of his own imagined visions for possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth (specifically including his personal "one-seat ride" concept and his individualized preferences for the dimensions, design and location of a rail station to be located in the City of Dallas).

These public transportation projects put "on hold" by Mr. Morris – *which Mr. Morris readily conceded are "key" to the City of Dallas* – are inarguably completely unrelated to possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth.

Mr. Morris expressly and abusively threatened to continue to put "on hold" these important infrastructure projects – all located in the City of Dallas – unless and until the Dallas City Council voted the way *he* wanted it to vote on this completely different matter (*i.e.*, higher-speed

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<sup>1</sup> The scope of this letter does not extend to numerous other concerns, including relating to actions by the NCTCOG and its representatives, which may be included in future correspondence.

Ken Kirkpatrick  
General Counsel  
October 28, 2024  
Page 2

rail connection between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth). He also, as means to obtain a collateral advantage, breached and defied his and NCTCOG's affirmative duties regarding these admittedly important infrastructure projects which Mr. Morris put "on hold."

The excerpted quotes of Mr. Morris' publicly recorded threats speak for themselves:

**"I do need to report to you we have been working for close to a year on five or six key City of Dallas items . . . I have them on hold. I can't proceed with these items we've been dealing with for a year or so at the same time we are dealing with other policy issues with regard to high-rail interests. So, I hope to resolve the high-speed rail issues as quickly as possible, permit the Dallas projects to go through public meeting and then un-hold them"**

– January 11, 2024 Regional Transportation Council Meeting.

Mr. Morris' conduct is facially improper. Mr. Morris' actions also exceeded the authority granted to the NCTCOG under Tex. Loc. Gov't Code § 391.001, *et seq.* As an example, Tex. Loc. Gov't Code § 391.004 affords the NCTCOG certain jurisdiction to make recommendations to governmental units, but reserves for governmental units the right to either accept or reject those recommendations in whole or in part. *Id.* Mr. Morris is not an elected member of the City Council of the City of Dallas and has no right to use his publicly-funded, non-elected, position to attempt to usurp the will of that body, through threats of punitive retaliation or otherwise.

Unfortunately, these actions have demonstrated misconduct by Morris/NCTCOG as part of a larger pattern of what has been publicly characterized by a number of others as attempted "fear-mongering" and "bullying" of public officials, including through his "ultimatums."

As the chief lawyer and officer of the NCTCOG, you realize that it is your responsibility to immediately instruct Mr. Morris and others at the NCTCOG to refrain from committing *ultra vires* acts, including without limitation these types of pressure tactics and threats under color of law, and implement measures to forestall this misfeasance in the future. Please courteously confirm in detail your acknowledgment and remediation of this problem.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called "Alignment 2(b)" would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas' new \$3 billion Kay Bailey Hutchison Convention Center.**

**"Alignment 2(b)," would contravene and interfere with the City's and Hunt's legal and lawful rights under their Reunion Master Agreement – in place since 1975.**



Ken Kirkpatrick  
General Counsel  
October 28, 2024  
Page 3

**NCTCOG's continued action involving the so-called "Alignment 2(b)" is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell



North Central Texas Council Of Governments

January 2, 2025

Mr. Eric Gambrell  
Akin, Gump, Strauss, Hauer & Feld, LLP  
2300 N. Field Street, Suite 1800  
Dallas, Texas 75201

Dear Mr. Gambrell:

This letter is in response to your November 4, 2024, correspondence, which is attached.

Attached is the relevant page of the DFW High-Speed Update, 2024 Newsletter that your letter references so that it can be read in its full context. The statement of "imagine thousands of students who could conveniently make day trips between Fort Worth and College Station on high-speed rail to pursue higher education" is not a claim or estimate of daily trips between the two Texas A&M University campuses. Nor has this been used to support any requirement within the National Environmental Policy Act process for the Dallas to Fort Worth high-speed rail Environmental Assessment.

The discussion on Texas A&M students is to address questions that the project team receives on the utility and potential markets for ridership of the high-speed rail service between the different station locations. Quoted figures and statements from Sandy Wesch, P.E., AICP, and other project team staff are not used in this context to support any ridership projections or to fully quantify overall travel demand. The statement points out just another possible benefit over the long life (50+ years) of this high-speed rail system if it is constructed and put into service, connecting the dots of possible uses given the proximity of the university campus locations in College Station and downtown Fort Worth with the proposed nearby high-speed rail stations.

It is clear to the Texas A&M team building the Fort Worth campus that a "one-seat ride" to the station near the Texas A&M campus will not only benefit the travel of students as indicated in the Newsletter, but also the hiring of faculty living in the Houston or the Dallas-Fort Worth markets and teaching at College Station.

Your letter reasserts that Alignment 2B would harm and damage Reunion development as the potential for new development adjacent to the new Kay Bailey Hutchison Convention Center. My December 31, 2024, letter responds to this issue and outlines a proposed "enhancement" currently under review.

Your letter reasserts that NCTCOG's continued action involving Alignment 2B is in "defiance and disregard" of the City of Dallas Council resolution passed on June 12, 2024. For the reasons set forth in my response to you on December 31, 2024, this is not correct.

Mr. Eric Gambrell  
Page Two

January 2, 2025

Your letter reasserts that Alignment 2B is legally precluded by the 1975 Master Agreement between the City of Dallas and Hunt-related entities. For the reasons set forth in my response to you on November 4, 2024, this is not correct.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ken Kirkpatrick', written over a horizontal line.

Ken Kirkpatrick  
General Counsel

KK:bw  
Attachments

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

November 4, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG Newsletter – Intentionally Misleading Misinformation*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The North Central Texas Council of Governments ("NCTCOG") published and continues to publicize its *DFW High-Speed Update 2024 Newsletter* (the "Newsletter"). The purpose of this letter is to memorialize and detail one of the misleading misstatements made by NCTCOG in Issue No. 1 of the Newsletter, which it (mis)uses as one of its principal highlighted arguments in the NCTCOG's aggressive advocacy for possible future higher-speed rail between Dallas, the Arlington Entertainment District and Fort Worth.<sup>1</sup>

According to NCTCOG representative Sandy Wesch,<sup>2</sup> "*thousands*" of Texas A&M University students will supposedly "conveniently make day trips between Fort Worth and College Station on high-speed rail to pursue higher education." (Newsletter, Issue No. 1 p. 6). The NCTCOG, when the representation in the Newsletter was published and at all times thereafter, had actual knowledge that this assertion was objectively baseless and categorically untrue.

Under this fictitious claim, these imaginary "thousands" of students admitted to take classes at Texas A&M University's College Station campus would supposedly leave their Fort Worth homes, get in their cars and drive to the possible future Fort Worth underground rail station and, after arriving there, would find parking places and pay for parking (alternatively, they could get from their homes to a bus station, and purchase bus tickets to the underground rail station). Once there, the "thousands" of students would purchase tickets on the yet-to-be-built high-speed train

---

<sup>1</sup> The scope of this letter does not extend to a discussion of any other misrepresentations, which may be included in future correspondence.

<sup>2</sup> While NCTCOG represents that Ms. Wesch is a "Project Engineer," in actuality, she retired from NCTCOG years ago but has been party to various personal services contracts involving hundreds of thousands of dollars (separate from NCTCOG retirement benefits).

Ken Kirkpatrick  
General Counsel  
November 4, 2024  
Page 2

to College Station, board the train, ride to Grimes County, get off the train, wait for (and buy additional tickets for) a third vehicle to take the “thousands” of students 26 miles to the College Station campus. Once there, the “thousands” of students would either walk or find other transportation to their classes somewhere on the 5,000-acre campus. Then, after a day of classes, the “thousands” of students would, supposedly, turn around and repeat this complicated and expensive process as they returned to their homes in Fort Worth.

This is the opposite of what the NCTCOG represented as “convenient” for students at Texas A&M University-College Station to get to and from their homes in Fort Worth.

Of interest, this hypothetical journey would take longer than simply driving to College Station, requiring a six-hour round-trip commute (further, the monthly cost of tickets for the imaginary “thousands” of students would be greater than the cost of rent should they elect to stay in an apartment in College Station).

This groundless assertion is further logically nonsensical in that the NCTCOG states it is wholly based on the Texas A&M System’s Fort Worth plans for a classroom building primarily for its graduate school level law school and state court facilities, and a separate research facility that would house multiple state agencies. Of course, there is no explanation as to how that development could have any impact or connection in spurring “thousands” of students to spend most of their day commuting *away* from Fort Worth to *not* be in the Texas A&M-Fort Worth classroom building.

This NCTCOG representation is an intentional abuse of the public trust by representatives of a governmental entity created under the laws of the State of Texas. This misleading assertion, the opposite of required legitimate “public outreach,” was intended as a politically-based public relations campaign by NCTCOG.

This false representation constitutes one more violation of the National Environmental Policy Act. It is the opposite of fostering a “transparent process[.]” “transparency” or providing “accurate information” that the NCTCOG has publicly represented is required (*e.g.*, NCTCOG Mobility 2045 Update, pp. 3-39, 3-43). This misfeasance has polluted the NEPA process, legally precluding its efficacy and legitimacy, and any possible future approvals.<sup>3</sup>

I would respectfully request that you provide to me, by no later than November 6, (1) confirmation that the NCTCOG has removed the Newsletter from the NCTCOG website and is no longer publishing the Newsletter due to its misinformation, (2) confirmation that the NCTCOG has issued a public statement specifying that the Newsletter contained false and misleading information, (3) confirmation that the NCTCOG had no basis in fact to make this false representation, (4) any studies, analyses, or data that NCTCOG is relying upon to support

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<sup>3</sup> The scope of this letter does not extend to related legal deficiencies, which may be the subject of future correspondence.

Ken Kirkpatrick  
General Counsel  
November 4, 2024  
Page 3

these misleading and false assertions, (5) all communications relating to these false representations, including without limitation all internal communications as well as interviews of any of those “thousands” of Texas A&M University-College Station students who live with their parents in the city of Fort Worth who allegedly stated their intent/desire to take high-speed rail to College Station, and (6) the alleged qualifications and due diligence of Sandra Wesch with respect to making these false representations in the Newsletter.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

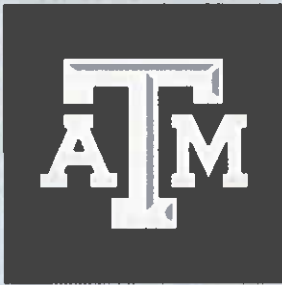
Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell - Texas A&M ‘88





# High-speed rail delivers state-of-the-art education.

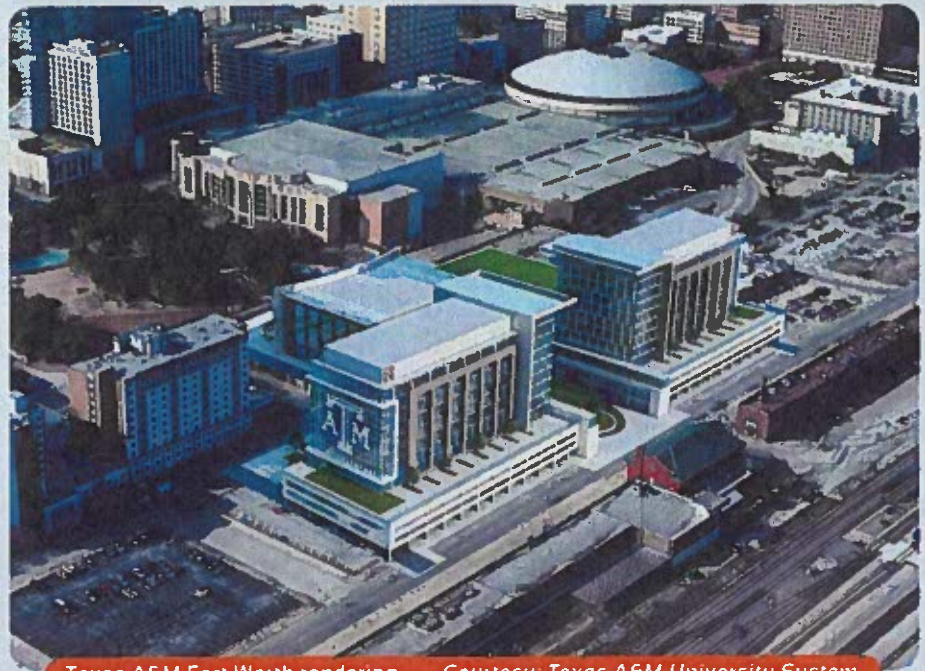
## A&M campus under construction in Fort Worth.

Texas A&M University (TAMU) in College Station is the largest university campus in Texas, boasting a student population of nearly 75,000 students. Now its focus is on Fort Worth and the growing metropolitan area.

TAMU broke ground on the eight-story, \$150 million Law and Education Building last year, and the satellite campus will soon begin construction on a Research and Innovation Center and Gateway Conference Center.

"Hundreds of miles apart, talent pools in Dallas-Fort Worth and College Station require lengthy car rides or logistically awkward flights between campuses," pointed out Sandy Wesch, P.E., AICP, NCTCOG Project Engineer and TAMU former student, class of 1987.

Just down the street from the satellite campus is the Fort Worth Central Station area with access to the high-speed rail line.



Texas A&M Fort Worth rendering Courtesy: Texas A&M University System

Students, faculty, and visitors will be able to conveniently hop on high-speed rail and head south to Grimes County, the midpoint station in the Dallas to Houston high-speed rail project. After getting off in Grimes County, passengers will quickly access other transportation modes connecting them to College Station and the primary TAMU campus.

"Imagine the thousands of students who could conveniently make day trips between Fort Worth and College Station on high-speed rail to pursue higher education," continued Wesch.

"The connection between TAMU campuses is obvious, but this extends to other universities, too. Houston residents could take in-person classes at the University of Texas at Arlington, or Fort Worth residents could take classes at Dallas College or the University of Houston. Options really are endless."

Once built, the TAMU Fort Worth campus will consist of three towers occupying four city blocks. This is part of a multi-billion-dollar investment in the southeast side of downtown Fort Worth, joined by other notable projects such as the ongoing renovation of the Fort Worth Convention Center. (see Convention Centers, pg. 2).



According to an article titled "The Most Deadly Roads in Every Country," released by insurance company Budget Direct at the end of 2021, Interstate 45 ranked as the "deadliest" roadway/highway in America.





North Central Texas Council Of Governments

January 3, 2025

Mr. Eric Gambrell  
Akin, Gump, Strauss, Hauer & Feld, LLP  
2300 N. Field Street, Suite 1800  
Dallas, Texas 75201

Dear Mr. Gambrell:

This letter is in response to your November 11, 2024, correspondence, which is attached.

The limited purpose of this letter is to address the claim that North Central Texas Council of Governments (NCTCOG) staff intentionally omitted and “affirmatively determined to not disclose” to the Federal Transit Administration (FTA) findings related to the Interstate Highway (IH) 30 corridor in the Dallas to Fort Worth Core-Express Study (DFWCES), which was conducted by the Texas Department of Transportation, in coordination with the Federal Railroad Administration (FRA). Your letter asserts that NCTCOG failed to disclose this information by omitting it in the August 25, 2023, letter (attached, without enclosures) to FTA requesting the Class of Action Determination for the Dallas-Fort Worth High-Speed Rail (HSR) project.

Both FTA and FRA were well aware of the results of the DFWCES, including the findings related to IH 30. A summary of the DFWCES, including its findings, were included in NCTCOG's Phase 1 Alternative Analysis Final Report.<sup>1</sup> The Phase I Report was developed in coordination with and under the review of both FTA and FRA. To claim that NCTCOG intentionally omitted this information from FTA is misinformed.

While it is correct that in the early stages of the DFWCES the IH 30 corridor was screened out for a variety of factors, including construction complexity and cost, the study was cut short and a full analysis not completed. As summarized in Appendix B of the Phase 1 Report, in late 2016, the DFWCES Environmental Impact Statement effort was placed on hold due to expiration of project funding. The FRA concluded the project in 2017 with the production of an alternatives analysis report. In early 2020, the FRA rescinded the Notice of Intent to prepare an Environmental Impact Statement.

Due to the incomplete results of the DFWCES study, NCTCOG broadened the alternatives analysis (mode and alignment) in the current Dallas-Fort Worth High-Speed Transportation Connections Study to review all alternatives. NCTCOG documented the alternatives analysis process in the Phase 1 Report which identifies the IH 30 corridor out of 43 end-to-end alternatives to advance into the preliminary engineering and environmental analysis and documentation phase. With regular meetings among NCTCOG, FRA, and FTA since 2020 (often monthly), FRA and FTA are well aware of the Phase 1 screening process and recommendations (HSR generally following the IH 30 corridor).

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<sup>1</sup> See attached excerpts from Appendix B, Previous Studies Technical Memorandum, pages 12-14.

Mr. Eric Gambrell  
Page Two

January 3, 2025

Your letter reasserts that Alignment 2B would harm and damage Reunion development as the potential for new development adjacent to the new Kay Bailey Hutchison Convention Center. My December 31, 2024, letter responds to this issue and outlines a proposed "enhancement" currently under review.

Your letter reasserts that NCTCOG's continued action involving Alignment 2B is in "defiance and disregard" of the City of Dallas Council resolution passed on June 12, 2024. For the reasons set forth in my response to you on December 31, 2024, this is not correct.

Your letter reasserts that Alignment 2B is legally precluded by the 1975 Master Agreement between the City of Dallas and Hunt-related entities. For the reasons set forth in my response to you on November 4, 2024, this is not correct.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Kirkpatrick". The signature is stylized with a large loop at the end.

Ken Kirkpatrick  
General Counsel

KK:bw  
Attachments

Akin Gump Strauss Mauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

November 11, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

Re: *NCTCOG Material Omission in Official Government Request: I-30  
Corridor/"2(b)" Alignment Rejected by the Federal Railroad Administration*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to raise to your attention what appears to be an intentional material omission in the August 25, 2023 letter (the "NCTCOG FTA Letter") from Michael Morris, on behalf of the North Central Texas Council of Governments (the "NCTCOG"), to the Federal Transit Administration (the "FTA").<sup>1</sup>

The NCTCOG FTA Letter was relied upon by the FTA, proximately causing and resulting in official action by that government agency, including as part of the FTA's March 4, 2024 National Environmental Policy Act ("NEPA") Class of Action Determination.

Amongst other things, the NCTCOG FTA Letter promoted and proposed an alignment that the NCTCOG has collaterally referred to as the "2(b)" alignment, which incorporates an Interstate Highway 30 corridor (the "I-30 Corridor") route for future possible higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth. As NCTCOG will readily concede, any fatal flaws or other disqualifying factors or negative impacts associated with the I-30 Corridor route would axiomatically constitute fatal flaws and disqualifying factors and negative impacts regarding alignment "2(b)."

---

<sup>1</sup> The subject matter of this letter does not extend to discussion of other deficiencies and/or misstatements in the NCTCOG FTA Letter (or otherwise), which may be raised in future correspondence.

Ken Kirkpatrick  
General Counsel  
November 11, 2024  
Page 2

NCTCOG, in sending the NCTCOG FTA Letter, affirmatively determined to not disclose to the FTA, in seeking official government action, the findings in the *final* report commissioned by the Federal Railroad Administration (the “FRA”) that the I-30 Corridor alignment has multiple fatal flaws and has already been formally disqualified and determined ineligible as a statutorily or otherwise viable corridor alternative.

More specifically, the Dallas-Fort Worth Core Express Service Alternatives Analysis Final Report requisitioned by and prepared for the FRA (the “I-30 Fatal Flaw Report”) analyzed multiple possible corridors for possible future higher-speed rail between the City of Dallas, the City of Arlington and the City of Fort Worth. The I-30 Fatal Flaw Report summarily and categorically ruled out the I-30 Corridor – and necessarily thereby, the “2(b)” alignment which incorporates the I-30 Corridor route – concluding, as quoted *verbatim* below:

“The results from the analysis of the three study corridors evaluated in the Step 1 Fatal Flaw Review show that the I-30 Corridor possesses considerable obstacles to implementation, including having the greatest engineering challenges, the highest design and construction complexity and construction risks, and the highest capital cost. For these reasons, the I-30 Corridor was dropped from further consideration and did not proceed into the Step 2 Refined Screening.”

The I-30 Fatal Flaw Report continued on to further excoriatingly criticize the I-30 Corridor alignment. As quoted examples, the Fatal Flaw Report refers to the I-30 Corridor route as “present[ing] the most challenges” and “most complexity,” not providing “sufficient room to accommodate a rail alignment,” “especially constrained,” “run[ing] through a heavily urbanized area with dense development adjacent to the existing right-of-way, severely limiting further expansion of the highway . . .,” requiring “[i]nfrastructure costs alone . . . [that] are almost double [other alternatives]. . .,” and having the “lowest ranked financially viable criterion.”

As a result of this long list of officially adjudged fatal flaws, the I-30 Corridor alignment was determined to be unfit – in fact, it was so fundamentally and fatally flawed, it could not even move past the preliminary Step 1 process before being disqualified as a possible alternative. Again, because alignment “2(b)” incorporates the I-30 Corridor route, the finding and conclusion by the FRA that the I-30 Corridor route is fatally flawed and disqualified incontrovertibly requires a finding and conclusion that alignment “2(b)” is likewise fatally flawed and disqualified.

Making this matter and other related actions by the NCTCOG even worse, the I-30 Fatal Flaw Report specifically mentions that it was done “in coordination with . . . NCTCOG . . . .” Notwithstanding this participation in what ultimately resulted in a flat and final rejection of the I-30 Corridor alignment, NCTCOG purposely and aggressively pushed for that very route in the

Ken Kirkpatrick  
General Counsel  
November 11, 2024  
Page 3

NCTCOG FTA Letter – never once revealing to the FTA the conclusive I-30 Fatal Flaw Report or the long list of negative preclusions and disqualifiers articulated in that official report.

It is the NCTCOG’s responsibility – and specifically one of your particular duties as the general counsel of a governmental entity – to take all remedial actions to rectify this intentional material omission.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell



The Transportation Policy Body for the North Central Texas Council of Governments  
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

August 25, 2023

Mr. David Bartels  
Director of Planning and Program Development  
Federal Transit Administration, Region VI  
819 Taylor Street, Room 14AO2  
Fort Worth, TX 76102

Dear Mr. Bartels:

**RE: Request for Class of Action Determination for the Dallas-Fort Worth High-Speed Transportation Connections Project in Fort Worth, Arlington, Grand Prairie, and Dallas in Tarrant and Dallas Counties, Texas**

The North Central Texas Council of Governments (NCTCOG) in Arlington, Texas would like to initiate the environmental review process for the Dallas-Fort Worth High-Speed Transportation Connections Project (the Project), in compliance with the National Environmental Policy Act (NEPA), its implementing regulations, and related environmental requirements. The Federal Transit Administration (FTA) would serve as the lead federal agency. NCTCOG would serve as the local project sponsor and joint lead agency. This letter is to request a determination by FTA on the NEPA Class of Action for the Project.

The Project is a new, exclusive double-tracked guideway for high-speed rail from downtown Fort Worth to downtown Dallas, a distance of approximately 31 miles. The horizontal alignment generally follows Interstate Highway (IH) 30 right-of-way through Tarrant and Dallas counties (see Enclosure 1). The Project would begin at an underground station in downtown Fort Worth immediately west of the existing Fort Worth Central Station. The alignment would head south and turn east under the IH 35W/IH 30 interchange and align with IH 30 to emerge from the tunnel east of Beach Street. The alignment would continue within the IH 30 right-of-way between Beach Street and Cooper Street, then descend into a tunnel near Center Street. The alignment would continue underground under the IH 30/State Highway (SH) 360 and IH 30/President George Bush Turnpike (PGBT) interchanges. After crossing under IH 30/PGBT interchange, the alignment would emerge from the tunnel on the south side IH 30, west of Belt Line Road. The alignment would be elevated over Belt Line Road and cross over to the north side of IH 30, west of Loop 12. At Hampton Road, the Project would turn to the northeast to align with Main Street. After crossing the Trinity River and IH 35E, the guideway would turn south and follow Hyatt Regency Hotel Drive/Hotel Street and connect to the proposed elevated Dallas high-speed rail station.

August 25, 2023

As proposed, the Project includes the construction of two stations; one in downtown Fort Worth and another near AT&T Way in Arlington; both of these platforms would be underground. On the east end (in Dallas), the Project would connect to the proposed platform/station to be built as part of the Dallas to Houston High-Speed Rail line, which received a Record of Decision from the Federal Railroad Administration in September 2020.

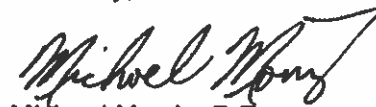
Additionally, a maintenance facility will be required. Several candidate locations have been identified and will require further study (see Enclosure 1). The locations of other ancillary facilities, such as traction-powered substations and necessary fire/life/safety requirements, will be addressed during the development of preliminary engineering.

The Project alignment and mode are the result of an alternative analysis conducted between April 2020 and July 2021. On July 8, 2021, the Regional Transportation Council (RTC), the independent transportation policy body of NCTCOG that oversees the metropolitan transportation planning process as the Metropolitan Planning Organization for the Dallas-Fort Worth region, approved the recommendation of IH 30 as the alignment. Subsequently, on February 10, 2022, the RTC approved high-speed rail as the mode for the Project. The Project is included in Mobility 2045 – 2022 Update (see Enclosure 2). The final report documenting the alternative analysis is available on the Project website at: [www.nctcog.org/dfw-hstcs](http://www.nctcog.org/dfw-hstcs) under the "Project Information" tab.

The purpose and need for the Dallas-Fort Worth High-Speed Transportation Connections Project is to create high-speed passenger rail service connecting downtown Dallas and downtown Fort Worth with other high-speed rail service to improve mobility and create more high-speed travel choices in the metropolitan area, as well as the State of Texas. Enclosure 3 is a draft purpose and need statement for the Project.

While the Project would be predominantly within existing public rights-of-way, the Project would have potential environmental effects to the built and natural environs. Enclosure 4 is a table outlining environmental considerations (e.g., potentially affected resources, effects, mitigation). While some environmental resources would be affected, an initial assessment by NCTCOG indicates potential negative impacts associated with the Project are not expected to be significant and/or can be mitigated. As such, NCTCOG believes an Environmental Assessment would be the appropriate class of Action under NEPA.

Sincerely,



Michael Morris, P.E.  
Director of Transportation

SW:cmg

Enclosures:

1. Location Map
2. Mobility 2045 – 2022 Update references
3. Draft Purpose and Need Statement
4. Summary of Potential Environmental Effects





# **Review of Plans and Previous Studies Technical Memorandum**

**Dallas-Fort Worth High-Speed  
Transportation Connections Study**

**December 2020**



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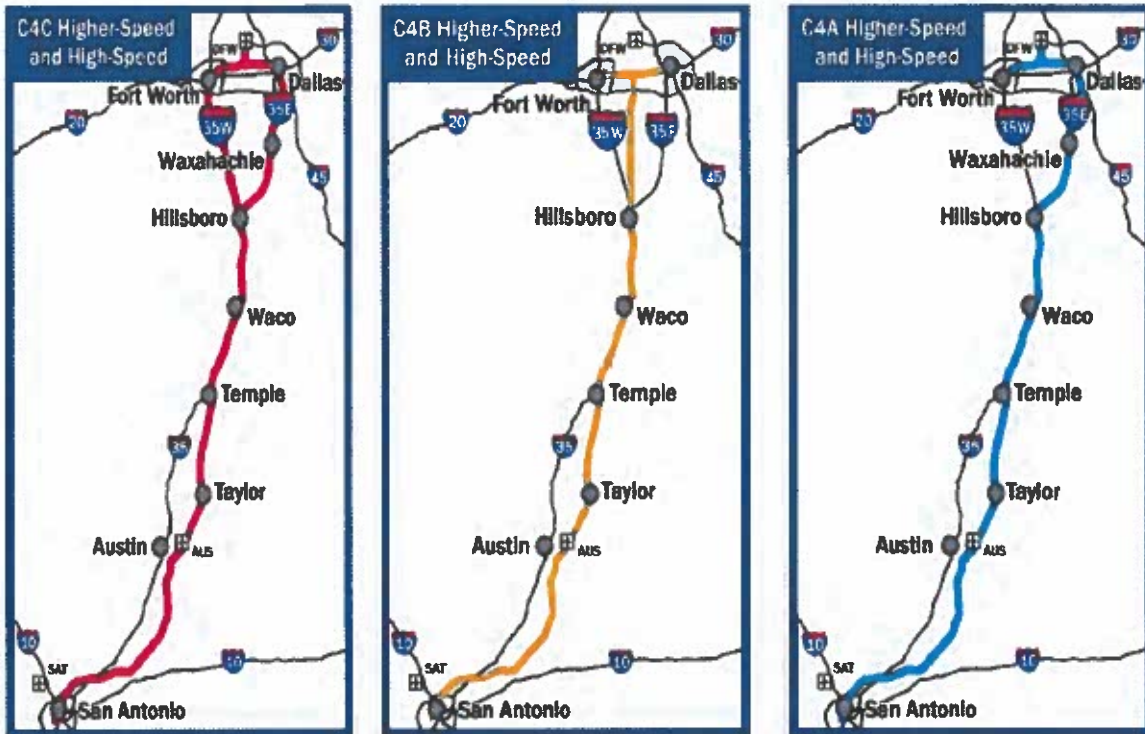
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Figure 7. TOPRS Higher Speed and High-Speed Alternatives, Central Section



Source: TOPRS Final EIS, June 2017

### 4.3 DALLAS-FORT WORTH CORE EXPRESS SERVICE

In 2014, TxDOT, in coordination with the FRA, began the process of preparing an environmental study to examine the feasibility of a faster, limited-stop passenger rail service to connect Dallas and Fort Worth to possible future high-speed rail lines being planned. The project was known as the Dallas-Fort Worth Core Express Service or DFWCES. A Notice of Intent to prepare an EIS was published in the *Federal Register* on September 5, 2014.

The DFWCES studied the two corridors between Dallas and Fort Worth (I-30, TRE) as identified during TOPRS (see Section 4.2). Based on input from NCTCOG, a third corridor combining alignment portions of I-30 from Fort Worth to SH 360 and the TRE from SH 360 to Dallas was added for consideration in early 2015. Figure 8 shows the corridors. Three operating speeds were considered for each of the corridors: 90 mph, 125 mph, and 220 mph.

Figure 8. DFWCES Corridors



Source: Figure 3-2, *Dallas-Fort Worth Core Express Service Alternative Analysis Final Report*, 2017

The I-30 corridor best met the draft purpose and need for the study; however, the corridor was determined to be fatally flawed and was eliminated. The alternative analysis determined the I-30 corridor was not consistent with the active planning and construction initiatives of I-30 between SH 360 and downtown Dallas (e.g., I-30 managed lanes, SH 360 interchange). Additionally, the complexity of constructing high-speed passenger rail service within the corridor and impacts on multi-level interchanges in Dallas County [I-30/President George Bush Turnpike (PGBT) and I-30/I-35E] along I-30 would significantly increase the construction cost compared to the other corridor alternatives.

The alternatives analysis recommended two corridors be carried forward for detailed analysis in a future EIS. Both recommended corridors could support train operations at 90 mph and 125 mph, but neither corridor was considered viable for 220 mph service because of the higher costs, corridor lengths, physical constraints, and safety requirements associated with operations at the high speed.

- TRE Corridor
  - Capital cost estimates of \$3.5 billion to \$5.7 billion (2017 dollars) depending on track speed (90 mph or 125 mph) and propulsion technology
  - Better financial viability because of its lower estimated capital cost

## *Review of Plans and Previous Studies*

- I-30/SH 360/TRE (Hybrid) Corridor
  - Capital cost estimates of \$5.3 billion to \$6.7 billion (2017 dollars)
  - Higher projected ridership, by serving Arlington and connecting with other TOPRS services
  - Lower environmental impacts

In late 2016, the DFWCES EIS effort was placed on hold due to expiration of project funding. The FRA concluded the project in 2017 with the production of an alternatives analysis report (<https://www.txdot.gov/inside-txdot/projects/studies/statewide/dfw-core-express.html>). In early 2020, the FRA rescinded the Notice of Intent to prepare an EIS.

### **4.4 SUPPLEMENTAL ALIGNMENT ALTERNATIVE ANALYSIS FOR DALLAS-FORT WORTH HIGH-SPEED RAIL CORE EXPRESS SERVICE**

The purpose of this supplemental alternative alignment analysis was to reexamine alignment alternatives for high-speed rail between Dallas and Fort Worth. The intent was to determine if there were other reasonable alignments that should be reconsidered as part of the DFWCES Draft EIS (see Section 4.3 of this technical memorandum). This study also supported three high-speed rail station planning studies (see Section 5.0 of this technical memorandum).

The study found that although high-speed rail technology has the capability of speeds over 200 mph, it applies to systems that have long reaches of straight, level track and a relatively flat vertical profile. The Dallas to Fort Worth segment is different because the distance between the potential stations (Dallas to Arlington and Arlington to Fort Worth) is approximately 15 miles and the horizontal and vertical alignments would not meet design requirements for 200 mph operations. As a result, the speeds will most likely stay below 125 mph; therefore, the main goal was to provide the alignment that has the least number of curves to promote a faster service.

Eighteen alignments were identified and located in a broad band between Fort Worth and Dallas: the TRE corridor to the north and the IH 20 corridor to the south. The majority of the alignments follow existing transportation corridors, had a lower cost, and were more favorable than establishing a new alignment through areas where there are no roadways or railroads. The study (completed in October 2017) recommended six of the 18 alignment alternatives for further study (see Figure 9).

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

The logo for the law firm Akin, consisting of the word "Akin" in a bold, black, serif font.

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

November 18, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG Material Omission in Official Government Request: Non-Disclosure of Certain Significant Adverse Impacts/Fatal Flaws*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to raise to your attention what appears to be *an additional* intentional material omission in the August 25, 2023 letter (the "NCTCOG FTA Letter") from Michael Morris, on behalf of the North Central Texas Council of Governments (the "NCTCOG"), to the Federal Transit Administration (the "FTA"), which directly led to official action being taken by the FTA. The FTA's consideration and determination would have been influenced by NCTCOG's disclosure of the withheld information.

As stated in my October 9, 2024 letter to NCTCOG (through you, as its counsel), NCTCOG has (and at all relevant times has had) actual knowledge that the so-called alignment "2(b)" is legally barred and could never be approved, including but not limited to because it would unlawfully contravene and interfere with the rights of both the City of Dallas and Hunt under their Master Agreement relating to Reunion, executed April 29, 1975 (the "Master Agreement"). As previously memorialized, NCTCOG has taken official action based on that actual knowledge, thereby formally and publicly affirming the legal enforceability of the Master Agreement.

When NCTCOG finally responded to my October 9, 2024 letter nearly a month later, it unequivocally admitted, among many other things, that the Master Agreement did in fact "implicat[e]" multiple significant adverse "impacts" relevant to any regulatory assessment of alignment "2(b)" under National Environmental Policy Act ("NEPA") statutes and strictures. For emphasis, NCTCOG specifically and bindingly conceded that *one of* the significant negative "impact[s]" that would result from alignment "2(b)" would be the deprivation of legal rights and protections under the Master Agreement.

As you well know, NCTCOG has separately admitted to numerous *other* significant adverse impacts that would occur from alignment "2(b)," foreclosing any possible regulatory approval



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under any circumstance.<sup>1</sup> NCTCOG was also previously provided objective facts, including in my November 11, 2024 letter to NCTCOG, showing NCTCOG's actual knowledge of certain other legally preclusive fatal flaws associated with the statutorily disqualified "2(b)" route.

**NCTCOG did not disclose to the FTA the Master Agreement's legal bar to alignment "2(b)." Further, NCTCOG did not disclose numerous other significant adverse impacts that would result from alignment "2(b)."**

Beyond those gaping shortfalls, the NCTCOG FTA Letter, including its attachments, was contaminated by misrepresentations and mischaracterizations regarding environmental issues NCTCOG knew would cause significant adverse effects if alignment "2(b)" progressed. NCTCOG actually represented to the FTA that alignment "2(b)" would not "cause significant change in land use," notwithstanding that, even if not otherwise legally precluded, it would forever alter and negatively impact Dallas' Central Business District, including Dallas' new more than \$3 billion Kay Bailey Hutchison Convention Center, Hunt's planned several billion-dollar development in Reunion, and the environmental and economic future of Downtown Dallas.

NCTCOG also *incredibly* claimed that alignment "2(b)" was "not expected to significantly increase noise or vibration levels" – even as that route would have trains careening past historical parks and markers and through Downtown Dallas destroying possible new pedestrian use and walkability and creating massive environmental pollution. NCTCOG even misrepresented that the "2(b)" route "would not separate or divide neighborhoods," a direct affront to neighbors and churches in West Dallas and deceptively deflecting from the fact that this route would totally separate and divide Downtown Dallas neighborhoods – slicing through the middle of the land adjacent to the Kay Bailey Hutchison Convention Center and Hunt's planned Reunion development. The majority of Hunt's Reunion property would be unlawfully isolated and cut off from Dallas' Central Business District. Unfortunately, there are multiple additional examples of mischaracterizations and omissions in the NCTCOG FTA Letter and its exhibits.

On March 4, 2024, the FTA took official action relying upon the representations and undisclosed omissions in the NCTCOG FTA Letter. More specifically, the FTA confirmed that, based on the information (or, as it turns out, the lack of information) in the NCTCOG FTA Letter, it "determine[d] the class of action . . . is an Environmental Assessment" (an "EA") instead of the more rigorous and complex Environmental Impact Statement (an "EIS"). As NCTCOG well understands (and understood when the NCTCOG FTA Letter was sent), an EA is not the proper process for NEPA review given the known and numerous significant adverse impacts.

Even NCTCOG has itself repeatedly conceded that the more rigorous EIS review would be statutorily required for regulatory consideration of possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth (a position

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<sup>1</sup> The subject matter of this letter does not extend to a substantive discussion of myriad other significant adverse impacts actually known by NCTCOG, which either have been raised or may be raised in future correspondence.

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directly inconsistent with NCTCOG's later position in the NCTCOG FTA Letter that an EIS was supposedly not required). For example, in December 2023, NCTCOG twice stated at a publicly recorded meeting of the Regional Transportation Council that, in its own words, an "Economic Impact Study" would be instituted to review possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth.

Moreover, in reporting on the Texas Oklahoma Passenger Rail Study, which it states "seeks to further investigate and develop the Dallas-Fort Worth corridor" for "high-speed passenger rail service," NCTCOG specifically affirmed that an *"Environmental Impact Statement is required."*

NCTCOG has further repeatedly expressly represented to the public that the NEPA review process will take two (2) years. Specifically, NCTCOG has been quoted as stating that this regulatory phase will "last approximately two years." NCTCOG has similarly publicly stated that this process "will last 24 months." Of course, an EA review is a *one* (1) year process, while an EIS is a *two* (2) year process. NCTCOG's own publicly quoted statements conclusively show its own understanding and belief that an EIS is legally required.

Additionally, upon information and belief, the members of the Regional Transportation Council (the "RTC") were also not apprised of the mischaracterizations and material omissions in the NCTCOG FTA Letter. NCTCOG's comportment is the opposite of a "transparent process[]" that NCTCOG concedes is fundamental.

NCTCOG is required to take all action to remediate the situation caused by the NCTCOG FTA Letter and otherwise make full disclosure to the FTA. Please effect your legal responsibilities as the chief legal officer of NCTCOG to do so.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called "Alignment 2(b)" would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas' new \$3 billion Kay Bailey Hutchison Convention Center.**

**"Alignment 2(b)," would contravene and interfere with the City's and Hunt's legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG's continued action involving the so-called "Alignment 2(b)" is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Ken Kirkpatrick  
General Counsel  
November 18, 2024  
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Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

November 25, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG Material Omission in Official Government Request: City of Arlington's decades of refusal to partner with and pay its fair share for regional transportation precludes Arlington Entertainment District station and, by extension, alignment "2(b)"*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to raise to your attention what appears to be yet another intentional material omission in the August 25, 2023 letter (the "NCTCOG FTA Letter") from Michael Morris, on behalf of the North Central Texas Council of Governments (the "NCTCOG"), to the Federal Transit Administration (the "FTA"), which proximately resulted in official action being taken by the FTA. The FTA's consideration and determination would have been influenced by NCTCOG's disclosure of the withheld information.

***NCTCOG admits that the City of Arlington's refusal to join a transit authority precludes an Arlington Entertainment District station, and by necessary logic and law, alignment "2(b)"***

NCTCOG has itself publicly and correctly remarked that the City of Arlington has for decades rebuffed "joining a transit authority" such as Dallas Area Rapid Transit ("DART") or Trinity Metro, regional transportation authorities under chapter 452 of the Texas Transportation Code. Tex. Transp. Code §§ 452.001 *et seq.*

The City of Arlington does, in fact, have a long history of taking an isolationist approach regarding regional transportation. For example, Arlington voters have consistently and flatly rejected public transportation proposals – voting them down no less than (3) times.

Jeff Williams, as Arlington Mayor in 2018, made plain that the City of Arlington would not even allow Arlington residents the opportunity to go back to the ballot box to vote on public transportation (for a fourth time) until "it becomes clear high-speed rail is *definitely* going to happen." Of course, NCTCOG would readily agree that imaginations of high-speed rail between

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the City of Dallas, the Arlington Entertainment District and Fort Worth are an ocean away from “definite” (more particularly, alignment “2(b)” is, as a legal certainty, not possible for numerous reasons).<sup>1</sup>

The City of Arlington’s insular approach regarding transportation is glaringly evidenced by its sales tax policy. Instead of utilizing a portion of its discretionary sales tax to pay its fair share in joining a regional transportation authority, the City of Arlington routes a half cent of sales tax to develop the Arlington Entertainment District in its concerted plan to (as further discussed below) siphon consumer spending dollars *away* from Dallas *to* Arlington’s sports venues and restaurants/lounges.<sup>2</sup>

This is a planned strategy by Arlington to not be a regional team player, including regarding public transportation. Quoting NCTCOG, it characterizes this failure to join a transit authority as the City of Arlington’s decades-long refusal to be a “partner with the rest of the [regional transportation] system” here in North Texas.

In stark contrast to Arlington, the City of Dallas is a tried and true regional “partner.” It pays over \$400 million a year for its membership in DART. Several billions of dollars in regional transportation payments have been made by the City of Dallas to DART since its inception in 1984. This massive burden has been and continues to be heavily shouldered by Dallas in the form of a one-cent sales tax used to pay for DART.

Even setting aside the stack of legal deficiencies, statutory preclusions, significant negative impacts, and fatal flaws otherwise beleaguering NCTCOG’s so-called “Environmental Analysis” process regarding possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and Fort Worth,<sup>3</sup> *the mere fact that the City of Arlington has failed and/or refused to join a regional transportation authority immediately disqualifies the National Environmental Policy Act (“NEPA”) review proposed by NCTCOG.*

More specifically, the NCTCOG FTA Letter makes clear that one of the primary, fundamental, and anchoring components of its proposed “2(b)” alignment is an “underground” “station” “near AT&T Way in Arlington.” Yet, NCTCOG has unequivocally, affirmatively, and repeatedly stated that this elemental component is not even possible if the City of Arlington is not a member of a regional transportation authority (directly or through a local government corporation). Even

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<sup>1</sup> There does not appear to be any information that any public transportation election has been planned or even discussed.

<sup>2</sup> Given the statutory cap on a city’s sales tax levy, NCTCOG cannot explain how the City of Arlington could even muster the financial wherewithal to pay its fair share to “join” a regional transportation authority and also meet its heavy debt burden resulting from stadium financing in the Arlington Entertainment District.

<sup>3</sup> The scope of this letter does not extend to discussion of these collateral legal deficiencies and fatal flaws, which may be raised in future correspondence or in other mediums.

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Michael Morris has shepherded the Arlington City Council: “you don’t get high-speed rail for free.”

**As a matter of factual certitude, the City of Arlington has *not* joined any regional transit authority. Under NCTCOG’s *own* construction, there can be no Arlington Entertainment District higher-speed rail station and, in turn, the “2(b)” alignment, incorporating an Arlington Entertainment District station, legally fails (on yet another basis).**

NCTCOG intentionally did not raise this admittedly preclusive bar – much less the highly pertinent facts evidencing the route’s fatal flaws and legal failures – in the NCTCOG FTA Letter. This constitutes an additional material omission.

***The NCTCOG-supported attempted funnel of monies from Dallas to the Arlington Entertainment District***

Notwithstanding the City of Arlington’s generations of refusing, as *NCTCOG* describes it, to be a “partner” with the North Texas region on transportation, NCTCOG has apparently chosen sides with the City of Arlington. NCTCOG has overtly but inexplicably sought to reward the City of Arlington, favoring Arlington’s efforts to divert consumers and funnel tax dollars *from* the City of Dallas and other North Texas communities to the sports venues and restaurants/lounges in the Arlington Entertainment District.

For convenient perspective on this evident “home-court” partiality, NCTCOG has lobbied for Arlington to receive an *underground* station that NCTCOG assures will confer the City of Arlington with “economic development” to get people and their dollars *to* the Arlington Entertainment District. Of course, alignment “2(b)” would not cut through or divide the Arlington Entertainment District, much less careen above-ground through its sports venues or restaurants/lounges. Bluntly, alignment “2(b)” would not force the Ballpark or AT&T Stadium to close, be torn down, or otherwise be adversely economically impacted. Neither would it ruin or squelch plans for the Loews development, including the third hotel, which is the opposite of what alignment “2(b)” would do both the existing and future planned Reunion development.

At the same time NCTCOG, as its states in its own words, is always at the ready to “roll up its sleeves” for its favored City of Arlington, NCTCOG continues to speciously and misleadingly claim that the Dallas City Council is somehow permanently relegated to NCTCOG’s and its unelected administrator Michael Morris’ legally insupportable attempts to force an above-ground route crashing through and economically and environmentally damaging and dividing Downtown Dallas, including the over three-billion-dollar new Kay Bailey Hutchison Convention Center and Hunt’s planned multi-billion dollar development. *See, e.g.*, Tex. Transp. Code § 452.153 (“The location of a station . . . in a municipality . . . must be approved . . . by the governing body of the municipality.”).

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This deportment by NCTCOG constitutes clear disparate treatment: favoritism for one municipality – the City of Arlington (that refuses to be a “partner” with the region on transportation) to the punitive detriment of another municipality – the City of Dallas (that has been a great transportation “partner” to the region).

***Conflicts of Interest Due Diligence – Substantial Interest in Arlington Entertainment District Business by Arlington Elected Official and Representative at the Regional Transportation Council***

Chapter 171 of the Texas Local Government Code regulates local public officials’ conflicts of interest. TEX. LOC. GOV’T CODE §171.001, *et seq.*; *see also Cross v. Dallas Co. Flood Control Dist. No. 1*, 773 S.W.2d 49, (Tex. App. – Dallas 1989, no writ). That statute prohibits a local public official in Texas from voting on or participating in a matter involving a business entity or real property in which the official has a substantial interest if an action on the matter will result in a special economic effect on the business that is distinguishable from the effect on the public. TEX. LOC. GOV’T CODE §171.004(a).

A Texas public official who has such interest is required to file, before a vote or decision on any matter involving the business entity or real property, an affidavit with the city or other applicable local government’s official record keeper, stating the nature and extent of the interest. *Id.* at §171.004(b). In addition, in this circumstance, a Texas public official is required to abstain from further participation in the matter. *Id.*

Instructively accompanying Chapter 171 are both the City of Arlington’s Code of Ethics (“A City official may not participate in a vote or decision on a matter affecting a person, entity or property in which the official has a conflict of interest.”) and NCTCOG’s various conflict of interest policies (“‘Conflict of Interest’ shall mean any situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity . . .”).

**A City of Arlington elected official, including any such official sitting on the Regional Transportation Council, who has a significant ownership or other disqualifying interest or involvement in a business that may be economically benefitted by the location of an underground higher-speed rail station in the Arlington Entertainment District may not vote or participate in discussion on possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth.**

NCTCOG and the City of Arlington have clearly articulated their joint position that an underground higher-speed rail station along I-30 would greatly financially benefit the businesses in the Arlington Entertainment District, including by funneling entertainment spending there from Dallas and other communities in the metroplex.

Please understand that NCTCOG is required to ensure full compliance with all applicable conflict of interest rules, including but not limited to in relation to any City of Arlington elected



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official also sitting on the Regional Transportation Council who has a substantial interest in a business in the Arlington Entertainment District that would derive economic benefit from an underground higher-speed rail station below the Arlington Entertainment District.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

December 2, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG's "One-Seat Ride" Misdirection*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to raise to your attention what appears to be another category of misleading statements by the North Central Texas Council of Governments (the "NCTCOG"), including through its representative Michael Morris – in this case, NCTCOG's various misdirecting misstatements surrounding its notions of the requirement of a "one-seat ride" for "high-speed rail."

For perspective, the *only* argument NCTCOG has ever mustered that higher-speed rail should careen seventy-five (75) feet above-ground through Downtown Dallas, unlawfully damaging the economic impact of the over three-billion-dollar Kay Bailey Hutchison Convention Center and the planned several billion-dollar Hunt Reunion development, is to provide what it calls a "one-seat ride." NCTCOG proceeds to define "one-seat ride" as a situation where a person "would not be required to transfer [to another vehicle] to reach his or her destination."

NCTCOG's own admissions, as well as applicable law, immediately and completely discredit – on multiple fronts – NCTCOG's sole-articulated basis underpinning its efforts to economically damage the future of the City of Dallas, as well as cause massive environmental and aesthetic harm, in favor of the Arlington Entertainment District.

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***NCTCOG's own planned higher-speed rail connections in and out of North Texas preclude and betray the necessity of a "one-seat ride"***

NCTCOG's *own* stated plans for higher-speed rail connections in and out of North Texas completely betray its supposed "one-seat ride" policy. To be sure, NCTCOG is offensively planning *against* "one-seat ride" in the North Texas region.

As the clearest examples, NCTCOG's publicized plans for proposed routes (1) north of the metroplex (to Oklahoma City) and (2) east of the metroplex (to Shreveport) both violate NCTCOG's "one-seat ride" dictum. Neither of those routes could ever be part of a "one-seat ride" configuration as they are being designed by NCTCOG to require any Dallas passenger to disembark one train *and get on a second train* to move through the region.

More specifically, NCTCOG (including through Michael Morris) states that its postulated Dallas-Arlington Entertainment District-Fort Worth route must be "grade-separated" – that is, on its own dedicated and exclusive tracks, using exclusive and proprietary track and train technology, that cannot be shared with any other track or train technology. The proposed Houston-Dallas high-speed rail route is also planned to be "grade-separated."

Meanwhile, NCTCOG states that planned higher-speed rail alignments north to Oklahoma City *and* east to Shreveport "need" to be "*at-grade.*" ("[P]lanning indicates a need for at-grade higher-speed passenger rail service from Fort Worth to Oklahoma City.") ("Planning for the proposed corridor extending eastward from Dallas to Shreveport, Louisiana indicates a need for higher-speed at-grade passenger services."). "At-grade" lines, *unlike "grade-separated" lines, can* share their tracks with various other types of trains and technologies.

"At-grade" tracks and "grade-separated" tracks are incompatible. Any person on a train running "at-grade" must disembark that train to board any train that is running on a "grade-separated" track. Likewise, any person on a "grade-separated" track must transfer to a new train to access any "at-grade" route.

*As a result, it is NCTCOG that is itself planning against "one-seat ride," hypocritically violating its own "one-seat ride" requirement for the region. According to NCTCOG's own plans, every rail passenger to and from either east or north of the metroplex would have to change trains to access any possible future "grade-separated" line, including both (1) the possible future high-speed rail line between the City of Dallas and the City of Houston and (2) the possible future higher-speed rail line between the City of Dallas, the Arlington Entertainment District, and the City of Fort Worth.<sup>1</sup>*

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<sup>1</sup> Even assuming any need or basis for higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth, this further shows there would be more convenient travel around North Texas if a Dallas to Fort Worth route was not "grade-separated."

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NCTCOG's presented plans for a connection from an Arlington Entertainment District higher-speed rail station to DFW International Airport further debunk its pharisaical "one-seat ride" stance. More specifically, NCTCOG is actually pushing a *five-seat ride* to connect DFW International Airport to its favored but unlawful Dallas-Arlington Entertainment District-Fort Worth route. NCTCOG's own presentation materials actually call for a person at the Kay Bailey Hutchison Convention Center ("KBHCC") who wants to get to DFW International Airport to (1) board a people mover or other form of transportation from KBHCC to the station *preliminarily*-located south of Downtown Dallas, then (2) get on a higher-speed rail train and travel to the Arlington Entertainment District station, then (3) embark an "ATS" vehicle and travel to the TRE Centerport Station, then (4) board a TRELink bus and travel – with two intervening stops – to DFW Terminal B, and finally, (5) board either TerminalLink or SkyLink to get to Terminal A, C, D, or E.

***NCTCOG's cross-platform transfer flip-flop***

In maneuvering to force through its illogical and impossible "one-seat ride" agenda, NCTCOG now claims that a "cross-platform transfer" at the station south of Downtown Dallas (*preliminarily* picked for possible future high-speed rail between the City of Dallas and the City of Houston) is supposedly unworkable. A "cross-platform transfer," of course, involves a transfer from one train to another.

This position is directly contrary to its repeated prior statements and actions. As you know, it is NCTCOG who has repeatedly touted its own "cross platform strategy" to be implemented at the possible future station *preliminarily* designated to be located in the Cedars neighborhood. It has even entered legal contracts *requiring* a "cross-platform strategy" at the possible future Dallas station. Quoting NCTCOG's public representations:

"NCTCOG and Texas Central Railroad are in agreement that the DFWHSTC [Dallas to Fort Worth] corridor will connect to the Texas Central Railroad high-speed rail system via a **cross platform connection.**"

"We have an **interagency agreement** with Texas Central Partners for **our cross platform strategy.**"

Even now, NCTCOG is forced to continue to concede that a "cross-platform transfer" at the preliminary location for high-speed rail between Dallas and Houston in the Cedars neighborhood is an acceptable and reasonable alternative. ("Should regulatory, environmental, financial, or other challenges prohibit the timely development of a one-seat/one-ticket connection through the Dallas station, the region will support and coordinate with high-speed transportation implementers to develop a cross-platform transfer solution . . .").

***“One-seat ride” is legally precluded and functionally impossible***

NCTCOG’s attempted “one-seat ride” concepts would be legally precluded anyway. It would require an impossible and legally prohibited “predetermination” of (1) the precise technology (including tracks, infrastructure, and trains) and (2) the particular implementer/operator for possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District, and the City of Fort Worth.

First, for “one-seat ride” between the City of Fort Worth and the City of Houston to work, the technology used in the Houston-to-Dallas route would have to precisely match the technology used in the Dallas-to-Arlington Entertainment District-to-Fort Worth route. For example, if proprietary Shinkansen technology and rolling stock (trains) were chosen by the private entities supposedly developing a Houston to Dallas high-speed route, that very same Shinkansen technology would have to be purchased and used in the Dallas to Arlington Entertainment District to Fort Worth route. The multiple other alternate high-speed rail technologies, including technologies being developed **in the United States** and elsewhere, would not be compatible, and, therefore, could not be used.

Even NCTCOG admits it cannot predict what particular technology might be chosen for potential future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth (“the proprietary high-speed rail technology currently being advanced on the TCR project may or may not be selected by a future DFWHSTC implementer.”). NCTCOG has itself accurately reported on other “high-speed” or “higher-speed” rail projects across the country, which utilize or plan to utilize a widely varied patchwork of multiple different and *incompatible* technologies.

As fundamental, it is *NCTCOG* that admits that high-speed rail technology is, in its own words, “rapidly advancing.” (“With new high-speed rail technologies such as maglev (magnetic levitated trains) and hyperloop advancing rapidly, some of these corridors could utilize a technology other than high-speed rail.”). NCTCOG further concedes it needs “additional analysis” of the various and “rapidly” evolving technologies (“Additional analysis is needed to refine the . . . specific high-speed technology” as between “high-speed rail, maglev, or hyperloop technology.”). NCTCOG has been further forced to accede that this quickly changing technology increases the likelihood that different corridors will, in fact, use different and incompatible technologies. That, in itself, makes “one-seat ride” incontrovertibly impossible. Not even NCTCOG would argue that rail across America must be universally saddled with the oldest and most-outdated technology simply to facilitate “one-seat ride.”

Second, even if the ever-changing and varying technologies could somehow match, NCTCOG admits that “one-seat ride” is completely contingent and dependent upon future and unknown financial transactions and business cooperation between the two different operators of the two separate projects. (“Future operational decisions between the two projects will determine the viability of a ‘one-seat’ ride.”). NCTCOG points out that “[t]he . . . Dallas-to-Houston corridor[]

will be funded through private-sector initiatives.” Those “private-sector” Houston to Dallas operators (and/or their lenders) may or may not allow (or be able to come to agreement with) a higher-speed train implementer/operator from another corridor – including a Dallas to Fort Worth route – to use the Dallas to Houston tracks (even if compatible). NCTCOG acknowledges, as it must, that there is just no way to know.

Similarly, NCTCOG states that “[t]he Fort Worth-to-Dallas project will be funded through a public-private partnership.” NCTCOG would readily admit it has no idea who might be the implementers/operators for possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth (even assuming that route could ever come to fruition in the first place). It is the opposite of certain that the future Dallas to Fort Worth operators (even assuming a “public-private partnership” is ever formed) will come to terms to allow the Dallas to Houston operator to run its trains to Fort Worth.

Of course, the only way to ensure access across corridors would be to provide a single operator a monopoly, which, beyond practically impossible, would be illegal. This patently evident uncertainty underscores the glaring irresponsibility of NCTCOG’s push for alignment “2(b)” to crash above-ground through Downtown Dallas even as it cannot provide a single bit of confidence that it could ever even provide for regional “one-seat ride.”

***NCTCOG used “one-seat ride” to improperly reject TRE alignments as fatally flawed, even as alignment “2(b)” is, by NCTCOG’s own definition, fatally flawed on multiple bases***

It is certainly ironic that NCTCOG, in myopic and aggressive pursuit of its hypocritical and impossible “one-seat ride” campaign, found each of the TRE alignments (alignments 1, 2, 3, 4, and 5) to be supposedly fatally flawed because those routes were purportedly more appropriate for “at-grade” alignment versus a “grade-separated” (a/k/a “closed corridor”) alignment. (“The main differentiator for the alignment analysis was the number of ‘Infrastructure challenges to building a closed corridor’ along a given alignment. The analysis for all five TRE alignments (Alignments 1, 2, 3, 4, and 5) . . . were therefore eliminated from further consideration.”).

Yet, NCTCOG’s own alignment “2(b),” *using NCTCOG’s own standards*, is fatally flawed. First, NCTCOG determined and stated that an alignment for possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth had to “[s]erve a **downtown** Dallas station.” This means NCTCOG found that the route had to go to a station “located in downtown Dallas,” such as the Eddie Bernice Johnson Union Station, or else the route was fatally flawed and disqualified. NCTCOG admits that the proposed station for alignment “2(b)” is not in Downtown Dallas but “*south* of downtown Dallas.”

Second, NCTCOG states that an alignment is fatally flawed unless it meets a “[t]ravel time of 20 minutes or faster from proposed high-speed rail station in Downtown Dallas to Central Station in Downtown Fort Worth.” It is *NCTGOG* who publicly states that the possible future higher-speed

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rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth would require at least “25 minutes.”

In its misleading efforts for “one-seat ride,” NCTCOG conveniently ignores (or alternatively, intentionally conceals) that its proposed alignment “2(b)” is fatally flawed on multiple bases, providing yet another legal disqualification to any supposed ongoing but legally precluded “environmental assessment.”

***One-seat ride” does not even apply to the proposed purpose of the “Project” of possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth***

Even setting aside all of the above, “one-seat ride” is a NCTCOG-manufactured issue that does not even apply to and is completely irrelevant to NCTCOG’s represented “purpose” of what it refers to as the “Project” of possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth. Quoting NCTCOG, in its express written representations to the Federal Transit Administration (the “FTA”) seeking federal action:

“The purpose of the Dallas-Fort Worth High-Speed Connections project is to create a safe, convenient, efficient, fast, and reliable alternative to existing ground transportation travel options by providing a high-speed passenger rail service on an exclusive guideway **connecting the two largest downtowns in the fourth largest metropolitan area in the United States.**”

NCTCOG likewise stated that the supposed problem to be solved is “roadway congestion . . . in North Central Texas” as “[t]he **Dallas-Fort Worth area** . . . is estimated to be home to 11.4 million by 2045.” NCTCOG similarly represented that the purpose was “improve[d] mobility **between Dallas and Fort Worth.**”

NCTCOG’s own articulated “*purpose*” of the “Project” (currently in a legally beleaguered and procedurally improper “environmental assessment” process) is limited to travel between Downtown Dallas and Downtown Fort Worth. Stated alternatively, the NCTCOG-represented “purpose” does *not* extend to include what NCTCOG and Amtrak have referred to as the completely *separate* possible future high-speed rail line *between the City of Dallas and the City of Houston*.

*Travel to Houston, including the boarding process for travelers to Houston, is not within NCTCOG’s represented “purpose” of the “Project.”*

“One-seat ride” is simply not relevant to the analysis of the “Project” being “reviewed” – it is just more NCTCOG misdirection. Of course, if NCTCOG attempts to expand the purpose of the “Project” beyond a City of Dallas-to Arlington Entertainment District-to City of Fort Worth



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corridor, the current supposed “environmental assessment” is instantly nullified on yet another basis.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

December 4, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: Summary of Correspondence To-Date Exposing NCTCOG Misfeasance Regarding  
Procedurally and Substantively Deficient "Environmental Assessment" (including  
Alignment "2(b)")*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The purpose of this communication is to provide a helpful summary of Hunt's recent informative letters to the North Central Texas Council of Governments (the "NCTCOG"), (1) exposing various instances of NCTCOG's (including through its agent Michael Morris) misconduct and misrepresentations regarding possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail, (2) objectively articulating some of the many fatal flaws, unmitigable significant adverse impacts, and multifaceted unlawfulness of the so-called alignment "2(b)," and (3) conclusively showing that the purported current "environmental assessment" is, on many levels, procedurally and substantively deficient and legally void.<sup>1</sup>

For certain, there are numerous additional examples and categories regarding the troubling deportment of NCTCOG, which may be raised in future correspondence.

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<sup>1</sup> In addition to the letters referenced below herein, Hunt also reminds NCTCOG of (1) the document preservation request dated October 21, 2024, which NCTCOG acknowledges it is required to fully comply with that demand, and also (2) the March 7 and March 22, 2024 letters requesting communications between NCTCOG and the Federal Transit Administration relating to possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail, which NCTCOG agreed to provide (and includes supplementation).

**1. Alignment “2(b)” is legally precluded by the Master Agreement between the City of Dallas and Hunt (Letters of October 9 and November 5, 2024)**

As we established in our October 9, 2024 letter (and indented in our November 5, 2024 letter), NCTCOG has, and at all relevant times has had, actual knowledge that alignment “2(b)” is legally precluded and could never be approved as it would unlawfully contravene and interfere with the legal rights of both the City of Dallas and Hunt under their publicly filed Master Agreement relating to Reunion, executed on April 29, 1975 (the “Master Agreement”). On October 9, NCTCOG was considerably provided copies of certain of the sections of the Master Agreement that expressly prohibit the 75-foot above-ground “2(b)” alignment. These provisions specifically prohibit, *inter alia*, higher-speed rail traversing above-ground through the Reunion area of Downtown Dallas as proposed in alignment “2(b).”

NCTCOG has publicly acknowledged both the existence and enforceability of the Master Agreement and affirmatively taken actions in express recognition of rights of the City of Dallas and Hunt thereunder. As an example, NCTCOG reported that it altered certain plans to avoid interfering with Hunt’s rights under the Master Agreement. NCTCOG has even admitted to, in its words, the negative legal “implications” of the Master Agreement on alignment “2(b)” because it would adversely “impact” the parties’ legal rights under that contract.

**2. The preliminary location of the station south of Downtown Dallas for Dallas-Houston high-speed rail has not been finally approved (October 22, 2024)**

NCTCOG continues to misrepresent, including as we demonstrated in our October 24, 2024 letter, that the Dallas station for possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail is somehow required to be 75 feet above-ground at the *preliminary* site for possible future *Dallas-to-Houston* high-speed rail.

First, neither the design, dimensions (including height) nor location of that station have been finally approved *even for the Dallas-to-Houston route* – they are merely “preliminary.” The rough “illustration[s]” NCTCOG relies upon specifically caution that the “final dimensions” (which includes height) cannot be “determined” without (and are subject to) future and “more detailed” “planning and design,” which would require “[c]oordination with [and approval by] the City of Dallas, DART, local agencies, project stakeholders, and applicable regulatory bodies.”

Second, the documents NCTCOG uses are attached to a now outdated *five (5) year-old* pre-pandemic environmental impact statement.

Third, even NCTCOG admits that that the now stale environmental impact statement relating to *Dallas-to-Houston* high-speed rail was done for what even NCTCOG admits is completely “*separate*” and *different* “*project*” than possible future Dallas-to-Arlington Entertainment

District-to-Fort Worth higher-speed rail. NCTCOG knows that environmental impact statement just doesn't control or apply.

**3. NCTCOG Improper "Holding" of Important Public Projects for the City of Dallas to Pressure Votes by the Dallas City Council on Unrelated Matter under Color of Law (October 28, 2024)**

Our October 28, 2024 letter memorialized Michael Morris' statement on January 11, 2024 that he was intentionally putting "on hold" multiple admittedly "key" public transportation projects slated to benefit the City of Dallas as a means by which to pressure and muscle the Dallas City Council to vote in favor of his own personal visions and attempted demands for completely unrelated possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth. Michael Morris' quoted threats of punitive retaliation, using federal funds as a club for collateral purposes (as if the monies were his own), speak for themselves:

"I do need to report to you we have been working for close to a year on five or six key City of Dallas items . . . I have them on hold. I can't proceed with these items we've been dealing with for a year or so at the same time we are dealing with other policy issues with regard to high-rail interests. So, I hope to resolve the high-speed rail issues as quickly as possible, permit the Dallas projects to go through public meeting and then un-hold them"

– January 11, 2024 Regional Transportation Council Meeting.

This facially improper "ultimatum" is unfortunately part of a larger pattern of what has been publicly characterized by a number of others as attempted "fear-mongering" and "bullying" of public officials.

**4. NCTCOG's Intentionally Misleading Information Campaign – Lacking Transparency (November 4, 2024)**

On November 4, 2024, we showed that NCTCOG has engaged in an aggressive misinformation political campaign to attempt to forward its unlawful and damaging alignment "2(b)," including through its *DFW High-Speed Update* newsletters.

As a remarkable example establishing that NCTCOG really will "say anything," the Spring 2024 NCTCOG newsletter actually claims that "*thousands*" of Texas A&M University students will supposedly "conveniently make day trips between Fort Worth and College Station on high-speed rail to pursue higher education."

Under this fictitious claim, these imaginary "thousands" of students admitted to take classes at Texas A&M University's College Station campus would supposedly leave their Fort Worth

homes, get in their cars and drive to the possible future Fort Worth underground rail station and, after arriving there, would find parking places and pay for parking (alternatively, they could get from their homes to a bus station, and purchase bus tickets to the underground rail station). Once there, the “thousands” of students would purchase tickets on the yet-to-be-built high-speed train to College Station, board the train, ride to Grimes County, get off the train, wait for (and buy additional tickets for) a third vehicle to take the “thousands” of students 26 miles to the College Station campus. Once there, the “thousands” of students would either walk or find other transportation to their classes somewhere on the 5,000-acre campus. Then, after a day of classes, the “thousands” of students would, supposedly, turn around and repeat this complicated and expensive process as they returned to their homes in Fort Worth.

Of interest, this hypothetical journey would take longer than simply driving to College Station, requiring a six-hour round-trip commute. Further, the monthly cost of tickets for the imaginary “thousands” of students would be greater than the cost of rent should they elect to stay in an apartment in College Station.

This false representation highlights one more violation of the National Environmental Policy Act (“NEPA”). It is the opposite of fostering a “transparent process[,]” “transparency” or providing “accurate information” that the NCTCOG has publicly represented is required (e.g., NCTCOG Mobility 2045 Update, pp. 3-39, 3-43).

**5. NCTCOG Material Omission in Official Government Request: I-30 Corridor/“2(b)” Alignment Rejected by the Federal Railroad Administration (November 11, 2024)**

We have exposed, including in our November 11, 2024 letter, multiple intentional material omissions in the August 25, 2023 letter (the “NCTCOG FTA Letter”) from Michael Morris, on behalf of the North Central Texas Council of Governments (the “NCTCOG”), to the Federal Transit Administration (the “FTA”).

The NCTCOG FTA Letter was relied upon by the FTA, proximately causing and resulting in official action by that government agency, including as part of the FTA’s March 4, 2024 NEPA Class of Action Determination.

The NCTCOG FTA Letter promoted the “2(b)” alignment, which incorporates an Interstate Highway 30 corridor (the “I-30 Corridor”) route for future possible higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth. The NCTCOG FTA Letter intentionally failed to disclose to the FTA, in seeking official government action, the findings in the *final* report commissioned by the Federal Railroad Administration (the “FRA”), including that the I-30 Corridor alignment has multiple fatal flaws and has already been formally disqualified and determined ineligible as a statutorily or otherwise viable corridor alternative.

Quoting that *undisclosed* report:

“The results from the analysis of the three study corridors evaluated in the Step 1 Fatal Flaw Review show that the I-30 Corridor possesses considerable obstacles to implementation, including having the greatest engineering challenges, the highest design and construction complexity and construction risks, and the highest capital cost. For these reasons, the I-30 Corridor was dropped from further consideration and did not proceed into the Step 2 Refined Screening.”

The I-30 Corridor, on which alignment “2(b)” is based, was found to be so fundamentally and fatally flawed, it could not even move past the preliminary Step 1 process before being disqualified as a possible alternative. This requires a finding and conclusion that alignment “2(b)” – an I-30 Corridor route – is likewise fatally flawed and disqualified.

**6. *NCTCOG’s Intentional Non-Disclosure of Certain Significant Adverse Impacts/Fatal Flaws and other Misrepresentations (November 18, 2024)***

Through my November 18, 2024 letter, we put in your hands conclusive evidence of even more material omissions in the NCTCOG FTA Letter. First, that official government communication intentionally failed to disclose to the FTA that the so-called alignment “2(b)” is legally barred and could never be approved, including but not limited to because (as discussed above and in the October 9 and November 5, 2024 letters to NCTCOG) it would unlawfully contravene and interfere with the rights of both the City of Dallas and Hunt under their Master Agreement. We also pointed out that NCTCOG has separately admitted to numerous *other* significant adverse impacts that would occur from alignment “2(b),” foreclosing any possible regulatory approval under any circumstance.

Beyond the long list of material omissions, we also raised multiple other affirmative misrepresentations to the FTA in the NCTCOG FTA Letter. These included the false statement by NCTCOG that alignment “2(b)” would not “cause significant change in land use,” notwithstanding that, even if not otherwise legally precluded, it would forever alter and negatively affect the future economic and urban growth of Dallas’ Central Business District, including the impact of Dallas’ new more than \$3 billion Kay Bailey Hutchison Convention Center and Hunt’s planned several billion-dollar development in Reunion.

NCTCOG also falsely represented to the FTA that alignment “2(b)” was “not expected to significantly increase noise or vibration levels” – even as that route would have trains careening past historical parks and markers and through Downtown Dallas destroying possible new pedestrian use and walkability and creating massive environmental pollution. NCTCOG also misrepresented to the FTA that the “2(b)” route “would not separate or divide neighborhoods,” a direct affront to neighbors and churches in West Dallas and deceptively deflecting from the fact that this route would totally separate and divide Downtown Dallas neighborhoods.

Again, the FTA took official action relying upon the misrepresentations and undisclosed material omissions in the NCTCOG FTA Letter, including by “determin[ing] the class of action . . . is an Environmental Assessment” (an “EA”) instead of the more rigorous and complex Environmental Impact Statement (an “EIS”). As NCTCOG well understands and has repeatedly admitted, an EA is not the proper process for NEPA review given the known and numerous significant adverse impacts. Stated alternatively, as we have cited, NCTCOG has repeatedly stated that the two-year EIS process (versus just a one-year EA process) would be required.

**7. *City of Arlington’s decades of refusal to partner with and pay its fair share for regional transportation precludes the Arlington Entertainment District station and, by extension, alignment “2(b)” (November 25, 2024)***

In our November 18, 2024 letter, we pointed out the obvious: (1) the City of Arlington’s refusal to join a transit authority precludes an Arlington Entertainment District station, and by necessary logic and law, alignment “2(b),” (2) NCTCOG continues to improperly favor the City of Arlington over the City of Dallas to foster an export of consumer dollars from Dallas to the Arlington Entertainment District, and (3) state and local conflict of interest rules preclude an Arlington elected official who has a disqualifying interest in an Arlington Entertainment District business that will be particularly benefitted by an Arlington Entertainment District station from participating in discussion or votes at a Regional Transportation Council meeting regarding possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail.

The City of Arlington has for decades rebuffed “joining a transit authority” such as Dallas Area Rapid Transit (“DART”) or Trinity Metro, regional transportation authorities under chapter 452 of the Texas Transportation Code. Tex. Transp. Code §§ 452.001 *et seq.* Arlington voters have consistently and flatly rejected public transportation proposals – voting them down no less than three (3) times.

Instead of utilizing a portion of its discretionary sales tax to pay its fair share in joining a regional transportation authority, the City of Arlington routes a half cent of sales tax to develop the Arlington Entertainment District in its concerted plan to siphon consumer spending dollars *away* from Dallas *to* Arlington’s sports venues and restaurants/lounges. Quoting NCTCOG, it characterizes this failure to join a transit authority as the City of Arlington’s decades-long refusal to be a “partner with the rest of the [regional transportation] system” here in North Texas.

In stark contrast to Arlington, the City of Dallas is a tried and true regional “partner.” It pays over \$400 million a year for its membership in DART. Several billions of dollars in regional transportation payments have been made by the City of Dallas to DART since its inception in 1984. This massive burden has been and continues to be heavily shouldered by Dallas in the form of a one-cent sales tax used to pay for DART.



The mere fact that the City of Arlington has failed and/or refused to join a regional transportation authority immediately disqualifies an Arlington Entertainment District station and therefore, alignment “2(b).” As Michael Morris states, “you don’t get high-speed rail for free.”

NCTCOG has nonetheless overtly but inexplicably sought to reward the City of Arlington for its transportation isolationism, favoring Arlington’s efforts to divert consumers and funnel tax dollars *from* the City of Dallas and other North Texas communities to the sports venues and restaurants/lounges in the Arlington Entertainment District. NCTCOG has proposed that Arlington receive an *underground* station that NCTCOG assures will confer the Arlington Entertainment District with “economic development” to get people and their dollars *to* the Arlington Entertainment District. Of course, alignment “2(b)” would not cut through or divide the Arlington Entertainment District, much less careen above-ground through its sports venues or restaurants/lounges – while at the same time it would ram through and divide Downtown Dallas, including the Hunt Reunion development, causing massive negative economic and environmental damage as we have described. This constitutes clear disparate treatment: favoritism for City of Arlington (that refuses to be a regional transportation “partner”) to the detriment of the City of Dallas (that has been a great regional transportation “partner”).

We also brought to your attention Chapter 171 of the Texas Local Government Code, which prohibits a local public official in Texas, including an Arlington elected official, from voting on or participating in a matter at a Regional Transportation Council meeting involving a business entity or real property in which the official has a substantial interest if an action on the matter will result in a special economic effect on the business that is distinguishable from the effect on the public. TEX. LOC. GOV’T CODE §171.004. This state statute is complemented by City of Arlington and NCTCOG conflict of interest and code of ethics policies.

**8. “One-seat ride” Misdirection (December 2, 2024)**

Our December 2, 2024 letter flatly debunked NCTCOG’s specious “one-seat ride” arguments, including by showing that NCTCOG’s own regional rail proposals betrayed and were planning *against* “one-seat ride,” and by simply reminding NCTCOG of certain of its own prior comments and admissions.

First, we explained that NCTCOG’s routes north and east out of the metroplex were being planned by NCTCOG to actually preclude any “one-seat ride.” We pointed out that, according to NCTCOG, both the Shreveport and Oklahoma City routes “needed” to be “at-grade,” which was incompatible for “one-seat ride” with the planned “grade-separated” Dallas-to-Arlington Entertainment District-to-Fort Worth route. We also detailed that NCTCOG’s plans for a connection from an Arlington Entertainment District higher-speed rail station to DFW International Airport would actually entail a five-seat ride.

Second, we reminded NCTCOG of its prior repeated admissions, agreements and actions supporting a “cross-platform transfer” at a possible future Dallas station, which would completely obviate any “one-seat ride” policy.

Third, we showed that NCTCOG’s “one-seat ride” concepts would be legally precluded anyway as it would require an impossible and legally prohibited “predetermination” of (1) the precise technology (including tracks, infrastructure, and trains) and (2) the particular implementer/operator for possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District, and the City of Fort Worth.

“One-seat ride” is impossible unless, among other things, the same proprietary train and track technology is used for both (1) the Houston-to-Dallas route and (2) the Dallas-to-Arlington Entertainment District-to-Fort Worth route. But, even NCTCOG admits this cannot be known, controlled or even predicted. Even if Shinkansen technology is chosen at some point in the future by the implementer/operator for one of the routes, there can be no assurance that the unknown implementer/operator on the other route will make the same choice. NCTCOG also concedes there can be no confidence that, even if the technology, tracks and trains are the same, the operator of one route would allow another route’s trains to roll on its tracks.

Fourth, we revealed that NCTCOG improperly eliminated TRE Corridor routes from consideration as supposedly fatally flawed because they were allegedly better suited for “at-grade” lines. We demonstrated, as discussed above, that an “at-grade” line would actually be more aligned and compatible with other routes extending from the metroplex. We further pointed out that, ironically, *it is alignment “2(b)” – even under NCTCOG’s own standards – that is the fatally flawed alignment for at least two patently obvious reasons.* NCTCOG considers a Dallas-to-Arlington Entertainment District-to-Fort Worth alignment to be fatally flawed unless the Dallas station is “located in downtown Dallas,” such as the Eddie Bernice Johnson Union Station. But alignment “2(b)” calls for a station *outside of* Downtown Dallas. NCTCOG also states an alignment is fatally flawed unless it can meet a “[t]ravel time of 20 minutes or faster,” yet NCTCOG also concedes that alignment “2(b)” cannot do that.

Fifth, we made plain that “one-seat ride” does not even apply to the proposed NCTCOG-stated purpose of the “Project” of possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail. More specifically, NCTCOG stated to the FTA that the “purpose” of the project is limited to a route “connecting the two largest downtowns in the fourth largest metropolitan area in the United States.” *Travel to Houston, including the boarding process for travelers to Houston, is not within NCTCOG’s represented “purpose” of the “Project.”*

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General Counsel  
December 4, 2024  
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As this letter denotes, we have, at great length, with specificity, and using NCTCOG's own quoted statements, assisted you in cataloguing some of what is part of a long list of legal (including procedural and substantive) infirmities associated with the "environmental assessment" regarding possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and Fort Worth, including specifically, alignment "2(b)." Please consider your duties as general counsel of NCTCOG, its chief lawyer, in the cessation and mitigation of NCTCOG's misconduct, including in relation to the legally improper "environmental assessment" (including alignment "2(b)").

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

December 9, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG's "2(b)" Alignment is in Reckless Disregard of Dallas neighborhoods, parks, and bridges*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to memorialize additional examples of significant (actually, devastating) and unmitigable adverse environmental impacts that would result from the so-called alignment "2(b)" relating to possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail, legally disqualifying that NCTCOG-manufactured route from further regulatory consideration. Please understand that the below-illustrated instances of NCTCOG's seemingly reckless and open disregard for neighborhoods, bridges, parks (both present and future) and historically important and impactful memorials is far from exhaustive of the numerous *other* economic, urban, environmental and aesthetic threats to the City of Dallas and its residents from alignment "2(b)" (which either have been raised or may be raised in future correspondence).

***Alignment "2(b)" will environmentally deface and ruin Martyrs Park***

NCTCOG will not dispute that alignment "2(b)" will cause significant environmental pollution to Martyrs Park, a Dallas historical landmark. Indeed, it is *NCTCOG* that admits to the threat of "noise and visual impacts to Martyrs Park" from alignment "2(b)."

Please understand the importance of Martyrs Park. It remembers and memorializes the 1860 lynchings of three slaves, namely Patrick Jennings, the Rev. Samuel Smith, and Cato Miller. A permanent memorial called "Shadow Lines" was installed at Martyrs Park just this year. As reported, this monument includes names of certain persons who died due to racist violence in Dallas between 1853 and 1920, including Jane Elkins, an enslaved bondswoman who was hanged in 1853, and William Allen Taylor who was lynched in 1884.

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As quoted by the *Dallas Morning News*, “Shadow Lines will ensure the horrors and victims of this land are not forgotten.” The powerful and solemn experience this historical landmark provides has been characterized by a leading supporter as follows:

“Once you get into that space where the lynching victims are commemorated, it's just silence . . . And in the silence, you can get in the moment.”

Of course, the overbearing sound and sight pollution caused by alignment “2(b)” would ruin Martyrs Park and its new “Shadow Lines” monument – eviscerating its purpose and experience. This significant environmental injustice and damage to an inarguably historically important memorial cannot be mitigated under the alignment “2(b)” plans as proposed, legally disqualifying it from further consideration under the National Environmental Policy Act (“NEPA”).

***Alignment “2(b)” threatens the Trinity River Corridor, including Harold Simmons Park, the Ron Kirk Pedestrian Bridge, and the Margaret Hunt Hill and Margaret McDermott Bridges***

As the Trinity Park Conservancy reports, “[g]reat cities are defined by great parks.” The \$325 million Harold Simmons Park, for which work has already started, will play a central role as an economic driver for Dallas, estimated to annually attract five million visitors and generate as much as \$6 billion in economic benefits in its first 30 years. Planners state that the Harold Simmons Park will connect neighborhoods through a series of elevated overlooks and gateways to the Trinity River and its natural habitats for plants and wildlife. It will provide new access via additional trails and river crossings to unite the two sides of the Trinity River – engendering a strengthened sense of community. It will also promote conservationism and stewardship of the Trinity River.

Bookending the 250-acre Harold Simmons Park (as part of the larger 10,000-acre vision of the Trinity River Corridor) are the Ron Kirk Pedestrian Bridge and the Margaret McDermott Bridge. The Ron Kirk Pedestrian Bridge is itself *presently* a relaxing family park, including playgrounds, areas to relax, and a walking path connecting West Dallas to Downtown Dallas. The views are currently spectacular but would be effectively marred or destroyed by alignment “2(b).” The Margaret Hunt Hill Bridge and Margaret McDermott Bridge, for their part, have of course become jewels of the Dallas skyline – they would be dramatically and permanently scarred by alignment “2(b).”

Alignment “2(b)” – plowing over the Trinity River as proposed by NCTCOG – would destroy the Ron Kirk Pedestrian Bridge with massive sight and sound pollution, wrecking its purpose. Santiago Calatrava’s inspiration and vision for the Margaret Hunt Hill and Margaret McDermott Bridges would also be lost forever.

Ken Kirkpatrick  
General Counsel  
December 9, 2024  
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***The NCTCOG's Attack on West Dallas – Massive Burden with no Commensurate Benefit***

Many West Dallas residents lack practical access to Dallas Area Rapid Transit (“DART”) rail. Even a cursory review of the DART light rail lines on a map evinces this inaccessibility in comparison to other areas. Comparatively, West Dallas is in a light-rail public transportation desert – with no small blame going to NCTCOG. Now NCTCOG apparently wants to make things even worse for West Dallas.

The NCTCOG-proposed alignment “2(b)” would permanently mar homes and churches in West Dallas with the blight of sound and visual environmental pollution in direct violation of NEPA. The diminution of economic value and livability to homes, various mixed-use developments, and businesses along Commerce Street, whose new backyard under alignment “2(b)” would be subject to screeching trains at extremely high decibel levels, is glaringly obvious.

Alignment “2(b)” would place a massive, uneven, and permanent burden and nuisance on West Dallas for which it will derive no commensurate benefit. Even NCTCOG does not dispute the threat alignment “2(b)” is to West Dallas. *NCTCOG concedes, in its own words, the “potential visual impacts by elevated structure through residential areas in West Dallas.”* See NCTCOG Phase 1 Alternatives Analysis Final Report, Volume I, Table 21.

NCTCOG, as we have previously noted, believes that the Arlington Entertainment District will be a significant beneficiary of alignment “2(b).” But that will come at the expense of Dallas, including West Dallas. This amounts to the opposite of NCTCOG’s own stated and admitted responsibility to “[b]alance transportation investments across the region to provide equitable improvements.” This favoritism of one community over another is in clear violation and defiance of, among other things, environmental justice policies, which NCTCOG admits include the duties to “provid[e] an equitable transportation system for all residents” and “[e]nsure the full and fair participation by *all* potentially affected communities in the transportation decision-making process.” Mobility 2045 Update, p. 3-17, 3-18.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called alignment “2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**Alignment “2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called alignment “2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Ken Kirkpatrick  
General Counsel  
December 9, 2024  
Page 4

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell



Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

December 11, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG's Failure to Keep Regional Transportation Council Informed or to Follow its Own "Public Participation Plan" – Selective Disclosure, Intentional Non-Disclosure, and Misrepresentations Regarding Compliance*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to observe that the North Central Texas Council of Governments ("NCTCOG") has failed and/or refused to keep the Members of the Regional Transportation Council (the "RTC") informed in accordance with *its own* disclosure rules, including through NCTCOG's improper *selective exclusion* and non-publication of comments received from affected residents and businesses in the posted Agenda (Including Meeting Materials) Packet for the December 12, 2024 RTC Meeting. Embedded in these intentional breaches and marked misfeasance are overt misrepresentations – objectively false statements – by NCTCOG to the RTC Members as well as the public.

As helpful background, NCTCOG and the RTC adopted a "Public Participation Plan," which was most recently amended in 2022. According to Section 4 of that NCTCOG rule:

**All comments . . . regardless of the topic, are compiled into a monthly report and presented to the RTC in advance of its next regularly scheduled meeting. These comments are accessible to the public in the RTC meeting agendas . . .**

Public Participation Plan, §4, as amended (emphases added). That NCTCOG-instituted requirement pertinently notes that "[a]s a matter of course, the RTC gives greater weight to the voices of impacted . . . businesses . . ." *Id.*

The posted Agenda (Including Meeting Materials) Packet for the December 12, 2024 RTC Meeting contains two "Public Comment Reports," attached as Electronic Items 4.12 and 4.13. In those posted attachments, NCTCOG expressly represents that these two Public Comment

Reports are “in accordance with the NCTCOG Transportation Department Public Participation Plan.” See Agenda (Including Meeting Materials), Electronic Items 4.12, 4.13. Those posted attachments further specifically represent to the RTC Members and the public that they contain and include all public comments received between September 20, 2024 and November 19, 2024:

“This document is a compilation of general public comments submitted from Friday, Sept. 20 through Saturday, Oct. 19, 2024, via website, email, social media and in person at NCTCOG’s monthly Regional Transportation Council (RTC) meeting.”

“This document is a compilation of general public comments submitted from Sunday, Oct. 20 through Tuesday, Nov. 19, 2024 via website, email, social media and in person at NCTCOG’s monthly Regional Transportation Council (RTC) meeting.”

**Id. These representations were false when made and continue to be false. NCTCOG is not in compliance with the Public Participation Plan and the Agenda (Including Meeting Materials) Packet is neither an accurate nor complete compilation of public comments. Simply and objectively stated, as shown below, there has been no packet provided to the Members of the RTC “in advance of its next regularly scheduled meeting,” namely the December 12, 2024 RTC meeting, that complies with the Public Participation Plan.**

As you know, Hunt has delivered to you the following letters during the NCTCOG-stated time period between September 20, 2024 and November 19, 2024:

- |                  |  |
|------------------|--|
| October 9, 2024  | Alignment “2(b)” Legally Prohibited by Master Agreement between City of Dallas and Hunt  |
| October 21, 2024 | Request to Preserve (and Not Destroy and/or Spoliate) Documents  |
| October 22, 2024 | “Preliminary” design, dimensions (including height) and location of a possible future Dallas station   |
| October 28, 2024 | Improperly “Holding” of Important Public Records for the City of Dallas to Pressure Votes by the Dallas City Council on an Unrelated Matter Under Color of Law |
| November 4, 2024 | NCTCOG Newsletter – Intentionally Misleading Information   |
| November 5, 2024 | Responding to Admittedly “Anecdotal” Comment Regarding the Master Agreement  |

Ken Kirkpatrick  
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- November 11, 2024 NCTCOG Material Omission in Official Government  
Request: I-30 Corridor/"2(b)" Alignment Rejected by the  
Federal Railroad Administration
- November 18, 2024 NCTCOG Material Omission in Official Government  
Request: Non-Disclosure of Certain Significant Adverse  
Impacts/Fatal Flaws

None of these letters were included in the posted Agenda (Including Meeting Materials) Packet.

Of course, we also provided you the following correspondence after the represented time window, but sufficiently in advance of the December 12, 2024 RTC meeting to be included in the Agenda (Including Meeting Materials) Packet as a means to comply with disclosure responsibilities to the RTC:

- November 25, 2024 NCTCOG Material Omission in Official Government  
Request: City of Arlington's decades of refusal to partner  
with and pay its fair share for regional transportation  
precludes Arlington Entertainment District station and, by  
extension, alignment "2(b)"
- December 2, 2024 NCTCOG's "One-Seat Ride" Misdirection
- December 4, 2024 Summary of Correspondence To-Date Exposing NCTCOG  
Misfeasance Regarding Procedurally and Substantively  
Deficient "Environmental Assessment" (including  
Alignment "2(b)")
- December 9, 2024 NCTCOG's "2(b)" Alignment is in Reckless Disregard of  
Dallas neighborhoods, parks and bridges

The four corners of this letter provide not only *prima facie*, but incontrovertible and conclusive proof that NCTCOG has defied its own disclosure rules and obligations and, in that process, made material misrepresentations and omissions to the Members of the RTC. The status quo is that NCTCOG is in present violation of the Public Participation Plan and currently misleading and hiding information from the RTC Members.<sup>1</sup>

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<sup>1</sup> The scope of this letter does not extend to (1) other potential violations of disclosure obligations separate from the Public Participation Plan or (2) NCTCOG's failure and/or refusal to keep other persons and/or entities, including but not limited to governmental entities such as the Federal Transit Administration (the "FTA") informed, including as has been raised or may be raised in future correspondence.

Ken Kirkpatrick  
General Counsel  
December 11, 2024  
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As analogous perspective on Texas public policy regarding open government in political subdivisions of the State of Texas such as NCTCOG, please consider the following excerpt from Tex. Gov't Code § 552.001:

“Under the fundamental philosophy of the American constitutional form of representative government that adheres to the principle that government is the servant and not the master of the people, it is the policy of this state that each person is entitled, unless otherwise expressly provided by law, at all times to complete information about the affairs of government and the official acts of public officials and employees. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called alignment “2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**Alignment “2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called alignment “2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
egambrell@akingump.com

December 16, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG violating its own legal agreements in pushing alignment "2(b)," which NCTCOG concedes is not even viable as a "separate" or "stand-alone" project*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to mark and highlight for you the North Central Council of Governments' ("NCTCOG") admissions that alignment "2(b)" irretrievably, abjectly, and objectively fails under even *NCTCOG's own stated test* for viability.

As background, NCTCOG has entered into legal contracts stipulating that any possible future Dallas-to-Houston high-speed rail route is "separate" from any possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail route – and that they must be *separately* reviewed and each must stand or fall on its own:

**"Texas Central Railroad, LLC ("TCRR") has proposed to construct and operate high-speed rail (HSR) system from Dallas to Houston, and FRA, in considering a request for regulatory action from TCRR is considering the potential environmental impacts of the proposed HSR system. The Parties agree that TCRR's proposed HSR system and the proposed High-Speed Transportation Passenger Service between Dallas and Fort Worth have independent utility and a different purpose and need, and as such will be assessed in separate NEPA documents."**

Memorandum of Understanding Concerning the Alternatives Analysis and Preparation of Environmental Documents for the Dallas-Fort Worth High-Speed Passenger Service, § IV.C, dated April 20, 2020 (emphasis added).

In addition to this legal agreement, both NCTCOG and the National Rail Passenger Corporation (“Amtrak”) have publicly represented to the Dallas City Council and the public that these possible future routes are “*two separate projects*” – with Amtrak even specifically noting they “are careful to keep them that way . . .” See March 6, 2024 Dallas City Council Meeting.

As a matter of law, any analysis of possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail (including but not limited to any purported “environmental assessment”<sup>1</sup> of alignment “2(b)”) must be “*separately*” analyzed, in a *stand-alone* determination of its own particular feasibility, reasonability, and environmental, social, economic and other impacts. Any possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail line must *stand on its own* (unsupported by and untethered to possible future Dallas-to-Houston high-speed rail). Everyone agrees it cannot.

NCTCOG publicly and readily concedes that possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail, which would specifically include the so-called alignment “2(b),” is neither viable nor feasible on its own – as a “standalone” route. In NCTCOG’s own authorized representative Michael Morris’ words at the March 6, 2024 Dallas City Council meeting, that is simply not “realistic.”

Morris made abundantly clear that without (1) a Dallas-to-Houston high-speed rail route and also (2) “being a partner” with the ultimate operator/implementer of that *other* possible future route, a Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail route never gets past the “theor[etical]” in being able to “exist” “on its own.” *Id.*

Amtrak, who has at various times expressed varying interest in some potential role in the possible future Dallas-to-Houston route, forcefully “echo[ed]” Morris in stating that, as a “stand-alone” route, the Dallas-to-Arlington Entertainment District-to-Fort Worth route doesn’t even “fit the typical characteristics of a high-speed route.” Amtrak has also been quick to point out that it is being “careful” to keep the two “separate projects” at a distance, ostensibly to avoid the Dallas-to-Houston project not being infected by the long list of legal and other infirmities plaguing the Dallas-to-Arlington Entertainment District-to-Fort Worth route (including alignment “2(b)”).

Bluntly, NCTCOG’s position is that Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail (necessarily including alignment “2(b)”) *as a stand-alone route without Dallas-to-Houston high-speed rail already up and running, makes no sense.*

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<sup>1</sup> NCTCOG is actually aware that the supposed current “environmental analysis” is procedurally and substantively improper on multiple fronts, including those bases that have been communicated to the NCTCOG and/or which may be raised in future correspondence.

NCTCOG's hyper-aggressive campaign to destroy the environmental and economic future of the City of Dallas (including through the diversion and export of consumer dollars to NCTCOG's favored City of Arlington) is fundamentally indefensible on yet additional legal grounds.

Under any circumstance, alignment "2(b)" fails and any supposed "environmental assessment" is at a legal dead-end (on another basis among the long list of disqualifiers).

Second, even setting aside this agreed non-viability, looking at possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail as "separate" and "stand-alone" proposal, a very valid question exists as to whether the City of Dallas would ever agree to the Cedars location as proposed under alignment "2(b)." NCTCOG has never voiced any basis to place the City of Dallas station in the Cedars location *other than* in relation to the different Dallas-to-Houston route, which again, cannot be a factor in "separately" assessing the Dallas-to-Arlington Entertainment District-to-Fort Worth route as a "stand-alone" project.

It is also significant that it is NCTCOG who has touted the Eddie Bernice Johnson Union Station ("EBJ Union Station") as the multi-modal transportation "hub" for the City of Dallas. Unlike the Cedars station, the EBJ Union Station is located in Downtown Dallas. As we have previously exposed, it is NCTCOG's position that an alignment that includes a City of Dallas station that is not "located in downtown Dallas" and "[s]erv[ing] a downtown Dallas station" is "fatally flawed," disqualifying it from further consideration.

As another of the many examples, no *unbiased* "separate" and "stand-alone" plan for Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail would utilize a "grade-separated" track.

Third, even NCTCOG – when pushed – is forced to agree that the proposed alignment "2(b)," viewed as required under the lens of a "separate" and "stand-alone" project, is not even "high-speed rail" in the first place. This additionally disqualifies alignment "2(b)" and renders a legal nullity the current supposed "environmental assessment" on yet another basis because, as shown below, that "review process" is *exclusively* limited to "high-speed rail."

More specifically, according to NCTCOG, train speeds on any possible future Dallas-to-Arlington Entertainment District-to-Fort Worth route would never even come close to reaching "high-speed rail" velocity.

When confronted on this point plainly showing alignment “2(b)” is not high-speed rail, Michael Morris shuffled to try to maneuver out of this disqualifying problem. He actually, as a representative of NCTCOG, completely changed his definition of “high-speed rail” to intentionally totally ignore and leave out its most basic component: speed. According to Michael Morris:

“I think high-speed rail is better defined by [sic] is it totally isolated from any potential conflict from a safety standpoint.”

November 28, 2023 Arlington City Council Meeting.

Ridiculously absent from NCTCOG’s above-quoted definition of “high-speed rail” is any element of speed.

When further specifically cornered with the nonsense of defining “high-speed rail” without any connection to speed, the most basic element of high-speed rail, Morris appeared frustrated and pivoted again to state:

“We’re going to call it high-speed rail because when you get on the train it’s eventually going to go to 260 miles an hour, so we’re going to call it high-speed rail.”

November 28, 2023 Arlington City Council Meeting.

As the above quote reflects, Morris’ retreated to a *new* definition conceding, as he had to, that speed was (obviously) fundamental to the definition of high-speed rail. He inserted, as shown above, a requirement that for a route to be considered high-speed rail, it must reach **260** miles per hour.

Of course, neither alignment “2(b)” nor any Dallas-to-Arlington Entertainment District-to-Fort Worth alignment will ever get anywhere near reaching 260 miles per hour. Rather, Morris is quoted as stating that alignment “2(b)” will only get to just half that speed (“even if our speeds are at 130 instead of 260”). As condemning, the average speed of the alignment “2(b)” route – *according to NCTCOG itself* – will be just 74 miles per hour (based on NCTCOG-estimated 25 minute ride on the proposed 31 mile route).

It is important for you to accept that NCTCOG intentionally determined to ensure that alignment “2(b)” would never be high-speed rail. It is Michael Morris who is quoted as admitting that “by having an Arlington [Entertainment District] station,” it is purposefully “trading” away high-speed rail. Morris further reiterated that “[w]e could not have an Arlington [Entertainment District] station and get to higher speeds,” but “will accept *slower* speeds.” November 28, 2023



Arlington City Council Meeting. Again, NCTCOG purposefully determined to benefit its favored Arlington Entertainment District constituency at the expense of high-speed rail.

The Dallas-to-Arlington Entertainment District-to-Fort Worth route must be viewed “separately” from the Dallas-to-Houston route. The fact that a different route – possible future Dallas-to-Houston alignment – may reach 260 miles per hour cannot be factored into the “separate” assessment of alignment “2(b).”

**In short, NCTCOG admits that under Michael Morris’ own definition of “high-speed rail,” alignment “2(b)” – when viewed as it must be as a “separate” and “stand-alone” project, is not high-speed rail at all. As a result, alignment “2(b)” legally fails under the current “environmental assessment,” which according to NCTCOG solely and exclusively concerns “high-speed rail.” See August 25, 2023 Letter from NCTCOG to the Federal Transit Administration.**

Fourth, as previously raised with NCTCOG, the “stand-alone” viability of Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail immediately precludes consideration of NCTCOG’s notions of “one-seat ride.” As previously articulated, “one-seat ride” could have no application to a single route, but only with regard to a *different* route that cannot be assessed in determining the viability of alignment “2(b)” as a “stand-alone” route.

Alignment “2(b)” cannot stand on its own. Under any review as a “separate” and “stand-alone” project, it immediately fails.<sup>2</sup>

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called alignment “2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**Alignment “2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

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<sup>2</sup> Alignment “2(b)” fails on numerous bases, including as has been communicated to NCTCOG and as may be communicated in future correspondence.

Ken Kirkpatrick  
General Counsel  
December 16, 2024  
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**NCTCOG's continued action involving the so-called alignment "2(b)" is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

December 23, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

Re: *NCTCOG's alignment "2(b)" is fatally flawed according to NCTCOG – doesn't even meet NCTCOG-instituted standards*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to enunciate for you that the NCTCOG-manufactured alignment "2(b)" is, *according to NCTCOG*, "fatally flawed" based on its *own* represented travel time for possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail.

NCTCOG repeatedly represents to the public – over and over again – that it is a "fatal flaw" for the travel time of a "higher-speed" rail vehicle following a rail alignment between Dallas and Fort Worth to exceed 20 minutes. NCTCOG's Phase 1 Alternative Analysis Final Report (May 2023) ("Phase 1 Analysis"), p. 41 ("[t]ravel time of 20 minutes or faster from proposed high-speed rail station in Downtown Dallas to Central Station in Downtown Fort Worth."); *id.* at p. 41 ("The fatal flaw criteria included in Level 1 comprised of an evaluation to identify which alignment/mode combinations could meet a 20-minute travel time criterion"); *id.* at Appendix D, p. 158 ("Travel time estimates are being developed. One of the initial screening criteria that will be used to evaluate the technologies and the corridor alignments is the ability to travel between Dallas and Fort Worth in 20 minutes or less."); *see also id.* at p. 40 ("Travel Time (Fatal Flaw)" p. 40; *id.* at p. 218 ("In the Level 1 screening, a 20 minute travel time threshold was used. Each alignment and mode combination was compared to that threshold."); *id.* at p. 219 ("commuter rail/conventional rail was eliminated during the Level 1 screening process because it did not meet the travel time threshold of being able to travel from Dallas to Fort Worth in 20 minutes or less.").

NCTCOG also repeatedly represents to the public that the travel time for alignment "2(b)" will exceed 20 minutes, including its own claims that it will take "25" minutes. NCTCOG DFW High-Speed Update, Summer 2023 ("get there in just 23 minutes."); *see also* NCTCOG's DFW High-Speed Update, 2024 Newsletter, Issue #1 ("21-25 minute travel times between Fort Worth and Dallas").

*By NCTCOG's own assessment, as shown herein, alignment "2(b)" is fatally flawed and cannot proceed in any supposed "environmental review."*

Ken Kirkpatrick  
General Counsel  
December 23, 2024  
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Of course, NCTCOG actually knows that the “overall trip duration” (its own coined term) for a person to travel on higher-speed rail between Dallas-Arlington Entertainment District and Fort Worth would be much slower. Bluntly, if NCTCOG were acting with any good faith at all, actually applying its own standards, it would be forced to immediately concede and disclose (to, among others, the Federal Transit Administration, the Regional Transportation Council, the Dallas City Council and the public) that a trip on higher-speed rail under the proposed alignment “2(b)” would, beyond not meeting the 20 minute fatal flaw threshold/deadline, take far longer than even the 25 minutes NCTCOG claims alignment “2(b)” trip would require.

Adding significantly to any and all travel times is NCTCOG’s own admission that to accurately determine travel times, you must “consider[] travel to and from the [rail station] and prearrival requirements.” NCTCOG’s DFW High-Speed Update, 2024 Newsletter, Issue #1.

Actually “considering” people living in West Dallas, Love Field, Northwest Dallas, Vickery Meadow, Casa View, Fair Park as well as numerous other neighborhoods across Dallas, those persons would need to get in their cars (or alternatively, find their way from their homes to a DART station, enter the station, buy DART bus or light-rail tickets, and wait for the next DART bus or train) and travel to the inconveniently-located (in relation to the centrally-located multi-modal Eddie Bernice Johnson Union Station) proposed Cedars station. Once there, they would need to find a place to park their cars, walk from the parking lot to the Cedars station, buy tickets for the trip to Fort Worth, walk to the train, wait for the next train and then board the train for the ride. Finally in Fort Worth, those people would have to de-board the train and be left to find separate transportation to their ultimate destinations somewhere across the 359 square acres of sprawling Fort Worth.

“[C]onsidering travel to and from the [rail station] and prearrival requirements,” as NCTCOG tells the public it must, the travel time for nearly every Dallas resident would easily double or triple (or more). The *real* travel time, under NCTCOG’s own strictures, would not come anywhere close to – not be in the same galaxy as – the 20 minute NCTCOG-required “threshold.” Again, alignment “2(b),” under NCTCOG’s own standards, is fatally flawed.

NCTCOG is further forced to concede and disclose that Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail under alignment “2(b)” (made even more cumbersome through a Cedars station versus EBJ Union Station as stated above) is inherently impractical and unusable for Dallas residents.

As another reprehending point, NCTCOG’s admissions reveal an additional interrelated fatal flaw associated with alignment “2(b).” NCTCOG reports the “purpose” of possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail is the “reasonable improvement of travel time” on that particular route *as compared to driving in an automobile*. Phase 1 Analysis, p. 4.

NCTCOG states that driving a car between Dallas and Fort Worth takes thirty (30) minutes in “favorable conditions,” which ostensibly includes all non-rush hour times. It is important to note that *even in rush hour*, the Texas Department of Transportation (“TxDOT”) keeps the TEXpress lanes moving at 50 miles per hour “or faster” in both directions. See TxDOT Winter Q1 2024 Interstate 30 TEXpress Project Fact Sheet.

Ken Kirkpatrick  
General Counsel  
December 23, 2024  
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“[C]onsidering travel to and from the [Cedars station] and prearrival requirements” (again, as NCTCOG states it must) a trip to Fort Worth in a car would be tremendously faster – far outpacing higher-speed rail as proposed in alignment “2(b).” Alignment “2(b)” would result in the *opposite* of an “improvement of travel time.”<sup>1</sup>

As a closing note, is important for you to reflect that – as we have previously shown – NCTCOG intentionally *slowed down* the Dallas-to-Arlington Entertainment District-to-Fort Worth route to accommodate its favored Arlington Entertainment District, admitting to “sacrific[ing] speed” to have an Arlington Entertainment District station in pecuniary profit for business owners in the Arlington Entertainment District (to the direct detriment of the City of Dallas). We have fully exposed that the beleaguered alignment “2(b)” is anything but “high-speed rail.”

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called alignment “2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**Alignment “2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called alignment “2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

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<sup>1</sup> Notably, even when NCTCOG attempts to skirt *its own* methodologies (including by not “considering travel to and from the [Cedars station] and prearrival requirements”), the net *purported* travel improvement is just five (5) minutes.

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

December 30, 2024

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG's improper favoritism and bias for the Arlington Entertainment District and its business owners for their pecuniary benefit – to the direct economic and environmental detriment of the City of Dallas*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to iterate the flagrantly improper bias of and by the North Central Texas Council of Governments ("NCTCOG") in favor of the Arlington Entertainment District and its business owners (including its restaurants and entertainment venues) for *their* pecuniary benefit – at the expense and to the detriment of the City of Dallas and its residents.<sup>1</sup>

The City of Arlington has stated it has a "competitive" strategy to "position" itself to be able to "capture" and "import" a "larger share" of tax dollars and revenue *from other North Texas municipalities*, including the City of Dallas. *See* Arlington, Texas – Economic Development Strategic Plan, Arlington High-Speed Rail Station Area Planning Study, p. 6 ("[E]levat[e] Arlington's competitive positioning in the region to capture a larger share . . ."). The City Manager of Arlington has made clear its priority to "capture the most revenue [in Arlington] as opposed to allowing those dollars to leave [Arlington]." *See* December 12, 2023 Arlington City Council Meeting.

This "Strategic Plan" to "compet[e]" *against* other North Texas cities is what Arlington states is centered on "*importing dollars from other places* – tourism dollars which help [Arlington] provide [] public services." *Id.* (emphasis added). To be clear, Arlington is engaged in a concerted effort to grab dollars away from – and at the expense of – other communities in the region such as the City of Dallas.

This scheme by Arlington to attempt to funnel dollars *away* from the City of Dallas is squarely focused on possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed

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<sup>1</sup> You have received my letter to you dated November 25, 2024 which (1) articulated Arlington's refusal to join a transit authority, legally precluding alignment "2(b)," (2) included an initial discussion regarding the NCTCOG-supported attempted funnel of monies from the City of Dallas to the Arlington Entertainment District, and (3) helpfully provided a conflicts of interest primer regarding any person with disqualifying interests in Arlington Entertainment District businesses who is also a member of the Regional Transportation Council.

rail. As Arlington’s Mayor states, “adding” a higher-speed rail station in the Arlington Entertainment District would be its purposefully planned way “for people [and their wallets] to get **to** [the] Arlington [Entertainment District]” **from** the City of Dallas and other North Texas cities. August 16, 2023 NCTCOG Press Release (emphasis added). While the Mayor of Arlington states this “would be an economic game changer” for Arlington, it would be a correlative financial drain on other North Texas cities – and, specifically, the City of Dallas. Arlington Report, May 21, 2024

Given this hyper-competitive stance by the City of Arlington *against* the economic interests of other communities in the region (including Dallas), it is not surprising (albeit uncivilly inappropriate) that the Mayor of Arlington (who, relevantly, is also a member of the Regional Transportation Council) stated as he sat with NCTCOG’s Michael Morris: “**I don’t give a damn** about” the Dallas City Council’s official June 12, 2024 Resolution against possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail careening above-ground through Downtown Dallas. See August 29, 2024 comments by Arlington Mayor Jim Ross. According to the Arlington Mayor, “there’s nothing” the Dallas City Council or “anyone [else] can do about it.” *Id.* While obviously wrong, this misstatement additionally amounts to contemptuous disdain and disrespect for the entire Dallas City Council.<sup>2</sup>

NCTCOG, including through its proposed alignment “2(b),” has aggressively aided, assisted, enabled, and participated with the City of Arlington in its strategy to pipeline spending and tax dollars out of the City of Dallas to the Arlington Entertainment District (and the owners of its restaurant and other entertainment venues). In stark contrast to NCTCOG’s blatantly biased mistreatment against the City of Dallas and its interests, **NCTCOG admits it is in “collaboration with the City of Arlington”** regarding possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail. See NCTCOG Phase 1 Alternatives Analysis (May 2023) (the “Phase 1 Analysis”), pp. 82-84 (emphasis added).

As an example of this collusion, NCTCOG, in further benefit of its preferred City of Arlington, paid for and provided Arlington the “Arlington High-Speed Rail Station Area Planning Study.” The stated “purpose” of this NCTCOG-manufactured “analysis,” according to NCTCOG, was to “[a]ssist the City of Arlington in creating a second urban center that generates additional economic development activity and supports current Entertainment District activities.” See NCTCOG Arlington High-Speed Rail Station Area Planning Study, p. 1, 4. NCTCOG admits it is working *for Arlington* for a “station [that] will support economic development in th[e] [Arlington Entertainment District].” *Id.* at p. 5. More pointedly, NCTCOG admits it was studying – for Arlington – “how the . . . [Arlington Entertainment District] station [] could both accelerate economic development and serve the Entertainment District.” *Id.*, p. 7.

As NCTCOG works to benefit its favored City of Arlington, it betrays the City of Dallas. NCTCOG “collaborat[es]” with the City of Arlington to carefully locate the Arlington Entertainment District Station so as “to avoid” “challenges” that would face “future developments”

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<sup>2</sup> It was this same Arlington Mayor who actually recently proposed that the location for the 2026 FIFA World Cup be called the “Arlington Dallas Stadium.” Of course, as FIFA itself states, “Dallas was selected as a host city for the FIFA 2026 World Cup.” See [www.dallasfwc26.com](http://www.dallasfwc26.com) (emphasis added).

in the Arlington Entertainment District. *Id.* at pp. 1, 82-84. At the same time, NCTCOG’s alignment “2(b)” directly imperils “future developments” in Downtown Dallas, including the multi-billion planned Kay Bailey Hutchison Convention Center and Hunt’s planned six-billion-dollar (\$6,000,000,000.00) Reunion development.

While NCTCOG defers to “the development plans of [Arlington] landowner[s]” in determining the location of the Arlington Entertainment District station, NCTCOG’s proposed alignment “2(b)” is in complete disregard of Dallas landowners’ development plans. *Id.* p. 10. NCTCOG relatedly prioritizes “[m]inimiz[ing] impact to private properties” in the Arlington Entertainment District. *Id.*, p. 84. Yet, it has completely abandoned the massive negative “impact to private properties” in West Dallas and Downtown Dallas that will result from alignment “2(b).” *Id.*

In further comparative mistreatment of the City of Dallas, NCTCOG repeatedly admits it would “require agreement by” a private property owner in the Arlington Entertainment District if its property would be negatively impacted by the location of the Arlington Entertainment District station. *Id.*, p. 7; *id.* at p. 13 (“Any alignment that directly affects private property must secure agreement from the property owner(s) . . . .”); *id.* at p. 7 (“One of the routes had an alignment running through the existing ballpark, which is to be replaced by a new ballpark in the next few years. That alignment offered interesting possibilities, but would require agreement by the [private property owner].”) Of course, NCTCOG refuses to provide any commensurate accommodation to private property owners in Dallas – including in West Dallas and Downtown Dallas – whose private properties will be ruined by alignment “2(b).”

While NCTCOG, as Michael Morris stated (of course at an Arlington City Council meeting), is always ready to “roll up its sleeves” for the City of Arlington, its “efforts,” including through its proposed alignment “2(b),” are open threats to the economic and environmental future of the City of Dallas.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called alignment “2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**Alignment “2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called alignment “2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**



Ken Kirkpatrick  
General Counsel  
December 30, 2024  
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Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

January 3, 2025

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: Summary of Correspondence To-Date Exposing NCTCOG Misfeasance and Massive Economic and Environmental Adverse Impacts, Requiring Immediate Withdrawal of Procedurally and Substantively Deficient "Environmental "Assessment (including Alignment "2(b)"))*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The purpose of this communication is to provide a helpful *updated* summary of Hunt's recent informative letters to the North Central Texas Council of Governments (the "NCTCOG"), (1) exposing various instances of NCTCOG's misleading misstatements regarding possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail, (2) objectively articulating some of the many fatal flaws, unmitigable severe adverse economic and environmental impacts, and multifaceted unlawfulness of the so-called alignment "2(b)," and (3) conclusively showing that the purported current "environmental assessment" is, on many levels, procedurally and substantively deficient and legally void.<sup>1</sup>

For certain, there are numerous *additional* examples and categories regarding the troubling deportment of NCTCOG, as well as the massive economic and environmental harm to the City of Dallas that would be caused by alignment "2(b)," which may be raised or further treated in future correspondence or otherwise.

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<sup>1</sup> In addition to the letters referenced below herein (and the December 4, 2024 initial summary letter), we remind NCTCOG of (1) the document preservation request dated October 21, 2024, which NCTCOG acknowledges it is required to fully comply with that demand, and also (2) the March 7 and March 22, 2024 letters requesting communications between NCTCOG and the Federal Transit Administration relating to possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail, which NCTCOG agreed to provide (and includes supplementation).

**1. Alignment “2(b)” is legally precluded by the Master Agreement between the City of Dallas and Hunt (Letters of October 9 and November 5, 2024)**

As we established in our October 9, 2024 letter (and indented in our November 5, 2024 letter), NCTCOG has, and at all relevant times has had, actual knowledge that alignment “2(b)” is legally precluded and could never be approved as it would unlawfully contravene and interfere with the legal rights of both the City of Dallas and Hunt under their publicly filed Master Agreement relating to Reunion, executed on April 29, 1975 (the “Master Agreement”). On October 9, NCTCOG was considerably provided copies of certain of the sections of the Master Agreement that expressly prohibit the 75-foot above-ground “2(b)” alignment. These provisions specifically prohibit, *inter alia*, higher-speed rail traversing above-ground through the Reunion area of Downtown Dallas as proposed in alignment “2(b).”

NCTCOG has publicly acknowledged both the existence and enforceability of the Master Agreement and affirmatively taken actions in express recognition of rights of the City of Dallas and Hunt thereunder. As an example, NCTCOG reported that it altered certain plans to avoid interfering with Hunt’s rights under the Master Agreement. NCTCOG has even admitted to, in its words, the negative legal “implications” of the Master Agreement on alignment “2(b)” because it would adversely “impact” the parties’ legal rights under that contract.

**2. The preliminary location of the station south of Downtown Dallas for Dallas-Houston high-speed rail has not been finally approved (October 22, 2024)**

NCTCOG continues to misrepresent, including as we demonstrated in our October 22, 2024 letter, that the Dallas station for possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail is somehow *required* to be 75 feet above-ground at the *preliminary* site for possible future *Dallas-to-Houston* high-speed rail.

First, neither the design, dimensions (including height) nor location of that station have been finally approved *even for the Dallas-to-Houston route* – they are merely “preliminary.” The rough “illustration[s]” NCTCOG relies upon specifically caution that the “final dimensions” (which includes height) cannot be “determined” without (and are subject to) future and “more detailed” “planning and design,” which would require “[c]oordination with [and approval by] the City of Dallas, DART, local agencies, project stakeholders, and applicable regulatory bodies.”

Second, the documents NCTCOG uses are attached to a now outdated *five (5) year-old* pre-pandemic environmental impact statement.

Third, even NCTCOG admits that that the now stale environmental impact statement relating to *Dallas-to-Houston* high-speed rail was done for what even NCTCOG admits is completely “*separate*” and *different* “*project*” than possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail. NCTCOG knows that environmental impact statement just doesn’t control or apply.

**3. NCTCOG Improper “Holding” of Important Public Projects for the City of Dallas to Pressure Votes by the Dallas City Council on Unrelated Matter under Color of Law (October 28, 2024)**

Our October 28, 2024 letter memorialized Michael Morris’ statement on January 11, 2024 that he was intentionally putting “on hold” multiple admittedly “key” public transportation projects slated to benefit the City of Dallas as a means by which to pressure and muscle the Dallas City Council to vote in favor of his own personal visions and attempted demands for completely unrelated possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth. Michael Morris’ quoted threats of punitive retaliation, using federal funds as a club for collateral purposes (as if the monies were his own), speak for themselves:

“I do need to report to you we have been working for close to a year on five or six key City of Dallas items . . . I have them on hold. I can’t proceed with these items we’ve been dealing with for a year or so at the same time we are dealing with other policy issues with regard to high-rail interests. So, I hope to resolve the high-speed rail issues as quickly as possible, permit the Dallas projects to go through public meeting and then un-hold them”

– January 11, 2024 Regional Transportation Council Meeting.

This facially improper “ultimatum” is unfortunately part of a larger pattern of what has been publicly characterized by a number of others as attempted “fear-mongering” and “bullying” of public officials.

**4. NCTCOG’s Intentionally Misleading Information Campaign – Lacking Transparency (November 4, 2024)**

On November 4, 2024, we showed that NCTCOG has engaged in an aggressive misinformation political campaign to attempt to forward its unlawful and damaging alignment “2(b),” including through its *DFW High-Speed Update* newsletters.

As a remarkable example establishing that NCTCOG really will “say anything,” the Spring 2024 NCTCOG newsletter actually claims that “*thousands*” of Texas A&M University students will supposedly “conveniently make day trips between Fort Worth and College Station on high-speed rail to pursue higher education.”

Under this fictitious claim, these imaginary “thousands” of students admitted to take classes at Texas A&M University’s College Station campus would supposedly leave their Fort Worth homes, get in their cars and drive to the possible future Fort Worth underground rail station and, after arriving there, would find parking places and pay for parking (alternatively, they could get

from their homes to a bus station, and purchase bus tickets to the underground rail station). Once there, the “thousands” of students would purchase tickets on the yet-to-be-built high-speed train to College Station, board the train, ride to Grimes County, get off the train, wait for (and buy additional tickets for) a third vehicle to take the “thousands” of students 26 miles to the College Station campus. Once there, the “thousands” of students would either walk or find other transportation to their classes somewhere on the 5,000-acre campus. Then, after a day of classes, the “thousands” of students would, supposedly, turn around and repeat this complicated and expensive process as they returned to their homes in Fort Worth.

Of interest, this hypothetical journey would take longer than simply driving to College Station, requiring a six-hour round-trip commute. Further, the monthly cost of tickets for the imaginary “thousands” of students would be greater than the cost of rent should they elect to stay in an apartment in College Station.

This misleading representation highlights one more violation of the National Environmental Policy Act (“NEPA”). It is the opposite of fostering a “transparent process[],” “transparency” or providing “accurate information” that the NCTCOG has publicly represented is required (e.g., NCTCOG Mobility 2045 Update, pp. 3-39, 3-43).

**5. NCTCOG Material Omission in Official Government Request: I-30 Corridor/“2(b)” Alignment Rejected by the Federal Railroad Administration (November 11, 2024)**

We have exposed, including in our November 11, 2024 letter, multiple intentional material omissions in the August 25, 2023 letter (the “NCTCOG FTA Letter”) from Michael Morris, on behalf of the NCTCOG, to the Federal Transit Administration (the “FTA”).

The NCTCOG FTA Letter was relied upon by the FTA, proximately causing and resulting in official action by that government agency, including as part of the FTA’s March 4, 2024 NEPA Class of Action Determination.

The NCTCOG FTA Letter promoted the “2(b)” alignment, which incorporates an Interstate Highway 30 corridor (the “I-30 Corridor”) route for future possible higher-speed rail between the City of Dallas, the Arlington Entertainment District and the City of Fort Worth. The NCTCOG FTA Letter intentionally failed to disclose to the FTA, in seeking official government action, the findings in the *final* report commissioned by the Federal Railroad Administration (the “FRA”), including that the I-30 Corridor alignment has multiple fatal flaws and has already been formally disqualified and determined ineligible as a statutorily or otherwise viable corridor alternative.

Quoting that *undisclosed* report:

“The results from the analysis of the three study corridors evaluated in the Step 1 Fatal Flaw Review show that the I-30 Corridor possesses considerable obstacles to implementation, including having the greatest engineering challenges, the highest design and construction complexity and construction risks, and the highest capital cost. For these reasons, the I-30 Corridor was dropped from further consideration and did not proceed into the Step 2 Refined Screening.”

The I-30 Corridor, on which alignment “2(b)” is based, was found to be so fundamentally and fatally flawed, it could not even move past the preliminary Step 1 process before being disqualified as a possible alternative. *This requires a finding and conclusion that alignment “2(b)” – an I-30 Corridor route – is likewise fatally flawed and disqualified.*

**6. NCTCOG’s Intentional Non-Disclosure of Certain Significant Adverse Impacts/Fatal Flaws and other Misrepresentations (November 18, 2024)**

Through our November 18, 2024 letter, we put in your hands conclusive evidence of even more material omissions in the NCTCOG FTA Letter. First, that official government communication intentionally failed to disclose to the FTA that the so-called alignment “2(b)” is legally barred and could never be approved, including but not limited to because (as discussed above and in the October 9 and November 5, 2024 letters to NCTCOG) it would unlawfully contravene and interfere with the rights of both the City of Dallas and Hunt under their Master Agreement. We also pointed out that NCTCOG has separately admitted to numerous *other* significant adverse impacts that would occur from alignment “2(b),” foreclosing any possible regulatory approval under any circumstance.

Beyond the long list of material omissions, we also raised multiple other affirmative misrepresentations to the FTA in the NCTCOG FTA Letter. These included the false statement by NCTCOG that alignment “2(b)” would not “cause significant change in land use,” notwithstanding that, even if not otherwise legally precluded, it would forever alter and negatively affect the future economic and urban growth of Dallas’ Central Business District, including the impact of Dallas’ new more than \$3 billion Kay Bailey Hutchison Convention Center and Hunt’s planned several billion-dollar development in Reunion.

NCTCOG also falsely represented to the FTA that alignment “2(b)” was “not expected to significantly increase noise or vibration levels” – even as that route would have trains careening past historical parks and markers and through Downtown Dallas destroying possible new pedestrian use and walkability and creating massive environmental pollution. NCTCOG also misrepresented to the FTA that the “2(b)” route “would not separate or divide neighborhoods,” a direct affront to neighbors and churches in West Dallas and deceptively deflecting from the fact that this route would totally separate and divide Downtown Dallas neighborhoods.

Again, the FTA took official action relying upon the misrepresentations and undisclosed material omissions in the NCTCOG FTA Letter, including by “determin[ing] the class of action . . . is an Environmental Assessment” (an “EA”) instead of the more rigorous and complex Environmental Impact Statement (an “EIS”). As NCTCOG well understands and has repeatedly admitted, an EA is not the proper process for NEPA review given the known and numerous significant adverse impacts. Stated alternatively, as we have cited, NCTCOG has repeatedly stated that the two-year EIS process (versus just a one-year EA process) would be required.

***7. City of Arlington’s decades of refusal to partner with and pay its fair share for regional transportation precludes the Arlington Entertainment District station and, by extension, alignment “2(b)” (November 25, 2024)***

In our November 18, 2024 letter, we pointed out the obvious: (1) the City of Arlington’s refusal to join a transit authority precludes an Arlington Entertainment District station, and by necessary logic and law, alignment “2(b),” (2) NCTCOG continues to improperly favor the City of Arlington over the City of Dallas to foster an export of consumer dollars from Dallas to the Arlington Entertainment District, and (3) state and local conflict of interest rules preclude an Arlington elected official who has a disqualifying interest in an Arlington Entertainment District business that will be particularly benefitted by an Arlington Entertainment District station from participating in discussion or votes at a Regional Transportation Council meeting regarding possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail.

The City of Arlington has for decades rebuffed “joining a transit authority” such as Dallas Area Rapid Transit (“DART”) or Trinity Metro, regional transportation authorities under chapter 452 of the Texas Transportation Code. Tex. Transp. Code §§ 452.001 *et seq.* Arlington voters have consistently and flatly rejected public transportation proposals – voting them down no less than three (3) times.

Instead of utilizing a portion of its discretionary sales tax to pay its fair share in joining a regional transportation authority, the City of Arlington routes a half cent of sales tax to develop the Arlington Entertainment District in its concerted plan to siphon consumer spending dollars *away* from Dallas to Arlington’s sports venues and restaurants/lounges. Quoting NCTCOG, it characterizes this failure to join a transit authority as the City of Arlington’s decades-long refusal to be a “partner with the rest of the [regional transportation] system” here in North Texas.

In stark contrast to Arlington, the City of Dallas is a tried and true regional “partner.” It pays over \$400 million a year for its membership in DART. Several billions of dollars in regional transportation payments have been made by the City of Dallas to DART since its inception in 1984. This massive burden has been and continues to be heavily shouldered by Dallas in the form of a one-cent sales tax used to pay for DART.

The mere fact that the City of Arlington has failed and/or refused to join a regional transportation authority immediately disqualifies an Arlington Entertainment District station and therefore, alignment “2(b).” As Michael Morris states, “you don’t get high-speed rail for free.”

NCTCOG has nonetheless overtly but inexplicably sought to reward the City of Arlington for its transportation isolationism, favoring Arlington’s efforts to divert consumers and funnel tax dollars *from* the City of Dallas and other North Texas communities to the sports venues and restaurants/lounges in the Arlington Entertainment District. NCTCOG has proposed that Arlington receive an *underground* station that NCTCOG assures will confer the Arlington Entertainment District with “economic development” to get people and their dollars *to* the Arlington Entertainment District. Of course, alignment “2(b)” would not cut through or divide the Arlington Entertainment District, much less careen above-ground through its sports venues or restaurants/lounges – while at the same time it would ram through and divide Downtown Dallas, including the Hunt Reunion development, causing massive negative economic and environmental damage as we have described. This constitutes clear disparate treatment: favoritism for City of Arlington (that refuses to be a regional transportation “partner”) to the detriment of the City of Dallas (that has been a great regional transportation “partner”).

We also brought to your attention Chapter 171 of the Texas Local Government Code, which prohibits a local public official in Texas, including an Arlington elected official, from voting on or participating in a matter at a Regional Transportation Council meeting involving a business entity or real property in which the official has a substantial interest if an action on the matter will result in a special economic effect on the business that is distinguishable from the effect on the public. TEX. LOC. GOV’T CODE §171.004. This state statute is complemented by City of Arlington and NCTCOG conflict of interest and code of ethics policies.

**8. “One-seat ride” Misdirection (December 2, 2024)**

Our December 2, 2024 letter flatly debunked NCTCOG’s specious “one-seat ride” arguments, including by showing that NCTCOG’s own regional rail proposals betrayed and were planning *against* “one-seat ride,” and by simply reminding NCTCOG of certain of its own prior comments and admissions.

First, we explained that NCTCOG’s routes north and east out of the metroplex were being planned by NCTCOG to actually preclude any “one-seat ride.” We pointed out that, according to NCTCOG, both the Shreveport and Oklahoma City routes “needed” to be “at-grade,” which was incompatible for “one-seat ride” with the planned “grade-separated” Dallas-to-Arlington Entertainment District-to-Fort Worth route. We also detailed that NCTCOG’s plans for a connection from an Arlington Entertainment District higher-speed rail station to DFW International Airport would actually entail a *five-seat ride*.



Second, we reminded NCTCOG of its prior repeated admissions, agreements and actions supporting a “cross-platform transfer” at a possible future Dallas station, which would completely obviate any “one-seat ride” policy.

Third, we showed that NCTCOG’s “one-seat ride” concepts would be legally precluded anyway as it would require an impossible and legally prohibited “predetermination” of (1) the precise technology (including tracks, infrastructure, and trains) and (2) the particular implementer/operator for possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District, and the City of Fort Worth.

“One-seat ride” is impossible unless, among other things, the same proprietary train and track technology is used for both (1) the Houston-to-Dallas route and (2) the Dallas-to-Arlington Entertainment District-to-Fort Worth route. But, even NCTCOG admits this cannot be known, controlled or even predicted. Even if Shinkansen technology is chosen at some point in the future by the implementer/operator for one of the routes, there can be no assurance that the unknown implementer/operator on the other route will make the same choice. NCTCOG also concedes there can be no confidence that, even if the technology, tracks and trains are the same, the operator of one route would allow another route’s trains to roll on its tracks.

Fourth, we revealed that NCTCOG improperly eliminated TRE Corridor routes from consideration as supposedly fatally flawed because they were allegedly better suited for “at-grade” lines. We demonstrated, as discussed above, that an “at-grade” line would actually be more aligned and compatible with other routes extending from the metroplex. We further pointed out that, ironically, *it is alignment “2(b)” – even under NCTCOG’s own standards – that is the fatally flawed alignment for at least two patently obvious reasons.* NCTCOG considers a Dallas-to-Arlington Entertainment District-to-Fort Worth alignment to be fatally flawed unless the Dallas station is “located in downtown Dallas,” such as the Eddie Bernice Johnson Union Station. But alignment “2(b)” calls for a station *outside of* Downtown Dallas. NCTCOG also states an alignment is fatally flawed unless it can meet a “[t]ravel time of 20 minutes or faster,” yet NCTCOG also concedes that alignment “2(b)” cannot do that.

Fifth, we made plain that “one-seat ride” does not even apply to the proposed NCTCOG-stated purpose of the “Project” of possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail. More specifically, NCTCOG stated to the FTA that the “purpose” of the project is limited to a route “connecting the two largest downtowns in the fourth largest metropolitan area in the United States.” *Travel to Houston, including the boarding process for travelers to Houston, is not within NCTCOG’s represented “purpose” of the “Project.”*

**9. NCTCOG's "2(b)" Alignment is in Reckless Disregard of Dallas neighborhoods, parks, and bridges (December 9, 2024)**

The December 9, 2024 letter memorialized *additional* examples of significant (actually, devastating) and unmitigable adverse environmental impacts, pollution and injustice that would result from the so-called alignment "2(b)" relating to possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail, legally disqualifying that NCTCOG-manufactured route from further regulatory consideration.

*Alignment "2(b)" will environmentally deface and ruin Martyrs Park*

NCTCOG will not dispute that alignment "2(b)" will cause significant environmental pollution to Martyrs Park, a Dallas historical landmark that includes the memorial of the 1860 lynchings of three slaves as well as the recently installed permanent landmark "Shadow Lines." The powerful and solemn experience this historical landmark provides has been characterized by a leading supporter as follows:

"Once you get into that space where the lynching victims are commemorated, it's just silence . . . And in the silence, you can get in the moment."

The overbearing sound and sight pollution caused by alignment "2(b)" would ruin Martyrs Park – even NCTCOG admits to this threat of "noise and visual impacts to Martyrs Park."

*Alignment "2(b)" threatens the Trinity River Corridor, including Harold Simmons Park, the Ron Kirk Pedestrian Bridge, and the Margaret Hunt Hill and Margaret McDermott Bridges*

As the Trinity Park Conservancy reports, "[g]reat cities are defined by great parks." The \$325 million Harold Simmons Park, for which work has already started, will play a central role as an economic driver for Dallas, estimated to annually attract five million visitors and generate as much as \$6 billion in economic benefits in its first 30 years. Planners state that the Harold Simmons Park will connect neighborhoods through a series of elevated overlooks and gateways to the Trinity River and its natural habitats for plants and wildlife. It will provide new access via additional trails and river crossings to unite the two sides of the Trinity River – engendering a strengthened sense of community. It will also promote conservationism and stewardship of the Trinity River.

Bookending the 250-acre Harold Simmons Park (as part of the larger 10,000-acre vision of the Trinity River Corridor) are the Ron Kirk Pedestrian Bridge and the Margaret McDermott Bridge. The Ron Kirk Pedestrian Bridge is itself *presently* a relaxing family park, including playgrounds, areas to relax, and a walking path connecting West Dallas to Downtown Dallas. The views are currently spectacular but would be effectively marred or destroyed by alignment "2(b)." The Margaret Hunt Hill Bridge and Margaret McDermott Bridge, for their part, have of course

become jewels of the Dallas skyline – they would be dramatically and permanently scarred by alignment “2(b).”

Alignment “2(b)” – plowing over the Trinity River as proposed by NCTCOG – would destroy the Ron Kirk Pedestrian Bridge with massive sight and sound pollution, wrecking its purpose. Santiago Calatrava’s inspiration and vision for the Margaret Hunt Hill and Margaret McDermott Bridges would also be lost forever.

*The NCTCOG’s Attack on West Dallas – Massive Burden with no Commensurate Benefit*

The NCTCOG-proposed alignment “2(b)” would permanently mar homes and churches in West Dallas with the blight of sound and visual environmental pollution in direct violation of NEPA. The diminution of economic value and livability to homes, various mixed-use developments, and businesses along Commerce Street, whose new backyard under alignment “2(b)” would be subject to screeching trains at extremely high decibel levels, is glaringly obvious.

Alignment “2(b)” would place a massive, uneven, and permanent burden and nuisance on West Dallas for which it will derive no commensurate benefit. Even NCTCOG does not dispute the threat alignment “2(b)” is to West Dallas. *NCTCOG concedes, in its own words, the “potential visual impacts by elevated structure through residential areas in West Dallas.”* See NCTCOG Phase 1 Alternatives Analysis Final Report, Volume I, Table 21. It would also violate the NCTCOG-acknowledged requirement that it “provid[e] an equitable transportation system for all residents” and “[e]nsure the full and fair participation by *all* potentially affected communities in the transportation decision-making process.” Mobility 2045 Update, p. 3-17, 3-18.

***10. NCTCOG’s Failure to Keep Regional Transportation Council Informed or to Follow its Own “Public Participation Plan” – Selective Disclosure, Intentional Non-Disclosure, and Misrepresentations Regarding Compliance (December 11, 2024)***

On December 11, 2024 we observed that the NCTCOG was in non-compliance of its own disclosure rules relating to its obligations to keep the Members of the Regional Transportation Council (the “RTC”) and the public informed regarding agency business. We raised for your attention NCTCOG’s improper *selective exclusion* and non-publication of comments received from affected residents and businesses in the posted Agenda (Including Meeting Materials) Packet for the December 12, 2024 RTC Meeting.

We provided for NCTCOG pertinent excerpts from its own “Public Participation Plan,” which requires that: **“All comments . . . regardless of the topic, are compiled into a monthly report and presented to the RTC in advance of its next regularly scheduled meeting. These comments are accessible to the public in the RTC meeting agendas . . .”** Public Participation Plan, §4, as amended (emphases added). That NCTCOG-instituted requirement pertinently notes that “[a]s a matter of course, the RTC gives greater weight to the voices of impacted . . . businesses . . .” *Id.*

We conclusively showed that – notwithstanding this NCTCOG-instituted regulation – the posted Agenda (Including Meeting Materials) Packet for the December 12, 2024 RTC Meeting did not include (but intentionally excluded) Hunt’s emailed and certified mailed letters to the NCTCOG as required and were therefore not, as misrepresented, “in accordance with the NCTCOG Transportation Department Public Participation Plan.” *See* Agenda (Including Meeting Materials), Electronic Items 4.12, 4.13.

We sent the December 11, 2024 letter in time for NCTCOG to correct this patent violation prior to the commencement of the December 12, 2024 RTC meeting. NCTCOG, fully armed with the ability to ameliorate its misrepresentation and violation, further defied its own rules by moving ahead with the meeting *without* revealing the required disclosures to its own Members.

***11. NCTCOG violating its own legal agreements in pushing alignment “2(b),” which NCTCOG concedes is not even viable as a “separate” or “stand-alone” project (December 16, 2024)***

On December 16, 2024, we helpfully highlighted for NCTCOG its own admissions that alignment “2(b)” irretrievably, abjectly, and objectively (and therefore, legally) fails under even *NCTCOG’s own stated test* for viability.

We provided you with NCTCOG’s own legal contract stipulating that any possible future Dallas-to-Houston high-speed rail route is “separate” from any possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail route – and that they must be *separately* reviewed and each must stand or fall on its own. *See* Memorandum of Understanding Concerning the Alternatives Analysis and Preparation of Environmental Documents for the Dallas-Fort Worth High-Speed Passenger Service, § IV.C, dated April 20, 2020 (“Texas Central Railroad, LLC (“TCRR”) has proposed to construct and operate high-speed rail (HSR) system from Dallas to Houston, and FRA, in considering a request for regulatory action from TCRR is considering the potential environmental impacts of the proposed HSR system. **The Parties agree that TCRR’s proposed HSR system and the proposed High-Speed Transportation Passenger Service between Dallas and Fort Worth have independent utility and a different purpose and need, and as such will be assessed in separate NEPA documents.**” [emphasis added]).

We indented this point by noting that both NCTCOG and the National Rail Passenger Corporation (“Amtrak”) have represented to the Dallas City Council and the public that these possible future routes are “*two separate projects*” – with Amtrak even specifically noting they “are careful to keep them that way . . .” *See* March 6, 2024 Dallas City Council Meeting.

As a result, any analysis of possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail (including but not limited to any purported but deficient “environmental assessment” of alignment “2(b)”) must be “*separately*” analyzed, in a *stand-alone* determination

of its own particular feasibility, reasonability, and environmental, social, economic and other impacts. Any possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail line must *stand on its own* (unsupported by and untethered to possible future Dallas-to-Houston high-speed rail). Everyone agrees it cannot.

*Everyone agrees that, when separately assessed, the Dallas-to-Arlington Entertainment District-to-Fort Worth route cannot stand on its own*

NCTCOG readily concedes that possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail, which would specifically include the so-called alignment “2(b),” is neither viable nor feasible on its own – as a “standalone” route. In NCTCOG’s own authorized representative Michael Morris’ words at the March 6, 2024 Dallas City Council meeting, that is simply not “realistic.”

Morris made abundantly clear that without (1) a Dallas-to-Houston high-speed rail route and also (2) “being a partner” with the ultimate operator/implementer of that *other* possible future route, a Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail route never gets past the “theor[etical]” in being able to “exist” “on its own.” *Id.*

Amtrak, who has at various times expressed varying interest in some potential role in the possible future Dallas-to-Houston route, forcefully “echo[ed]” Morris in stating that, as a “stand-alone” route, the Dallas-to-Arlington Entertainment District-to-Fort Worth route doesn’t even “fit the typical characteristics of a high-speed route.” Amtrak has also been quick to point out that it is being “careful” to keep the two “separate projects” at a distance, ostensibly to avoid the Dallas-to-Houston project not being infected by the long list of legal and other infirmities plaguing the Dallas-to-Arlington Entertainment District-to-Fort Worth route (including alignment “2(b)”).

*When separately assessed, the outside of Downtown Dallas Cedars Station makes no sense for any Dallas-to-Arlington Entertainment District-to-Fort Worth route.*

We also showed that, even setting aside this agreed non-viability, looking at possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail as a “separate” and “stand-alone” proposal, a very valid question exists as to whether the City of Dallas would ever agree to the Cedars location as proposed under alignment “2(b).” NCTCOG has never voiced any basis to place the City of Dallas station in the Cedars location *other than* in relation to the **different** Dallas-to-Houston route, which again, cannot be a factor in “separately” assessing the Dallas-to-Arlington Entertainment District-to-Fort Worth route as a “stand-alone” project.

It is also significant that it is NCTCOG who has touted the Eddie Bernice Johnson Union Station (“EBJ Union Station”) as the multi-modal transportation “hub” for the City of Dallas. Unlike the Cedars station, the EBJ Union Station is located in Downtown Dallas. As we have previously exposed, it is NCTCOG’s position that an alignment that includes a City of Dallas station that is

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not “located in downtown Dallas” and “[s]erv[ing] a downtown Dallas station” is “fatally flawed,” disqualifying it from further consideration.

*Alignment “2(b)” – when viewed separately, is not “high-speed rail” in the first place*

We also showed that even *NCTCOG* has admitted that the proposed alignment “2(b),” viewed as required under the lens of a “separate” and “stand-alone” project, is not even “high-speed rail” in the first place. This additionally disqualifies alignment “2(b).”

More specifically, according to *NCTCOG*, train speeds on any possible future Dallas-to-Arlington Entertainment District-to-Fort Worth route would never even come close to reaching “high-speed rail” velocity.

When confronted on this point plainly showing alignment “2(b)” is not high-speed rail, Michael Morris shuffled to try to maneuver out of this disqualifying problem. He actually, as a representative of *NCTCOG*, completely changed his definition of “high-speed rail” to intentionally totally ignore and leave out its most basic component: speed. According to Michael Morris:

“I think high-speed rail is better defined by [sic] is it totally isolated from any potential conflict from a safety standpoint.”

November 28, 2023 Arlington City Council Meeting.

Ridiculously absent from *NCTCOG*’s above-quoted definition of “high-speed rail” is any element of speed.

When further specifically cornered with the nonsense of defining “high-speed rail” without any connection to speed, the most basic element of high-speed rail, Morris appeared frustrated and pivoted again to state:

“We’re going to call it high-speed rail because when you get on the train it’s eventually going to go to 260 miles an hour, so we’re going to call it high-speed rail.”

November 28, 2023 Arlington City Council Meeting.

As the above quote reflects, Morris’ retreated to a *new* definition conceding, as he had to, that speed was (obviously) fundamental to the definition of high-speed rail. He inserted, as shown above, a requirement that for a route to be considered high-speed rail, it must reach **260** miles per hour.

Of course, neither alignment “2(b)” nor any Dallas-to-Arlington Entertainment District-to-Fort Worth alignment will ever get anywhere near reaching 260 miles per hour. Rather, Morris is quoted as stating that alignment “2(b)” will only get to just half that speed (“even if our speeds are at 130 instead of 260”). As condemning, the average speed of the alignment “2(b)” route – *according to NCTCOG itself* – will be just 74 miles per hour (based on NCTCOG-estimated 25 minute ride on the proposed 31 mile route).

It is important for you to accept that NCTCOG intentionally determined to ensure that alignment “2(b)” would never be high-speed rail. It is Michael Morris who is quoted as admitting that “by having an Arlington [Entertainment District] station,” it is purposefully “trading” away high-speed rail. Morris further reiterated that “[w]e could not have an Arlington [Entertainment District] station and get to higher speeds,” but “will accept *slower* speeds.” November 28, 2023 Arlington City Council Meeting. Again, NCTCOG purposefully determined to benefit its favored Arlington Entertainment District constituency at the expense of high-speed rail.

The Dallas-to-Arlington Entertainment District-to-Fort Worth route must be viewed “separately” from the Dallas-to-Houston route. The fact that a different route – possible future Dallas-to-Houston alignment – may reach 260 miles per hour cannot be factored into the “separate” assessment of alignment “2(b).”

**In short, NCTCOG admits that under Michael Morris’ own definition of “high-speed rail,” alignment “2(b)” – when viewed as it must be as a “separate” and “stand-alone” project, is not high-speed rail at all. As a result, alignment “2(b)” legally fails under the current “environmental assessment,” which according to NCTCOG solely and exclusively concerns “high-speed rail.” See August 25, 2023 Letter from NCTCOG to the Federal Transit Administration.**

*“One-seat ride” could not apply to any required separate analysis of Dallas-to-Arlington Entertainment District-to-Fort Worth route*

We also noted that the required “stand-alone” viability of Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail immediately precludes consideration of NCTCOG’s notions of “one-seat ride.” As previously articulated, “one-seat ride” could have no application to a single route, but only with regard to a *different* route that cannot be assessed in determining the viability of alignment “2(b)” as a “stand-alone” route.

Alignment “2(b)” cannot stand on its own. Under any review as a “separate” and “stand-alone” project, it immediately fails.

***12. NCTCOG's alignment "2(b)" is fatally flawed according to NCTCOG – doesn't even meet NCTCOG-instituted standards (December 23, 2024)***

On December 23, 2024, we enunciated that the NCTCOG-manufactured alignment "2(b)" is, *according to NCTCOG*, "fatally flawed" based on its *own* represented travel time for possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail.

NCTCOG repeatedly represents to the public – over and over again – that it is a "fatal flaw" for the travel time of a "higher-speed" rail vehicle following a rail alignment between Dallas and Fort Worth to exceed 20 minutes. NCTCOG's Phase 1 Alternative Analysis Final Report (May 2023) ("Phase 1 Analysis"), p. 41 ("[t]ravel time of 20 minutes or faster from proposed high-speed rail station in Downtown Dallas to Central Station in Downtown Fort Worth."); *id.* at p. 41 ("The fatal flaw criteria included in Level 1 comprised of an evaluation to identify which alignment/mode combinations could meet a 20-minute travel time criterion"); *id.* at Appendix D, p. 158 ("Travel time estimates are being developed. One of the initial screening criteria that will be used to evaluate the technologies and the corridor alignments is the ability to travel between Dallas and Fort Worth in 20 minutes or less."); *see also id.* at p. 40 ("Travel Time (Fatal Flaw)" p. 40; *id.* at p. 218 ("In the Level 1 screening, a 20 minute travel time threshold was used. Each alignment and mode combination was compared to that threshold."); *id.* at p. 219 ("commuter rail/conventional rail was eliminated during the Level 1 screening process because it did not meet the travel time threshold of being able to travel from Dallas to Fort Worth in 20 minutes or less.").

NCTCOG also repeatedly represents to the public that the travel time for alignment "2(b)" will exceed 20 minutes, including its own claims that it will take "25" minutes. NCTCOG DFW High-Speed Update, Summer 2023 ("get there in just 23 minutes."); *see also* NCTCOG's DFW High-Speed Update, 2024 Newsletter, Issue #1 ("21-25 minute travel times between Fort Worth and Dallas").

By NCTCOG's own assessment, as shown herein, alignment "2(b)" is fatally flawed and cannot proceed in any supposed "environmental review."

Of course, NCTCOG actually knows that the "overall trip duration" (its own coined term) for a person to travel on higher-speed rail between Dallas-Arlington Entertainment District and Fort Worth would be much slower. Bluntly, if NCTCOG were acting with any good faith at all, actually applying its own standards, it would be forced to immediately concede and disclose (to, among others, the Federal Transit Administration, the Regional Transportation Council, the Dallas City Council and the public) that a trip on higher-speed rail under the proposed alignment "2(b)" would, beyond not meeting the 20 minute fatal flaw threshold/deadline, take far longer than even the 25 minutes NCTCOG claims alignment "2(b)" trip would require.



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Adding significantly to any and all travel times is NCTCOG's own admission that to accurately determine travel times, you must "consider[] travel to and from the [rail station] and prearrival requirements." NCTCOG's DFW High-Speed Update, 2024 Newsletter, Issue #1.

Actually "considering" people living in West Dallas, Love Field, Northwest Dallas, Vickery Meadow, Casa View, Fair Park as well as numerous other neighborhoods across Dallas, those persons would need to get in their cars (or alternatively, find their way from their homes to a DART station, enter the station, buy DART bus or light-rail tickets, and wait for the next DART bus or train) and travel to the inconveniently-located (in relation to the centrally-located multi-modal Eddie Bernice Johnson Union Station) proposed Cedars station. Once there, they would need to find a place to park their cars, walk from the parking lot to the Cedars station, buy tickets for the trip to Fort Worth, walk to the train, wait for the next train and then board the train for the ride. Finally in Fort Worth, those people would have to de-board the train and be left to find separate transportation to their ultimate destinations somewhere across the 359 square acres of sprawling Fort Worth.

"[C]onsidering travel to and from the [rail station] and prearrival requirements," as NCTCOG tells the public it must, the travel time for nearly every Dallas resident would easily double or triple (or more). The *real* travel time, under NCTCOG's own strictures, would not come anywhere close to – not be in the same galaxy as – the 20 minute NCTCOG-required "threshold." Again, alignment "2(b)," under NCTCOG's own standards, is fatally flawed.

NCTCOG is further forced to concede and disclose that Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail under alignment "2(b)" (made even more cumbersome through a Cedars station versus EBJ Union Station as stated above) is inherently impractical and unusable for Dallas residents.

As another reprehending point, NCTCOG's admissions reveal an additional interrelated fatal flaw associated with alignment "2(b)." NCTCOG reports the "purpose" of possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail is the "reasonable improvement of travel time" on that particular route *as compared to driving in an automobile*. Phase 1 Analysis, p. 4.

NCTCOG states that driving a car between Dallas and Fort Worth takes thirty (30) minutes in "favorable conditions," which ostensibly includes all non-rush hour times. It is important to note that *even in rush hour*, the Texas Department of Transportation ("TxDOT") keeps the TEXpress lanes moving at 50 miles per hour "or faster" in both directions. *See* TxDOT Winter Q1 2024 Interstate 30 TEXpress Project Fact Sheet.

"[C]onsidering travel to and from the [Cedars station] and prearrival requirements" (again, as NCTCOG states it must) a trip to Fort Worth in a car would be tremendously faster – far outpacing

higher-speed rail as proposed in alignment “2(b).” Alignment “2(b)” would result in the *opposite* of an “improvement of travel time.”<sup>2</sup>

***13. NCTCOG’s improper favoritism and bias for the Arlington Entertainment District and its business owners for their pecuniary benefit – to the direct economic and environmental detriment of the City of Dallas (December 30, 2024)***

Our December 30, 2024 letter iterated the flagrantly improper bias of and by the NCTCOG in favor of the Arlington Entertainment District and its business owners (including its restaurants and entertainment venues) for *their* pecuniary benefit – at the expense and to the detriment of the City of Dallas and its residents.

The City of Arlington has stated it has a “competitive” strategy to “position” itself to be able to “capture” and “import” a “larger share” of tax dollars and revenue *from other North Texas municipalities*, including the City of Dallas. See Arlington, Texas – Economic Development Strategic Plan, Arlington High-Speed Rail Station Area Planning Study, p. 6 (“[E]levat[e] Arlington’s competitive positioning in the region to capture a larger share . . .”). The City Manager of Arlington has made clear its priority to “capture the most revenue [in Arlington] as opposed to allowing those dollars to leave [Arlington].” See December 12, 2023 Arlington City Council Meeting.

This “Strategic Plan” to “compet[e]” *against* other North Texas cities is what Arlington states is centered on “*importing dollars from other places* – tourism dollars which help [Arlington] provide [] public services.” *Id.* (emphasis added). To be clear, Arlington is engaged in a concerted effort to grab dollars away from – and at the expense of – other communities in the region such as the City of Dallas.

This scheme by Arlington to attempt to funnel dollars *away* from the City of Dallas is squarely focused on possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail. As Arlington’s Mayor states, “adding” a higher-speed rail station in the Arlington Entertainment District would be its purposefully planned way “for people [and their wallets] to get to [the] Arlington [Entertainment District]” from the City of Dallas and other North Texas cities. August 16, 2023 NCTCOG Press Release (emphasis added). While the Mayor of Arlington states this “would be an economic game changer” for Arlington, it would be a correlative financial drain on other North Texas cities. Arlington Report, May 21, 2024

Given this hyper-competitive stance by the City of Arlington *against* the economic interests of other communities in the region, it is not surprising (albeit uncivilly inappropriate) that the Mayor of Arlington (who, relevantly, is also a member of the Regional Transportation Council) stated as he sat with NCTCOG’s Michael Morris: **“I don’t give a damn about” the Dallas City**

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<sup>2</sup> Notably, even when NCTCOG attempts to skirt *its own* methodologies (including by not “considering travel to and from the [Cedars station] and prearrival requirements”), the net *purported* travel improvement is just five (5) minutes.

Council's official June 12, 2024 Resolution against possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail careening above-ground through Downtown Dallas. *See* August 29, 2024 comments by Arlington Mayor Jim Ross. According to the Arlington Mayor, "there's nothing" the Dallas City Council or "anyone [else] can do about it." *Id.* While obviously wrong, this misstatement additionally amounts to contemptuous disdain and disrespect for the entire Dallas City Council.

NCTCOG, including through its proposed alignment "2(b)," has aggressively aided, assisted, enabled, and participated with the City of Arlington in its strategy to pipeline spending and tax dollars out of the City of Dallas to the Arlington Entertainment District (and the owners of its restaurant and other entertainment venues). In stark contrast to NCTCOG's blatantly biased mistreatment against the City of Dallas and its interests, NCTCOG admits it is in **"collaboration with the City of Arlington"** regarding possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail. *See* NCTCOG Phase 1 Alternatives Analysis (May 2023) (the "Phase 1 Analysis"), pp. 82-84 (emphasis added).

As an example of this collusion, NCTCOG, in further benefit of its preferred City of Arlington, paid for and provided Arlington the "Arlington High-Speed Rail Station Area Planning Study." The stated "purpose" of this NCTCOG-manufactured "analysis," according to NCTCOG, was to "[a]ssist the City of Arlington in creating a second urban center that generates additional economic development activity and supports current Entertainment District activities." *See* NCTCOG Arlington High-Speed Rail Station Area Planning Study, p. 1, 4. NCTCOG admits it is working *for Arlington* for a "station [that] will support economic development in th[e] [Arlington Entertainment District]." *Id.* at p. 5. More pointedly, NCTCOG admits it was studying – for Arlington – "how the . . . [Arlington Entertainment District] station [] could both accelerate economic development and serve the Entertainment District." *Id.*, p. 7.

As NCTCOG works to benefit its favored City of Arlington, it betrays the City of Dallas. NCTCOG "collaborat[es]" with the City of Arlington to carefully locate the Arlington Entertainment District Station so as "to avoid" "challenges" that would face "future developments" in the Arlington Entertainment District. *Id.* at pp. 1, 82-84. At the same time, NCTCOG's alignment "2(b)" directly imperils "future developments" in Downtown Dallas, including the multi-billion planned Kay Bailey Hutchison Convention Center and Hunt's planned six-billion-dollar (\$6,000,000,000.00) Reunion development.

While NCTCOG defers to "the development plans of [Arlington] landowner[s]" in determining the location of the Arlington Entertainment District station, NCTCOG's proposed alignment "2(b)" is in complete disregard of Dallas landowners' development plans. *Id.* p. 10. NCTCOG relatedly prioritizes "[m]inimiz[ing] impact to private properties" in the Arlington Entertainment District. *Id.*, p. 84. Yet, it has completely abandoned the massive negative "impact to private properties" in West Dallas and Downtown Dallas that will result from alignment "2(b)." *Id.*

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In further comparative mistreatment of the City of Dallas, NCTCOG repeatedly admits it would “require agreement by” a private property owner in the Arlington Entertainment District if its property would be negatively impacted by the location of the Arlington Entertainment District station. *Id.*, p. 7; *id.* at p. 13 (“Any alignment that directly affects private property must secure agreement from the property owner(s) . . . .”); *id.* at p. 7 (“One of the routes had an alignment running through the existing ballpark, which is to be replaced by a new ballpark in the next few years. That alignment offered interesting possibilities, but would require agreement by the [private property owner].” Of course, NCTCOG refuses to provide any commensurate accommodation to private property owners in Dallas – including in West Dallas and Downtown Dallas – whose private properties will be ruined by alignment “2(b).”

While NCTCOG, as Michael Morris stated (of course at an Arlington City Council meeting), is always ready to “roll up its sleeves” for the City of Arlington, its “efforts,” including through its proposed alignment “2(b),” are open threats to the economic and environmental future of the City of Dallas.

\* \* \* \*

***Conclusion: Alignment “2(b)” is legally precluded and would be an economic and environmental disaster for the City of Dallas and must be withdrawn from consideration as part of the beleaguered “environmental assessment.”***

As this letter denotes, we have, at great length, with pointed specificity, and utilizing NCTCOG’s own quoted statements, assisted you in cataloguing some of what is part of a long list of legal (including procedural and substantive) deficiencies, including severely adverse economic consequences, associated with the “environmental assessment” regarding possible future higher-speed rail between the City of Dallas, the Arlington Entertainment District and Fort Worth, including specifically, alignment “2(b).” Please confirm that the so-called alignment “2(b)” has been removed from consideration in the apparently ongoing but legally beleaguered “environmental assessment.”

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

January 6, 2025

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: Disclosure of Correspondence to the Federal Transit Administration*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The limited purpose of this letter is to raise the reasonable and important inquiry into whether or not any one or more of my letters to you, in your capacity as the chief legal counsel for the North Texas Council of Governments ("NCTCOG"), have been disclosed and shared with the Federal Transit Administration (or any other governmental entity or agency – or any of their representatives – with whom NCTCOG has interacted with respect to the subject of "high-speed rail" between Dallas, the Arlington Entertainment District and Fort Worth).

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called alignment "2(b)" would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas' new \$3 billion Kay Bailey Hutchison Convention Center.**

**Alignment "2(b)," would contravene and interfere with the City's and Hunt's legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG's continued action involving the so-called alignment "2(b)" is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

January 6, 2025

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG-admitted merely “preliminary” and “conceptual” design, dimensions (including height) and location of a possible future Dallas station (for a concededly “separate” Dallas-to-Houston route)*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, “Hunt”).

On Friday afternoon, January 3, 2025, by letter dated December 31, 2024, and in your capacity as the chief legal officer of the North Texas Council of Governments (“NCTCOG”), you emailed NCTCOG’s stated response to my October 22, 2024 letter – a noted well over two (2) months’ delay.<sup>1</sup> NCTCOG’s response unfortunately amounts to nothing more than a continuation of its disturbing bad faith and legally insupportable strategy.

First, we do acknowledge NCTCOG’s unequivocal admission in its response – albeit induced by my October 22 letter – that the location, design, and dimensions of any proposed Dallas station for Dallas-to-Houston high-speed rail are, in fact, not final. We also memorialize NCTCOG’s compelled concession resulting from the October 22 letter, that the “illustration[s]” it relies upon relating to a proposed Dallas station are merely “**conceptual**.”

NCTCOG’s only cited (but, as we have shown, irrelevant and outdated) source on which it relies – the 2020 environmental impact statement regarding possible future *Dallas-to-Houston* high-speed rail – actually indents that the “dimensions and layout” and “design” for any Dallas station

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<sup>1</sup> It would be reasonable to assume that NCTCOG strategically timed the delivery of NCTCOG’s response contemporaneously with its posting of the Agenda Packet for the January 9, 2025 Regional Transportation Committee meeting in an attempt to avoid disclosure to RTC Members and the public of any reply by Hunt exposing and disproving the misleading and bad faith statements and/or mischaracterizations by NCTCOG in its response letter. We have previously shown that NCTCOG has improperly violated its own disclosure rules in failing and/or refusing to provide to RTC Members and the public the letters from Hunt (including in its prior Agenda packets). Please consider your duties to properly and fully inform the RTC Members – including in refraining from the omission of material information.

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for Dallas-to-Houston high-speed rail are, beyond being only “conceptual,” expressly “**subject to change**” and might or might not be further “developed” and/or “configure[ed]” at some later and unknown time. This NCTCOG-cited document further states that these “concepts” cannot progress and no “final dimensions” can be “determined” without “coordinat[ion] with local development planning and stakeholder engagement efforts,” which includes “the City of Dallas, DART, local agencies, project stakeholders, and applicable regulatory bodies.” **We reiterate our request that you advise NCTCOG representatives to refrain from misrepresenting that any Dallas station designs are final or finally approved.**

Second, this sole source relied upon by NCTCOG to misrepresent that possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail supposedly must include an over seventy (70) feet tall Dallas station is a five (5) year old environmental impact statement regarding a completely “separate” project. More specifically, that aged 2020 environmental impact statement relates only to possible future *Dallas-to-Houston* high-speed rail – a *different* project.

As we have raised with you, both NCTCOG and Amtrak agree that the Dallas-to-Houston possible future route and the Dallas-to-Arlington Entertainment District-to-Fort Worth possible future route are “two separate” and “stand-alone” projects,” with Amtrak pointing out for good measure they “are careful to keep them that way.” We have also cited for you NCTCOG’s own legal contract that stipulates to the *separateness* of these distinct projects. Plainly, *the Dallas-to-Houston route does not depend upon any Dallas-to-Arlington Entertainment District-to-Fort Worth route* – any implication to the contrary is just more attempted disorientation.

Bluntly, the outmoded five (5) year-old environmental impact statement regarding the “separate” Dallas-to-Houston project neither controls nor impacts possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail – whether relating to the location of a Dallas station or otherwise.

NCTCOG’s statement in its response to our October 22 letter that “[u]nless and until these design parameters [regarding the *Dallas to Houston* route] change, NCTCOG must incorporate these elements including station height, in its environmental analysis of the Dallas to Fort Worth High-Speed Rail project,” is demonstrably false and grossly misleading. Likewise, NCTCOG’s claim in its response letter that Amtrak somehow has authority or power of any kind over the design, parameters or location of a Dallas station for the “separate” and “stand-alone” Dallas-to-Arlington Entertainment District-to-Fort Worth possible future higher-speed rail route is just more brazen bad faith misdirection by NCTCOG.

It is simply not credible for NCTCOG to take the position that this outdated five-year old and irrelevant environmental impact statement can somehow force above-ground higher-speed rail to ram through and ruin the economic and environmental future of Downtown Dallas. Significantly, the proposed separate Dallas to Houston high-speed rail route is not planned to careen above-ground through Downtown Dallas.

Third, as we have reported to you, it is *NCTCOG*'s own publicly quoted position that any alignment for possible future Dallas-to-Arlington Entertainment District-to-Fort Worth that includes a City of Dallas station that is not "located in Downtown Dallas" and "serving a downtown Dallas station is "fatally flawed," and therefore legally disqualified from further consideration. Of course, the proposed Cedars station, which is contemplated in alignment "2(b)," is not in Downtown Dallas. Under *NCTCOG*'s own publicly stated position, alignment "2(b)" is fatally flawed and disqualified from further analysis (under the ostensibly ongoing but legally and procedurally infirm "environmental assessment" or otherwise).

Fourth, your response reveals the breadth of *NCTCOG*'s misfeasance through its preposterous argument that its general "offer" to provide a pedestrian "passageway" connection from the proposed Cedars station location to other points in Downtown Dallas somehow remedies the massive and generational damage and significant adverse economic and environmental impact to Downtown Dallas (and West Dallas) that would be caused by alignment "2(b)." This includes, but is certainly not limited to, the severe impairment and risk to the more than \$3 billion Kay Bailey Hutchison Convention Center as well as Hunt's planned several billion dollar development in Reunion. *NCTCOG*'s offer is akin to a person who crashes into and totals another person's automobile and offers to pay for a car wash.

Fifth, *NCTCOG* argues in its response that it is supposedly not in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024. Once again, *NCTCOG*'s own quoted admissions betray its position.

It is *NCTCOG* who is quoted as specifically and unequivocally equating alignment "2(b)" – or any other above-ground alignment through Downtown Dallas – as noncompliant with the Resolution. More specifically, Michael Morris, as a representative of *NCTCOG*, publicly represented that he would "**totally comply**" with the Resolution by "**not [ ] hav[ing] an elevated train through your downtown.**" Morris reiterated his representation that his "**solution that complies with the Dallas Council resolution that wishes to have no elevated routes in the central business district of Dallas.**" Morris is separately quoted as stating that, as a direct result of the Resolution, "**alignment . . . 2(b) [is] no longer possible.**" We finally note that the Mayor of Arlington, also an RTC Member, made plain his defiance of the Resolution in no uncertain (albeit certainly crass) terms, when he unfortunately remarked: "**I don't give a damn about**" **the Resolution.**

Further, I once again bring to your attention (as they may possibly relate to future *NCTCOG* considerations) the following facts:

**The so-called "Alignment 2(b)" would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas' new \$3 billion Kay Bailey Hutchison Convention Center.**

**"Alignment 2(b)," would contravene and interfere with the City's and Hunt's legal and lawful rights under their Reunion Master Agreement – in place since 1975.**



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General Counsel  
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**NCTCOG's continued action involving the so-called "Alignment 2(b)" is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please courteously and professionally confirm your receipt of this letter as well as compliance with its requests and demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
egambrell@akingump.com

January 6, 2025

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: NCTCOG Newsletter – Intentionally Misleading Misinformation: NCTCOG retreats to admit that, in fact, “thousands” of Aggies will of course not commute from Fort Worth to College Station*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, “Hunt”).

On Friday afternoon, January 3, 2025, in your capacity as the chief legal officer of the North Texas Council of Governments (“NCTCOG”), you sent a letter dated January 2, 2025 as NCTCOG’s stated response to my November 4, 2024 letter (a two (2) months’ delay<sup>1</sup>), which exposed NCTCOG’s patently misleading misrepresentation to the public that supposedly, “*thousands*” of Texas A&M students will supposedly “conveniently make day trips between Fort Worth and College Station on high-speed rail to pursue higher education.”

First, we acknowledge NCTCOG’s unequivocal and binding admission in its response – albeit only the result of Hunt’s November 4 letter – that this “[q]uoted figure[.]” by NCTCOG of “thousands” of Aggies commuting on high-speed rail from Fort Worth to College Station is completely insupportable and simply made up without any factual basis. NCTCOG now (finally) concedes that this misrepresentation has no connection to any “ridership projections.” Nonetheless, and startlingly, NCTCOG continues to intentionally and improperly mislead the public by failing and/or refusing to retract the *admittedly* baseless misstatement in its Newsletter.

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<sup>1</sup> It would be reasonable to assume that NCTCOG strategically timed the delivery of NCTCOG’s response contemporaneously with its posting of the Agenda Packet for the January 9, 2025 Regional Transportation Committee meeting in an attempt to avoid disclosure to RTC Members and the public of any reply by Hunt exposing and disproving the misleading and bad faith statements and/or mischaracterizations by NCTCOG in its response. We have previously shown that NCTCOG has improperly violated its own disclosure rules in failing and/or refusing to provide to RTC Members and the public the letters from Hunt (including in its prior meeting agenda packets). Please consider your duties to properly and fully inform the RTC Members – including in refraining from the omission of material information.

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Second, NCTCOG in no way disputes that this representation, beyond completely baseless, is actually false. As we explained in our November 4 letter:

“Under this fictitious claim, these imaginary “thousands” of students admitted to take classes at Texas A&M University’s College Station campus would supposedly leave their Fort Worth homes, get in their cars and drive to the possible future Fort Worth underground rail station and, after arriving there, would find parking places and pay for parking (alternatively, they could get from their homes to a bus station, and purchase bus tickets to the underground rail station). Once there, the “thousands” of students would purchase tickets on the yet-to-be-built high-speed train to College Station, board the train, ride to Grimes County, get off the train, wait for (and buy additional tickets for) a third vehicle to take the “thousands” of students 26 miles to the College Station campus. Once there, the “thousands” of students would either walk or find other transportation to their classes somewhere on the 5,000-acre campus. Then, after a day of classes, the “thousands” of students would, supposedly, turn around and repeat this complicated and expensive process as they returned to their homes in Fort Worth.”

We further showed, among other things, that this hypothetical journey would take longer than simply driving to College Station.

Third, in attempting to deflect from its admittedly baseless misstatement to the public, NCTCOG merely aggravates its own continuing bad faith misconduct. NCTCOG actually argues in its response letter that its admittedly insupportable statement was somehow not improper or incriminating *because it was only made to the public* in the NCTCOG Newsletter and supposedly not as part of regulatory filings and representations in the “National Environmental Policy Act process.”

This is akin to making the perverse argument that misleading one person is acceptable as long as the lie is not told to a second person. But, of course, lying to a potential buyer about the condition of a car’s engine is not absolved because the lie was not repeated in the classified advertisement. Please come to the most basic understanding that it is not acceptable for NCTCOG to make false statements to the public – whether as part of NCTCOG’s muscling attempts to force through the legally and procedurally beleaguered and fatally flawed alignment “2(b)” or otherwise.

Fourth, NCTCOG also clumsily attempts to escape and run from its admittedly misleading statement by ridiculously claiming in its response letter that it was somehow not a “claim” or “estimate” at all. Of course, this is instantly betrayed by the NCTCOG Newsletter’s own (debunked and false) *claim* of an *estimated* “thousands” of Aggies who would supposedly commute on high-speed rail between Fort Worth College Station.

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Fifth, NCTCOG desperately tries to minimize the fallout from its misleading the public by pivoting to argue that its claim of an estimated “thousands” of Aggies commuting from Fort Worth to College Station was “over the long life (50+ years) of this high-speed rail system.” If you do the math, that would make ridership estimates for that trip closer to a completely insignificant one (1) Texas A&M student rider per week. This would leave NCTCOG aggressively marketing higher-speed rail based on one theoretical Aggie.

Sixth, we memorialize NCTCOG’s *new* misleading representations in its response letter alleging (a) the “proximity of the university campus [] in College Station . . . with the proposed nearby high-speed rail station[]” and likewise, that (b) “the station [is] near the Texas A&M campus.” Of course, Texas A&M University is 26 miles away from the proposed Roans Prairie station – the same distance as a marathon – which is anything but “nearby.” NCTCOG needs to correct its mischaracterizing misstatements instead of making more.

Seventh, as we have explained, the false representations regarding Texas A&M University constitute one more violation of the National Environmental Policy Act. It is the opposite of fostering a “transparent process[],” “transparency” or providing “accurate information” that the NCTCOG has publicly represented is required (*e.g.*, NCTCOG Mobility 2045 Update, pp. 3-39, 3-43). This misfeasance has polluted the NEPA process, legally precluding its efficacy and legitimacy, and any possible future approvals.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

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**NCTCOG's continued action involving the so-called "Alignment 2(b)" is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell - Texas A&M '88<sup>2</sup>

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<sup>2</sup> Roderick Dhu Gambrell, Jr. '42, Edwin Foster Gambrell '65, Sarah Rose Gambrell '26.

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
egambrell@akingump.com

January 6, 2025

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

Re: *NCTCOG Material Omission in Official Government Request: I-30  
Corridor/"2(b)" Alignment Rejected as Fatally Flawed and Disqualified*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

On Friday afternoon, January 3, 2025, in your capacity as the chief legal officer of the North Texas Council of Governments ("NCTCOG"), you emailed a letter dated January 2, 2025 as NCTCOG's stated response to my November 11, 2024 letter (a nearly two (2) months' delay<sup>1</sup>), which exposed *one of the multiple* apparent intentional material omissions by the North Central Texas Council of Governments ("NCTCOG") in its August 25, 2023 to the Federal Transit Administration (the "FTA") seeking official government action (the "NCTCOG FTA Letter").

More specifically, we raised that the NCTCOG FTA Letter intentionally failed to disclose that the proposed I-30 Corridor route had already been conclusively found to be "fatally flawed" and finally dropped from further consideration in a Final Report requisitioned by the Federal Railroad Administration (the "FRA") in coordination with NCTCOG. Even your response concedes (euphemistically) that the I-30 Corridor alignment was "screened out." **The so-called alignment "2(b)" incorporates the I-30 Corridor route and is thereby necessarily fatally flawed and legally disqualified.**

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<sup>1</sup> It would be reasonable to assume that NCTCOG strategically timed the delivery of NCTCOG's response contemporaneously with its posting of the Agenda Packet for the January 9, 2025 Regional Transportation Committee meeting in an attempt to avoid disclosure to RTC Members and the public of any reply by Hunt exposing and disproving the misleading and bad faith statements and mischaracterizations by NCTCOG in its response. We have previously shown that NCTCOG has improperly violated its own disclosure rules, including in failing and/or refusing to provide to RTC Members and the public the letters from Hunt (including in its prior Agenda packets). Please consider your duties to properly and fully inform the RTC Members – including in refraining from the omission of material information.

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This material omission by NCTCOG is exacerbated and magnified by the fact that in the NCTCOG FTA Letter, NCTCOG expressly and affirmatively stated that the Regional Transportation Council (the "RTC") had "approved" the I-30 Corridor "as the alignment" on July 8, 2021. This means that NCTCOG offensively raised this precise issue to the FTA: a purported *approval* of the I-30 Corridor. However, NCTCOG nonetheless defensively concealed from the FTA that there had already been a Final Report *denying* and disqualifying the I-30 Corridor route because it (and its incorporated alignment "2(b)") is "fatally flawed."

NCTCOG had a duty under any circumstance to disclose the Final Report that finds the I-30 Corridor route (which includes alignment "2(b)") to be fatally flawed. In specifically and offensively raising the alleged *approval* of the I-30 Corridor route by the RTC, NCTCOG's duty to disclose this fatal flaw finding in the Final Report rejecting the I-30 Corridor route moved to an even higher level. As an example, not even NCTCOG would disagree that a representation by the NCTCOG to the FTA that a leading expert found a bridge to be safe, without disclosing a second report from another leading expert that the bridge was unsafe, would be an improper and misleading material omission. The situation here is no different and NCTCOG knows it.

We do memorialize that your response letter concedes that this *per se* material omission of the Final Report finding the I-30 Corridor alignment fatally flawed was intentional.

Your retreat to attempt to minimize the gravity and misfeasance of this admittedly *intentional* material omission is simply more misleading misdirection. Your response letter falsely argues that the conclusion that the I-30 Corridor alignment was "fatally flawed" was not a final conclusion as that determination was supposedly "cut short and a full analysis was not completed." **You have actual knowledge that the study finding the I-30 Corridor alignment to be fatally flawed was contained in the "Final Report" of the Dallas-Fort Worth Core Express Service Alternatives Analysis. That Final Report issued its final determination regarding the legal disqualification of the I-30 Corridor alignment. There was nothing "incomplete" about the final determination that the I-30 Corridor alignment was fatally flawed.**

Your letter response did spur further investigation regarding this admittedly intentional material omission. As it turns out, even NCTCOG's representation in the NCTCOG FTA Letter that the RTC approved the I-30 Corridor alignment on July 8, 2021 is called into significant question. That vote by the RTC was undeniably polluted by the fact that **the RTC Members were also not apprised at the July 8, 2021 RTC Meeting of the Final Report finding the I-30 Corridor alignment fatally flawed and legally disqualified.**

More specifically, at the July 8, 2021 RTC Meeting, Brendon Wheeler provided a long presentation but never once mentioned the prior Final Report finally excluding and disqualifying the I-30 Corridor route. The information in the meeting agenda packet for that meeting was similarly bereft of any mention of this prior final denial and finding of a fatal flaw in the I-30 Corridor alignment. NCTCOG cannot credibly argue that in a vote regarding the appropriateness

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of the I-30 Corridor route, a prior government study finding that route to be fatally flawed would be the most relevant and critical information for the RTC Members to have and consider. The RTC Members were intentionally deprived of this inarguably material information when they voted on July 8, 2021.

We also remind you of the multiple other apparent intentional material omissions relating to the NCTCOG FTA Letter, including without limitation, those raised in our November 18 and November 25, 2024 correspondence (regarding which we have received no response).

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell



Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
egambrell@akingump.com

January 6, 2025

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: Improperly "Holding" of Important Public Projects for the City of Dallas to Pressure  
Votes by the Dallas City Council on an Unrelated Matter under Color of Law*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

On Friday afternoon, January 3, 2025, in your capacity as the chief legal officer of the North Texas Council of Governments ("NCTCOG"), you emailed a letter dated January 2, 2025 as NCTCOG's supposed "response" to my October 28, letter – a well over two (2) months' delay.<sup>1</sup> Apparently burdened with the realization that you had no actual or viable response regarding the well-articulated extremely troubling comportment of NCTCOG, through its representative Michael Morris, you merely deflected. This further reflects NCTCOG's continuing bad faith.

As a reminder, our October 28 letter plainly showed that Mr. Morris stated on January 11, 2024 that he was putting on hold multiple important and "key" public transportation projects located in the City of Dallas as a means by which to pressure and force the Dallas City Council to vote the way *he* wanted regarding the completely unrelated possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail.

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<sup>1</sup> It would be reasonable to assume that NCTCOG strategically timed the delivery of NCTCOG's response contemporaneously with its posting of the Agenda Packet for the January 9, 2025 Regional Transportation Committee meeting in an attempt to avoid disclosure to RTC Members and the public of any reply by Hunt exposing and disproving the misleading and bad faith statements by NCTCOG. We have previously shown that NCTCOG has improperly violated its own disclosure rules in failing and/or refusing to provide to RTC Members and the public the letters from Hunt (including in its prior meeting agenda packets). Please consider your duties to properly and fully inform the RTC Members – including in refraining from the omission of material information.

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General Counsel  
January 6, 2025  
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Mr. Morris' quote speaks for itself as clearly improper misconduct:

**“I do need to report to you we have been working for close to a year on five or six key City of Dallas items . . . I have them on hold. I can't proceed with these items we've been dealing with for a year or so at the same time we are dealing with other policy issues with regard to high-rail interests. So, I hope to resolve the high-speed rail issues as quickly as possible, permit the Dallas projects to go through public meeting and then un-hold them”**

– January 11, 2024 Regional Transportation Council Meeting.

Your apparent attempt to shift the blame from Mr. Morris to the Regional Transportation Council Members in stating that it is the RTC Members who have the “final decision-making authority,” is just more deflection. It is Mr. Morris' own quote that uses “**I**” no less than four (4) times in reiterating that *he* personally was putting the projects on hold to try to muscle a vote of the City of Dallas City Council on a *completely different matter*. We are mindful of the allegations of “fear-mongering” and “bullying” by Mr. Morris of public officials, including through his alleged “ultimatums.” See March 6, 2025 Dallas City Council Briefing.

As an administrative matter, we do acknowledge your admission in the response letter that, in fact, NCTCOG (through Mr. Morris) put “on hold” “certain projects” concededly important to the City of Dallas and its residents. Of course, that was already established by Mr. Morris' quote, but we nonetheless memorialize it here.

**What have you done in response to this troubling conduct (other than send a deflective letter)?**

Separately, I quickly address your parting mischaracterization regarding “one-seat ride.” *Please take the time to review our December 2, 2024 letter, sent over a month ago with no response, which completely discredits and debunks the Morris-imagined “one-seat ride” concepts – on multiple fronts and largely based upon NCTCOG's own admissions. As to your statement that “one-seat ride” is a “policy of the RTC,” that is misleading at best. The RTC is of course, the transportation arm of NCTCOG. We have shown you that NCTCOG has entered into legal contracts requiring a “cross-platform connection” and a “cross-platform strategy.” It is Mr. Morris who states this is not within his notions of “one-seat ride.” The RTC has further specifically stated its contingent support for a “cross-platform transfer solution,” signifying that as a viable alternative to supposed but legally and functionally impossible “one-seat ride.”*

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas' new \$3 billion Kay Bailey Hutchison Convention Center.**

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General Counsel  
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**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell

Akin Gump Strauss Hauer & Feld LLP  
2300 N. Field Street  
Suite 1800  
Dallas, TX 75201

T +1 214.969.2800  
F +1 214.969.4343  
akingump.com

**Akin**

ERIC GAMBRELL  
214.969.2799/214.969.4343  
[egambrell@akingump.com](mailto:egambrell@akingump.com)

January 7, 2025

Ken Kirkpatrick  
General Counsel  
North Central Texas Council of Governments  
616 Six Flags Drive  
Arlington, Texas 76011

*Re: Attempting to use RTC Local Funds for a purpose other than a "project[] outside the [] federal process" in violation of express representations to, and the vote by, the RTC Members*

Dear Mr. Kirkpatrick:

As you know, I represent Hunt Realty Investments, Hunt Consolidated, Inc., Ray L. Hunt and certain other affiliated and/or related entities (collectively, "Hunt").

The posted agenda for the January 9, 2025 RTC Meeting includes a recommendation and request, apparently to be presented by you, that "the RTC [Members vote to] allocate \$1 million in RTC Local funds . . . for additional legal support to assist in responding to these matters and other preparatory work in anticipation of litigation related to the Environmental Assessment."

Please recall that at the December 8, 2022 Regional Transportation Council meeting, the RTC Members were "requested" to vote for "approval" of a proposal for RTC to enter into an agreement for the expressly represented purpose "to expand the pool of RTC Local funds available to implement projects outside of the restrictive federal process." To be blunt, the RTC Members were expressly told that, if they approved the 2022 proposal, the RTC Local funds would be used for projects that were specifically "outside of the [] federal process."

First, and of course, the legally and procedurally beleaguered and precluded "environmental assessment" regarding the so-called alignment "2(b)" relating to possible future Dallas-to-Arlington Entertainment District-to-Fort Worth higher-speed rail is squarely inside "the federal process." It is, as you have stated, an "environmental analysis required by and conducted under the *National Environmental Policy Act*" ("NEPA"), which you fully understand is *federal law*. 42 U.S.C. § 4321 *et seq.* As you have also at all relevant times been fully aware, the Federal Transit Administration (the "FTA") specifically communicated to the North Central Texas Council of Governments ("NCTCOG") that the supposed but legally and procedurally infirm "environmental assessment" would include review under NEPA's "implementing regulations (40 CFR Parts 1500-1508), FTA's environmental regulations (23 CFR Part 771), Efficient Environmental Reviews for Project Decisionmaking and One Federal Decision (23

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U.S.C. 139), and other applicable *Federal* laws and regulations.” See March 4, 2024 Letter from FTA. You are actually aware that there is no basis for RTC Local funds to be used as proposed, which would be in direct violation of, *inter alia*, the December 8, 2022 vote by the RTC.

Second, NCTCOG’s demand to spend a million dollars of the public’s monies to continue what has been described as NCTCOG’s “bullying” and “fear-mongering” in its hyper-aggressive push for alignment “2(b)” is equally nonsensical and inappropriate:

**(A) in the face of NCTCOG’s own public admission that “alignment . . . 2(b) [is] no longer possible,” and**

**(B) given that under NCTCOG’s own published standards, alignment “2(b)” is “fatally flawed” on multiple grounds.**

This even sets aside for the moment the massive economic and environmental damage to the City of Dallas, including to West Dallas, the multi-billion-dollar Kay Bailey Hutchison Convention Center, the planned six-billion-dollar Hunt Reunion development, and multiple parks and landmarks, that would be wrought by alignment “2(b)” – including as we have previously conclusively shown.

Third, we memorialize that the agenda packet for the January 9, 2025 RTC Meeting has not been updated to include either (a) our Friday, January 3 letter or (b) our *early Monday morning*, January 6 reply letters to the four letters we received from you late Friday, January 3. We have already noted that it appears you strategically timed the delivery of your late Friday letters contemporaneously with the posting of the January 9 RTC meeting agenda packet as a means to attempt to keep my replies from being reviewed by the RTC Members prior to or during your presentation at the January 9 meeting.

We note that you received our January 3 and January 6 letters with more than sufficient time to supplement the meeting agenda packet. We also note that our four (4) early Monday morning reply letters fully discredited the bad faith and misleading mischaracterizations contained in your four late Friday letters. All of these letters – along with this letter – must be disclosed to the RTC Members both to be in compliance with NCTCOG’s own disclosure rules that we have previously reported to you,<sup>1</sup> and also to meet your duties of candor and full disclosure. It would be misleading and constitute a material omission to not apprise the RTC Members of all of this correspondence prior to any January 9 presentation regarding alignment “2(b).”

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<sup>1</sup> We also note that it was only *after* we specifically confronted NCTCOG that its failure and/or refusal to provide the RTC Members with our letters was in direct violation of NCTCOG’s own disclosure rules that NCTCOG finally began to actually reveal *some* of our correspondence to RTC Members.

Ken Kirkpatrick  
General Counsel  
January 7, 2025  
Page 3

Please cause NCTCOG to cease violating its own disclosure rules and to ensure that any presentation to the RTC Members at the January 9 RTC meeting is not polluted by intentional material omissions or misleading mischaracterizations.

Further, I once again bring to your attention (as they may possibly relate to future NCTCOG considerations) the following facts:

**The so-called “Alignment 2(b)” would undeniably threaten, irreparably harm and severely damage the Reunion development as well as the potential for new economic activity adjacent to Dallas’ new \$3 billion Kay Bailey Hutchison Convention Center.**

**“Alignment 2(b),” would contravene and interfere with the City’s and Hunt’s legal and lawful rights under their Reunion Master Agreement – in place since 1975.**

**NCTCOG’s continued action involving the so-called “Alignment 2(b)” is in defiance and disregard of the Resolution passed unanimously by the City Council of the City of Dallas on June 12, 2024.**

Please professionally confirm your receipt of this letter and compliance with its demands.

Sincerely,

/s/ Eric Gambrell

Eric Gambrell



# REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT PROGRAM – FY2025

MICHAEL JOHNSON, PRINCIPAL TRANSPORTATION PLANNER  
SURFACE TRANSPORTATION TECHNICAL COMMITTEE

ACTION ITEM – January 24, 2025



# FY2025 Local & Regional Project Assistance (RAISE) Program

## Solicitation Overview – Notice of Funding Opportunity (NOFO)

### Funding Availability\*

**\$75 Million**  
Planning Grants

**\$1.425 Billion**  
Capital Grants

**50%/50%**  
Urban/Rural Areas

### Cost Sharing (Federal)

**Up to 80%**  
Urban Areas

**Up to 100%**

- a. Rural Areas
- b. Areas of Persistent Poverty
- c. Historically Disadvantaged

### Maximum Award\*

**\$25 Million**  
– per Project (All)

**\$225 Million**  
– per State (≤ 15%)

### Minimum Award

**\$5 Million**  
Urban Areas (Capital)

**\$1 Million**  
Rural Areas (Capital)

**No Minimum**  
Planning Grants

### Other Details\*

FY2024 RAISE applications scored as “Highly Rated,” but not awarded, are defined as **FY2025 RAISE Projects of Merit** & chosen separately. **Round 1** selections expected to be announced by **January 13, 2025**. Those not chosen must submit revised application by deadline below.

**Application Limit** = Three (3) per Lead Agency

For planning/budget purposes, NOFO provides application, award, obligation, & expenditure deadlines for **FY2025-FY2026 RAISE funding**:

#### **FY2025:**

**Applications Due (Round 2) – January 30, 2025**  
**Award Announcement – June 28, 2025**  
**Obligation Deadline – September 30, 2029**  
**Expenditure Deadline – September 30, 2034**

#### **FY2026:**

Application Deadline – January 13, 2026  
 Award Announcement – June 28, 2026  
 Obligation Deadline – September 30, 2030  
 Expenditure Deadline – September 30, 2035

### Applicant Eligibility

1. State/Territorial Government (*or political subdivision*)
2. Metropolitan Planning Organization (MPO)
3. Local/Tribal Government (*or political subdivision*)
4. Public Agency/Chartered Authority
5. Public Special Purpose District (*including Port*)
6. Multi-Jurisdictional Group of Above Entities

### Project Eligibility

1. Highway, Bridge, or Road (*Title 23*)
2. Public Transportation (*Chapter 53 of Title 49*)
3. Passenger/Freight Rail/Intermodal
4. Port Infrastructure (*incl. inland/land ports of entry*)
5. Airport Surface Transportation (*pt. B, Subtitle VII, Title 49*)
6. Stormwater Improvement (*aquatic species habitat*)
7. Tribal Surface Facility (*vested federal title/maintenance*)
8. TOD/Non-Motorized/Mobility On-Demand

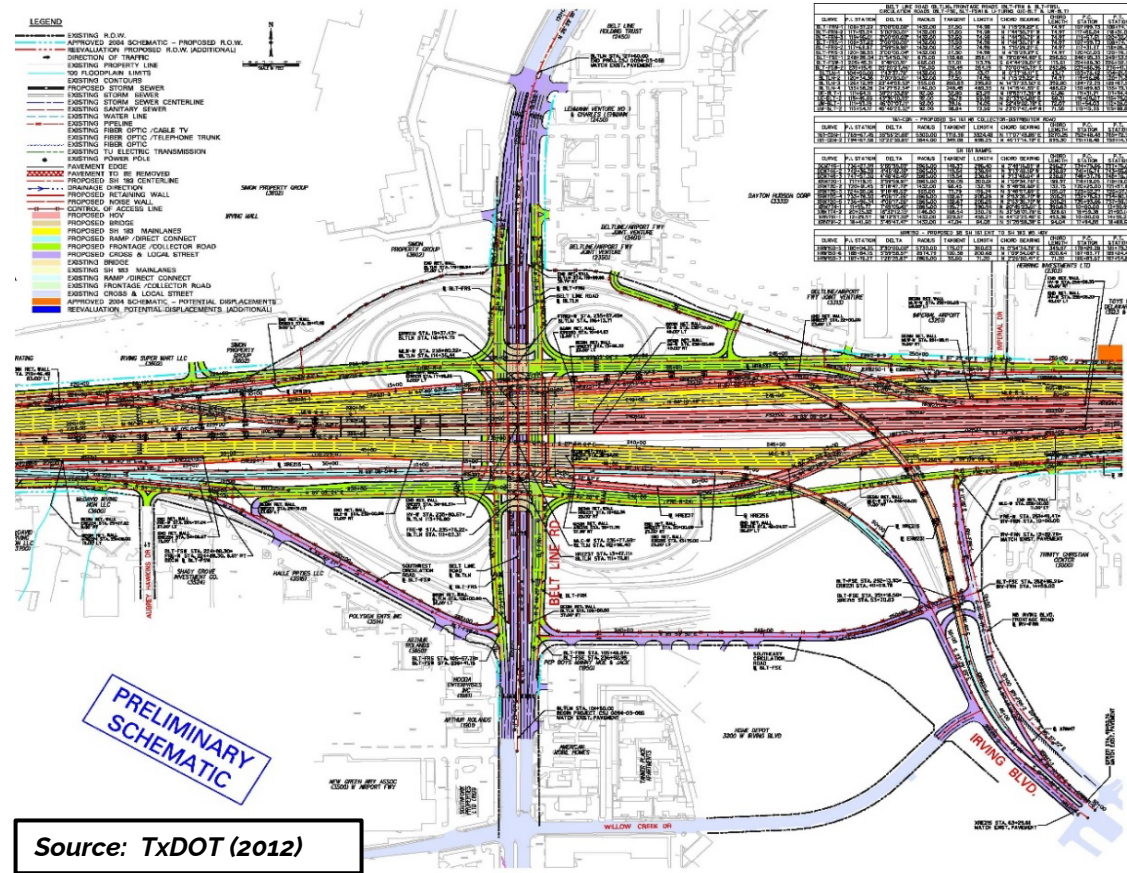
### \*Impact of Round 1 Selections:

- Trinity Metro awarded \$25 Million for TEXRail Near Southside Extension Project (*one of seven TX projects*)
- With 109 projects chosen for \$1.32 billion, only \$180 million nationwide remains for Round 2 selections



# FY2025 RAISE Program – Draft Candidate Project List & Details

## EAST: SH 183/SH 356/Belt Line Road Interchange (Irving)



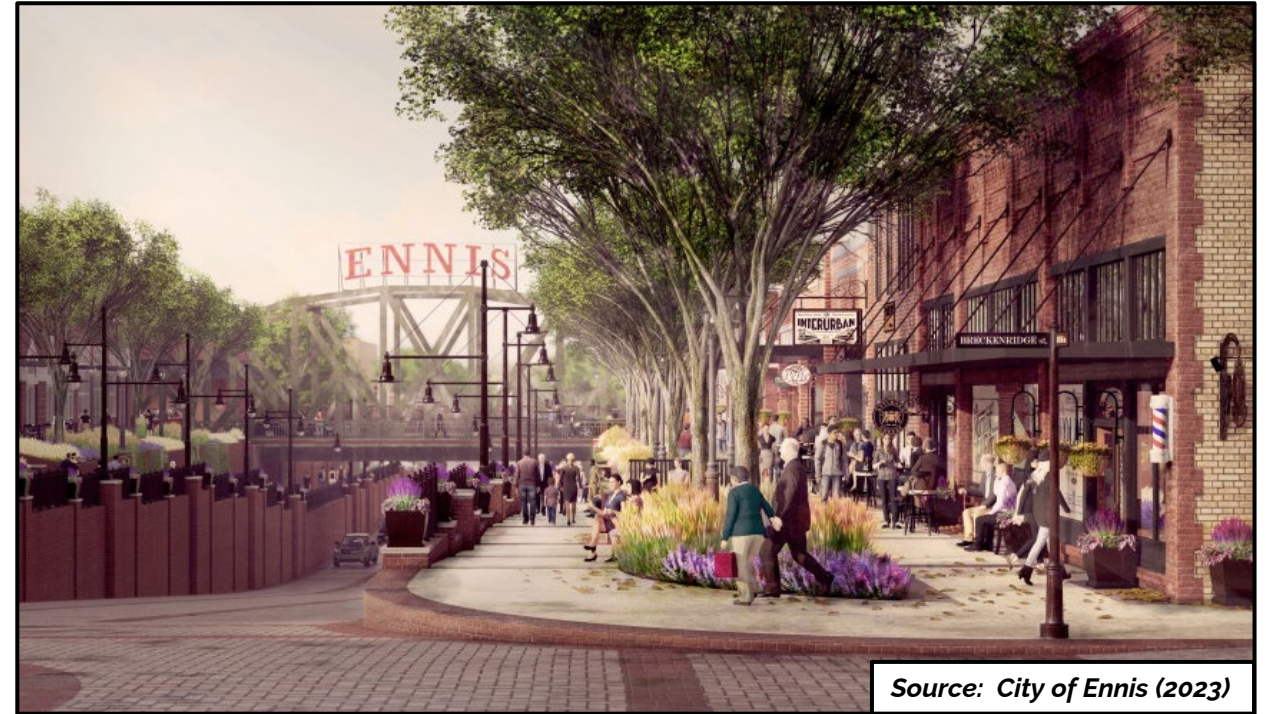
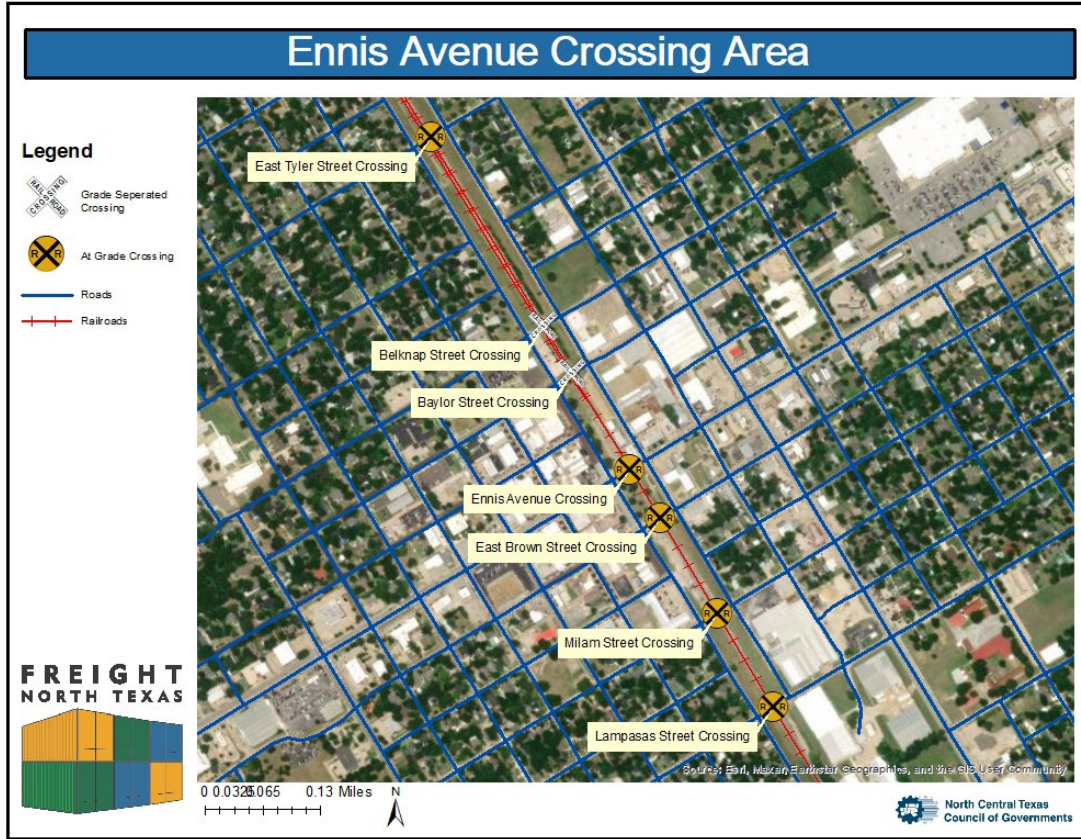
PROJECT		COST/FUNDING BREAKDOWN				
TITLE	DESCRIPTION/LIMITS	URBAN/RURAL	NON-FEDERAL	FEDERAL (Other)	FEDERAL (RAISE)	TOTAL COST
SH 183/SH 356/Belt Line	Reconstruct SH 356/Belt Line Rd interchange as an ultimate SH 183 breakout project.	URBAN	\$241,250,000 (69.7%)	\$80,000,000 (23.1%)	\$25,000,000 (7.2%)	\$346,250,000

Non-Federal: \$15M (TxDOT PE) + \$15M (TxDOT ROW) + \$15M (TxDOT Utilities) + \$100M (TIFIA Loan) + \$70M (RTR – SH 183 Corridor) + \$26.25M (Category 2/CMAQ/STBG/RAISE Match)  
 Federal (Other): \$80M (Category 2/STBG/CMAQ)



# FY2025 RAISE Program – Draft Candidate Project List & Details

## EAST: Ennis Avenue/UPRR Grade Separation (CSJ# 0172-12-007)



Repackaging of FY2024 Railroad Crossing Elimination Program (RCEP) application, submitted in September 2024.

PROJECT			COST/FUNDING BREAKDOWN			
TITLE	DESCRIPTION/LIMITS	URBAN/RURAL	NON-FEDERAL	FEDERAL (Other)	FEDERAL (RAISE)	TOTAL COST
<b>Ennis Avenue/UPRR</b>	Build grade separation for Business US 287 under UPRR corridor in downtown Ennis.	<b>RURAL</b>	\$21,360,000 (33.0%)	\$23,440,000 (36.2%)	\$20,000,000 (30.8%)	<b>\$64,800,000</b>

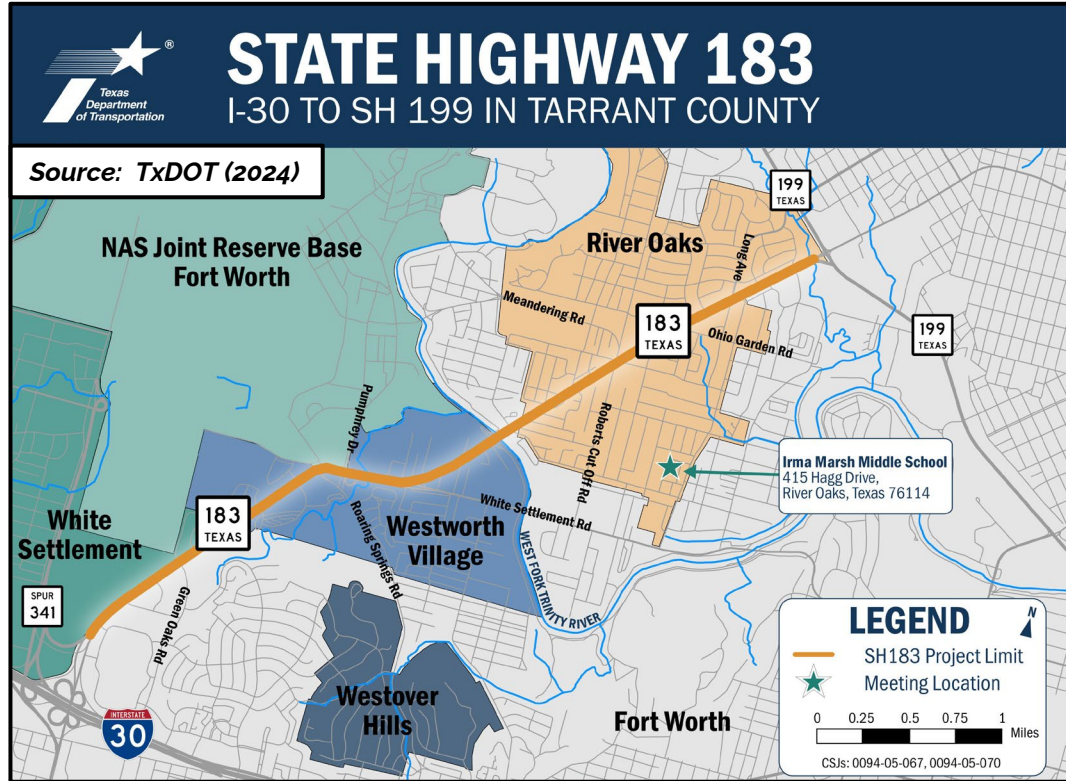
**Non-Federal:** \$7M (City of Ennis; includes \$5M NCTCOG loan to be repaid by city, not counted in total) + \$12.36M (TxDOT – ROW & RAISE Match) + \$2M (UPRR)

**Federal (Other):** \$21.44M (RTC Category 2 & Surface Transportation Block Grant funds) + \$2M (TxDOT Category 11 – District Discretionary funds)

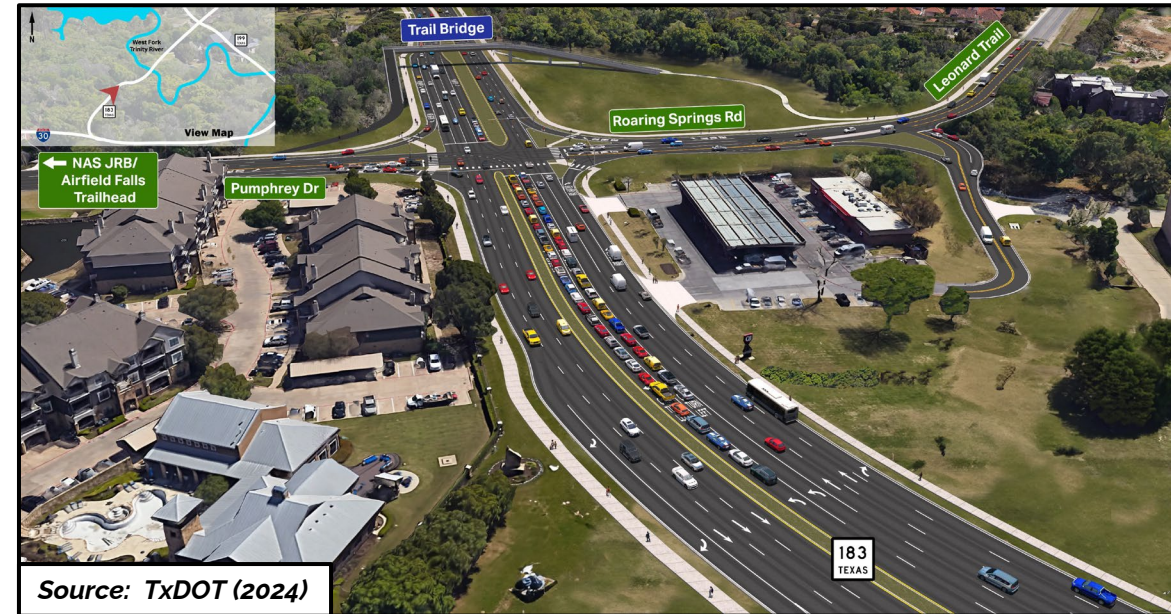


# FY2025 RAISE Program – Draft Candidate Project List & Details

## WEST: SH 183 – Pumphrey Drive Breakout Project (CSJ# 0094-05-070)



Looking North at Pumphrey Drive & Roaring Springs Road:



Project total does not include \$6M previously approved in 2025-2028 TIP (\$3M - Engineering, \$3M - ROW)

PROJECT			COST/FUNDING BREAKDOWN			
TITLE	DESCRIPTION/LIMITS	URBAN/RURAL	NON-FEDERAL	FEDERAL (Other)	FEDERAL (RAISE)	TOTAL COST
SH 183/ Pumphrey	Rebuild SH 183 junction with Pumphrey Dr & Roaring Springs Rd for improved multimodal capacity, safety, & NAS JRB accessibility.	URBAN	\$7,200,000 (20.0%)	\$16,800,000 (46.7%)	\$12,000,000 (33.3%)	\$36,000,000

Non-Federal: \$4.2M (TxDOT Category 2 Match – Construction) + \$3M (TxDOT RAISE Match – Construction)

Federal (Other): \$16.8M (TxDOT Category 2 – Construction)

# FY2025 Local & Regional Project Assistance (RAISE) Program Schedule

<b>November 1, 2024</b>	<b>FY2025 RAISE Program: Notice of Funding Opportunity (NOFO) Release</b>
December 6, 2024	STTC Information
December 12, 2024	RTC Information
December 20, 2024	Finalize Candidate Project Details <i>(for posting of January 2025 RTC Agenda)</i>
January 15, 2025	RTC Letter of Support Deadline <i>(for projects submitted by partnering agencies, please send requests to Taylor Benjamin – <a href="mailto:tbenjamin@nctcog.org">tbenjamin@nctcog.org</a> or Jackie Nolasco – <a href="mailto:jnolasco@nctcog.org">jnolasco@nctcog.org</a>)</i>
<b>January 24, 2025</b>	<b>STTC Action</b>
<b>January 30, 2025</b>	<b>FY2025 RAISE Program: Application Deadline – Grants.gov</b>
February 13, 2025	RTC Endorsement <i>(due to cancellation of January 2025 RTC meeting)</i>
February 27, 2025	Executive Board Endorsement <i>(due to cancellation of January 2025 RTC meeting)</i>

# FY2025 Local & Regional Project Assistance (RAISE) Program

## Requested RTC Action

Request approval for:

- Proposed projects to submit for funding consideration through FY2025 RAISE Program:
  - *SH 183/SH 356/Belt Line Road Interchange*
  - *Ennis Avenue/UPRR Grade Separation*
  - *SH 183 – Pumphrey Drive Reconstruction Project*
- Allocation of new RTC funds:
  - *SH 183/SH 356/Belt Line Road Interchange*
    - \$100M in Category 2/Surface Transportation Block Grant (STBG)/Congestion Mitigation Air Quality (CMAQ) funds (including \$20M non-federal match) via future Regional 10-Year Plan/Unified Transportation Program (UTP) updates and/or Transportation Improvement Program (TIP) revisions
    - \$70M in Regional Toll Revenue (RTR) funds, specifically surplus revenues from the SH 183 corridor
- Administratively amending NCTCOG & state TIPs, as well as other planning & administrative documents, to include proposed projects and funding if selected for FY2025 RAISE Grant awards

# CONTACT INFORMATION

## **Natalie Bettger**

Senior Program Manager  
(817) 695-9280  
nbettger@nctcog.org

## **Lori Clark**

Senior Program Manager  
(817) 695-9232  
lclark@nctcog.org

## **Dawn Dalrymple**

Senior Program Manager  
(817) 608-2319  
ddalrymple@nctcog.org

## **Christie Gotti**

Senior Program Manager  
(817) 608-2338  
cgotti@nctcog.org

## **Chris Klaus**

Senior Program Manager  
(817) 695-9286  
cklaus@nctcog.org

## **Dan Lamers**

Senior Program Manager  
(817) 695-9263  
dlamers@nctcog.org

## **Arash Mirzaei**

Senior Program Manager  
(817) 695-9261  
amirzaei@nctcog.org

## **Karla Windsor**

Senior Program Manager  
(817) 608-2376  
kwindsor@nctcog.org

## **Amanda Wilson**

Senior Program Manager  
(817) 695-9284  
awilson@nctcog.org

## **Jeffrey C. Neal**

Senior Projects Manager  
(817) 608-2345  
jneal@nctcog.org

## **Jeff Hathcock**

Program Manager  
(817) 608-2354  
jhathcock@nctcog.org

## **Michael Johnson**

Senior Projects Manager  
(817) 608-2345  
jneal@nctcog.org

USDOT BIL: <https://www.transportation.gov/bipartisan-infrastructure-law>

USDOT Grant Portal: <https://www.transportation.gov/bipartisan-infrastructure-law/bipartisan-infrastructure-law-grant-programs>

USDOT (Upcoming Schedule of Grant Opportunities): <https://www.transportation.gov/bipartisan-infrastructure-law/key-notice-funding-opportunity>

USDOT RAISE Grant Program: <https://www.transportation.gov/RAISEgrants>





# Funding Recommendations to Upgrade Existing Charging Stations

Jared Wright, Senior Air Quality Planner

Surface Transportation Technical Committee

January 24, 2025

# Regional EV Infrastructure Projects

Program:	North Reliable Electric Vehicle Infrastructure Project	Texas EV Infrastructure Plan	North Texas Equitable Electric Vehicle Infrastructure Project	Charging Smart Designation Program
Description:	Repair or replacement of existing but non-operational EV charging stations	~\$60 million to build new chargers in the 12-County Metropolitan Planning Area and ~\$10M for 7 county seat sites (Managed by TxDOT)	\$15M to build up to 100 new EV charging ports on public sector property in the 16-county NCTCOG region	Technical assistance and designation program for municipalities to meet EV-readiness goals
Status:	Requesting approval of funding recommendations to proceed with subawards	<p>Assessing potential charging sites and conducting public engagement to solicit project locations</p> <p><b>Local Governments:</b> Seeking survey responses to inform the distribution of grant funds</p> <p><b>Encourage residents to:</b> Submit comments and site suggestions on TxDOT Interactive Map Sign up for email updates and attend public engagement events</p> <p>All materials available at <a href="https://publicinput.com/nctcogevcharging">publicinput.com/nctcogevcharging</a></p>		<p>2 local governments in process of receiving designation; goal to engage 8 additional municipalities</p> <p>Contact <a href="mailto:cleancities@nctcog.org">cleancities@nctcog.org</a> if interested in joining</p>





# Electric Vehicle Charger Reliability and Accessibility Accelerator (RAA) Program

Goal is to increase reliability of electric vehicle (EV) charging stations by funding repair, replacement, or upgrade of existing sites that are not operational

**Funding Source** Federal Highway Administration (FHWA)  
(set-aside from the National Electric Vehicle Infrastructure (NEVI) Formula Program)

**Eligible Projects** EV chargers that are “broken” or “non-operational”  
*Sites must be included on a list published by FHWA on October 11, 2023*

**Federal Share** Up to 80% total project cost, 20% match from private sector

**Station Requirements** Sites must be upgraded to meet NEVI Standards related to number of charging ports, payment methods, pricing, interoperability, and communication protocols



# Approved Application Approach

## North Texas Reliable Electric Vehicle Infrastructure Project (NTx-REVI)

- Awarded \$3.66 million federal funding to repair or replace a subset of 138 eligible stations

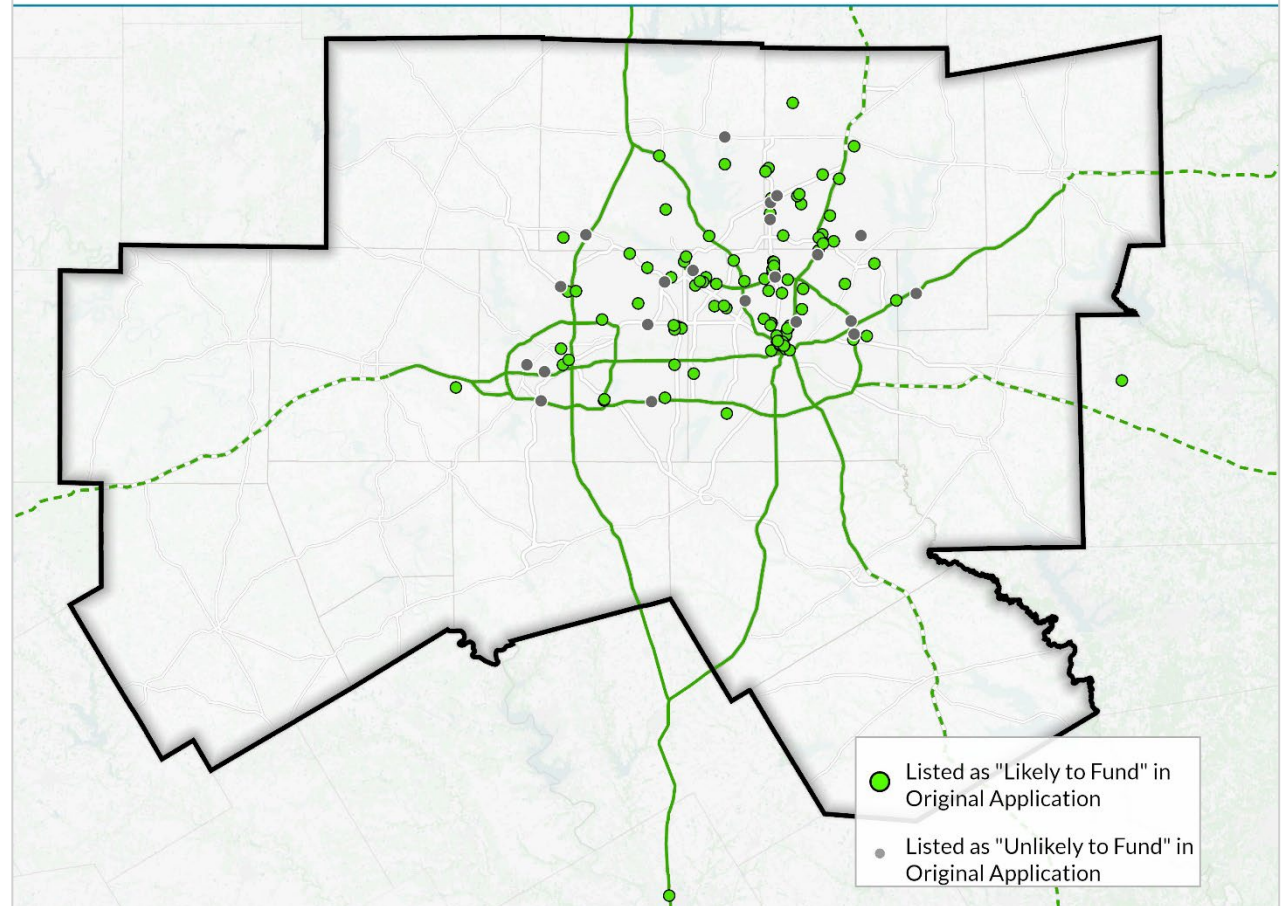
## Coordinate with host cities, charging station Networks, and site hosts to determine appropriate repair/upgrade needs

- Expect to replace a fraction of eligible stations based on site host interest and available funding

## Criteria Proposed to RTC in November 2023

- Are not in proximity to existing charging stations
- Increase access in key areas such as multi-family properties, grocery stores, and retail locations
- Connect the region to other areas
- Provide 20% cost share
- Streamline NCTCOG administrative burden

Eligible Stations from List Provided by FHWA



# Project Budget

<b>Total Project</b> Funding for Site Repair/Upgrade: \$4,200,000 NCTCOG Administration: \$300,000	Up to \$4,500,000
<b>Federal Funds</b> Pass-Through Funding for Site Repair/Upgrade: \$3,360,000 NCTCOG Administration: \$300,000	Up to \$3,660,000
<b>Matching Funds</b> Match for Pass-Through Funding to be Provided by Subrecipients Match for NCTCOG Administration to be Provided by Up to 60,000 Regional Transportation Development Credits	Up to \$840,000 and 60,000 TDCs



# Site Selection Methodology

- 1. Screened based on program eligibility criteria (defined by FHWA)**
  - Site must be publicly accessible
  - Site must be in a free parking lot
  - Station cannot be decommissioned, already replaced, or under warranty
  - **65 of 138 initial sites passed this screen**
- 2. Screened based on site owner program interest and willingness to provide cost share**
  - **13 of the remaining 65 sites passed this screen**
- 3. Ranked based on criteria presented at proposal stage**
  - Ability to Connect the Regional Charging Network
  - Proximity to Existing or Known Planned EV Charging Stations
  - Ability to Increase Access in Identified Key Areas
  - Ability to Streamline NCTCOG Administrative Burden



# Scope of Work

## Program allows repair, replacement, or upgrade

- Stations within 1 mile of Alternative Fuel Corridor can be upgraded to a DC Fast Charger (DCFC)
- Remaining sites must maintain current charger type

## Staff recommends full replacement of all sites, due to the following factors:

- Existing equipment does not comply with NEVI standards, such as:
  - Lacks the required connector amounts, power level, communication protocols, minimum uptime, etc.
- Replacement triggers a new warranty on the equipment, which will assist with enforcing uptime requirements
- Older stations not modular and thus not easily repaired



# Scoring Criteria

Criteria	Connecting the Region		Proximity to Existing or Planned Charging Stations		Increase Access in Key Areas		Streamline NCTCOG Administrative Burden			
Maximum Points	25 points		25 points		25 points		25 points			
Sites Scored Higher Based on:	Shorter distance to primary or secondary highway	Shorter distance to Alternative Fuel Corridor	Further distance from existing or planned DCFC stations	Further distance from existing Level 2 stations	Located in area most beneficial for public use	Located in Justice40 area*	Owned by EV Charging Network	Located on public property	Owner owns multiple eligible sites	Located in NCTCOG boundary

\*[According to Justice40 EV Charging Map developed by Argonne National Laboratories](#)





# Funding Recommendations

Charging Station Owner	Location	City	Property Type	Current Charger Type	Score	Est. Federal \$ to Upgrade Charger	Eligible for DC Fast Charge Upgrade?	Est. Additional Federal \$ to Upgrade to DCFC**
EV Network	City of Plano Downtown Parking Lot*	Plano	Public Sector	Level 2	84	\$22,970	Yes	N/A
EV Network	City of Plano Oak Point Rec Center*	Plano	Public Sector	Level 2	79	\$22,970	Yes	\$720,488
EV Network	Grapevine Mills Mall	Grapevine	Retail	DCFC	77	\$1,114,568	N/A	--
EV Network	NCTCOG Offices	Arlington	Office	Level 2	66	\$22,970	Yes	\$720,488
Site Host	Dallas County Government Building	Dallas	Public Sector	Level 2	65	\$70,000	Yes	\$288,638 <b>Waitlisted: \$361,317</b>
Site Host	Duncanville Shopping Center	Duncanville	Retail	Level 2	62	\$60,000	No	N/A
EV Network	City of Plano Russell Creek Park	Plano	Public Sector	Level 2	60	\$22,970	No	N/A
Site Host	Town of Little Elm Waterpark	Little Elm	Public Sector	Level 2	60	\$48,000	No	N/A
EV Network	City of Plano Maribelle Davis Library	Plano	Public Sector	Level 2	58	\$22,970	No	N/A
Site Host	Dallas County Government Building	Garland	Public Sector	Level 2	58	\$70,000	No	N/A
Site Host	Cinemark Frisco	Frisco	Retail	Level 2	55	\$60,000	No	N/A
EV Network	Boston Pizza Restaurant	Irving	Retail	Level 2	48	\$22,970	Yes	<b>Waitlisted: \$720,488</b>
Site Host	Whole Foods Grocery Store	Fairview	Retail	Level 2	47	\$70,000	Yes	<b>Waitlisted: \$650,000</b>
<b>Total Federal Funding Awarded:</b>						<b>\$1,630,386</b>	<b>\$1,729,614</b>	
<b>Total Federal Funding Remaining:</b>						<b>\$1,729,614</b>	<b>\$0</b>	

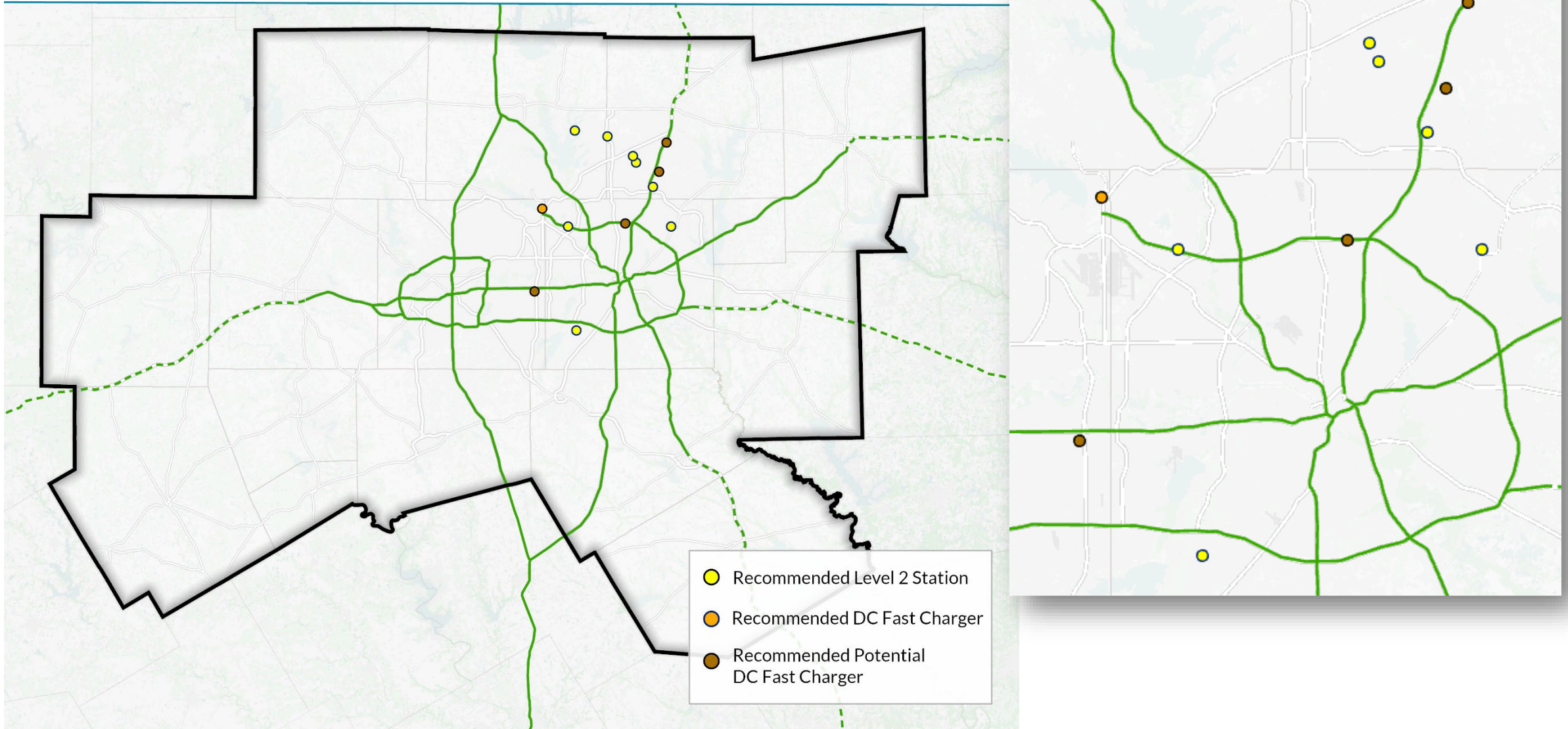
\*To equitably invest across the region, only 1 DC Fast Charge Upgrade allocated to City of Plano; site selection based on city preference

\*\*If/as funding released from awarded projects, and subject to interest from the charging station owner and agreement from host property, funds will be added to wait-listed recommendations, up to the amount shown



# Recommended Project Locations

## Remaining Stations after Screening





# Application Schedule

Milestone	Date
Contract Executed with FHWA	September 24, 2024
STTC Recommendation of RTC Approval	January 24, 2025
RTC Approval	February 13, 2025
Executive Board Approval	February 27, 2025
Estimated Date for All Sites Completed and Operational	August 30, 2025



# Action Requested

Recommend Regional Transportation Council approval of:

**NCTCOG funding recommendations for the FHWA Electric Vehicle Charger Reliability and Accessibility Accelerator program to repair, replace, or upgrade electric vehicle chargers**

**Administratively amending the TIP/STIP and other planning/administrative documents as needed to reflect subawards**



# Contact Us



Maggie Quinn  
Air Quality Planner  
[mquinn@nctcog.org](mailto:mquinn@nctcog.org)



Jared Wright  
Senior Air Quality Planner  
[jwright@nctcog.org](mailto:jwright@nctcog.org)



Lori Clark  
Senior Program Manager  
& DFWCC Director  
[lclark@nctcog.org](mailto:lclark@nctcog.org)



Dallas-Fort Worth  
CLEAN CITIES



[dfwcleancities.org](http://dfwcleancities.org)



[cleancities@nctcog.org](mailto:cleancities@nctcog.org)



# Screening Results

Network Operator	Owner	FHWA List of Eligible Sites	Sites Meeting Publicly Accessible Screen*	Sites Meeting Parking Cost Screen*	Sites Have Not Been Decommissioned or Already Replaced	Charging Station Owner Has Program Interest (# of subrecipient agreements)**
Blink	Blink	20	17	14	13	6 (1)
Blink	Site Host	47	14	12	12	0
ChargePoint	Site Host	49	28	20	19	5 (4)
EVgo	EVgo	10	9	9	9	1 (1)
Volta	Volta	7	7	7	7	0
Electrify America	Electrify America	1	1	1	1	0
EV Connect	Unknown	4	4	4	4	1 (1)
<b>Total</b>		<b>138</b>	<b>80</b>	<b>67</b>	<b>65</b>	<b>13 (7)</b>

\*Stations reviewed through staff site visits, AFDC, Google Maps, and/or Plug Share

\*\*Network operators contacted and stations removed based on recommendation of charging Network operator (recommendations reflected funding program suitability or current operational status)



**Charging Stations Recommended for Funding through the Electric Vehicle Charging Station Reliability and Accessibility Accelerator Program**

Site Details										Screening Criteria				Connecting the Region Up to 25 points		Proximity to Existing or Planned Stations Up to 25 points <sup>2</sup>		Increase Access in Key Areas Up to 25 points		Streamline NCTCOG Administrative Burden Up to 25 points				Scoring	Funding Information					
City	Location	Station Name from FHWA Eligibility List	Address	Location Type	Public or Private Property	Current Charger Type	EV Network	Owner	Eligible to Upgrade to DCFC Station (within 1 mile of designated EV highway corridor)?	Access Type - Is this site publicly accessible (no gates, barriers, or signage restricting use)?	Parking Cost - Is the site in a parking lot that is free to use?	Changes in Site Status - Is the site equipment in similar condition (not already replaced, decommissioned) and/or is out of the warranty period?	Owner Interest - Is the site owner interested and able to provide the 20% cost share?	Distance from Primary or Secondary Highways <sup>1</sup> Up to 10 points	DCFC Feasibility Up to 15 points	Distance to Nearest Existing or Planned DCFC Stations Up to 15 points	Distance to Nearest Existing Level 2 Station Up to 10 points	Site Type Up to 10 points	Justice40 <sup>3</sup> Up to 15 points	Owned and Operated by Charging Station Network Up to 10 points	Public Property Up to 5 points	Owned by Entity that Owns Multiple Sites Up to 5 points	Within NCTCOG Boundary Up to 5 points	Total points: 100	Existing Equipment Replacement Required to Meet National Electric Vehicle Infrastructure Standards?	Estimated Total Project Cost for Upgrade to Current Charger Type	Estimated Federal Funding for Upgrade to Current Charger Type	Estimated Additional Project Cost to Upgrade to Direct Current Fast Charger	Estimated Additional Federal Funding to Upgrade to Direct Current Fast Charger	Federal Funding Recommended for Award
Plano	City of Plano Downtown Parking Lot	14th/J Parking Lot	1295 J Ave	Shopping center	Public	Level 2	Blink	EV network	Yes	Yes	Yes	Yes	Yes	10	8	6	10	10	15	10	5	5	5	79	Yes	\$28,712	\$22,970	N/A	N/A	\$22,970
Plano	City of Plano Oak Point Rec Center	Oak Point Rec Center - Plano	6000 Jupiter Road	Gym	Public	Level 2	Blink	EV network	Yes	Yes	Yes	Yes	Yes	10	8	3	10	8	15	10	5	5	5	74	Yes	\$28,712	\$22,970	\$900,610	\$720,488	\$743,458
Grapevine	Grapevine Mills Mall	Grapevine Mills Mall	3000 Grapevine Mills Pkwy	Shopping center	Private	DCFC	EVgo	EV Network	N/A - Already DCFC	Yes	Yes	Yes	Yes	10	15	12	10	10	0	10	0	0	5	72	Yes	\$1,393,210	\$1,114,568	N/A	--	\$1,114,568
Arlington	NCTCOG Offices	North Central Texas Council of Government	616 Six Flags Drive	Office space	Private	Level 2	Blink	EV network	Yes	Yes	Yes	Yes	Yes	10	8	3	10	0	15	10	0	5	5	66	Yes	\$28,712	\$22,970	\$900,610	\$720,488	\$743,458
Dallas	Dallas County Government Building	CHARGING A NDGC CTR 2	6860 Lyndon B Johnson Fwy	Government office	Public	Level 2	ChargePoint	Site Host	Yes	Yes	Yes	Yes	Yes	10	8	6	10	6	15	0	5	0	5	65	Yes	\$87,500	\$70,000	\$812,500	\$288,638	\$358,638
Duncanville	Duncanville Shopping Center	DURANT ELECTRIC DURANTECH ARGING	312 S Clark Rd	Shopping center	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	Yes	10	0	12	10	10	15	0	0	0	5	62	Yes	\$75,000	\$60,000	N/A	N/A	\$60,000
Plano	City of Plano Russell Creek Park	Russell Creek Park - Field 1 Parking Lot	3500 McDermott Rd	Park	Public	Level 2	Blink	EV network	No	Yes	Yes	Yes	Yes	0	0	15	10	10	0	10	5	5	5	60	Yes	\$28,712	\$22,970	N/A	N/A	\$22,970
Little Elm	Town of Little Elm Waterpark	The Cove at The Lakefront	417 Lakefront Dr	Water park	Public	Level 2	EV Connect	Site Host	No	Yes	Yes	Yes	Yes	0	0	15	0	10	15	10	5	0	5	60	Yes	\$60,000	\$48,000	N/A	N/A	\$48,000
Plano	City of Plano Maribelle Davis Library	Maribelle Davis Library	7501 Independence Pkwy	Library	Public	Level 2	Blink	EV network	No	Yes	Yes	Yes	Yes	0	0	15	10	8	0	10	5	5	5	58	Yes	\$28,712	\$22,970	N/A	N/A	\$22,970
Garland	Dallas County Government Building	CHARGING A GGC - 7A	140 N Garland Ave	Government office	Public	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	Yes	10	0	15	2	6	15	0	5	0	5	58	Yes	\$87,500	\$70,000	N/A	N/A	\$70,000
Frisco	Cinemark Frisco	CINEMARK FRISCO 2	610 Page St	Retail	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	Yes	10	0	15	0	10	15	0	0	0	5	55	Yes	\$75,000	\$60,000	N/A	N/A	\$60,000
Irving	Boston Pizza Restaurant	Boston Pizza Restaurant & Sports Bar	1100 Market Place Blvd	Shopping center	Private	Level 2	Blink	EV network	Yes	Yes	Yes	Yes	Yes	0	8	0	10	10	0	10	0	5	5	48	Yes	\$28,712	\$22,970	\$900,610	\$720,488	\$22,970
Fairview	Whole Foods Grocery Store	WHOLE FOODS MKT WFM FAIRVIEW	105 E Stacy Rd	Grocery store	Private	Level 2	ChargePoint	Site Host	Yes	Yes	Yes	Yes	Yes	10	8	6	10	8	0	0	0	0	5	47	Yes	\$87,500	\$70,000	\$812,500	\$650,000	\$70,000
Total:																									\$2,037,982	\$1,630,386	\$4,326,830	\$3,100,102	\$3,360,000	
Total Federal Funding Remaining:																										\$1,725,614			\$0	

DCFC = Direct Current Fast Charger  
 1. Distance from Primary or Secondary Highways - Defined as a primary or secondary highway using GIS layer from the Texas Department of Transportation  
 2. Proximity to Existing or Planned Stations - Determined by adequate frequency of station type and distance people are typically willing to walk from their car  
 3. Justice40 - Based on guidance from Argonne National Laboratory's Electric Vehicle Charging Justice40 Map Tool

## Charging Stations Not Recommended for Funding through the Electric Vehicle Charging Station Reliability and Accessibility Accelerator Program

Site Details										Screening Criteria			
City	Location	Station Name from FHWA Eligibility List	Address	Location Type	Public or Private Property	Current Charger Type	EV Network	Owner	Eligible to Upgrade to DCFC Station (within 1 mile of designated EV highway corridor)?	Access Type - Is this site publicly accessible (no gates, barriers, or signage restricting use)?	Parking Cost - Is the site in a parking lot that is free to use?	Changes in Site Status - Is the site equipment in similar condition (not already replaced, decommissioned) and/or is out of the warranty period?	Owner Interest - Is the site owner interested and able to provide the 20% cost share?
Addison	Addison Circle One	Addison Circle One	15601 Dallas Pkwy, Suite 175	Office space	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Allen	RightNow Ministries International	RIGHT NOW MEDIA RIGHT NOW MEDIA	6300 Henneman Way	Office space	Private	Level 2	ChargePoint	Site Host	No	Yes	No	Not Evaluated	Not Evaluated
Arlington	Vandergriff Chevrolet	Vandergriff Chevrolet	1200 W I-20	Car dealership	Private	DCFC	Blink	Site Host	Not Evaluated	Not Evaluated	Not Evaluated	Not Evaluated	No
Aubrey	Walgreens	Walgreens	26731 US Highway 380 E	Shopping center	Private	DCFC	EVgo	EV network	Not Evaluated	Yes	Yes	Yes	No
Bedford	Dunhill - Shops at Central Park	Dunhill - Shops at Central Park	2200 Airport Fwy	Shopping center	Private	DCFC	EVgo	EV network	Not Evaluated	Yes	Yes	Yes	No
Celina	Livano Bluewood	Livano Bluewood	2600 Kinship Parkway	Residential	Private	Level 2	Blink	EV network	No	Yes	No	Not Evaluated	Not Evaluated
Dallas	1400 Hi Line	1400 Hi Line	1400 Hi Line	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Coppell	Park 'N Fly	Park 'N Fly	800 S Royal Ln	Shopping center	Private	Level 2	EVgo	EV network	Not Evaluated	No	Not Evaluated	No	Not Evaluated
Dallas	YMCA - Lake Highlands #37	YMCA - Lake Highlands #37	8920 Stults Rd	Gym	Private	Level 2	Blink	EV network	Yes	Yes	Yes	No	Not Evaluated
Dallas	Two Galleria Office Tower	Two Galleria Office Tower	13455 Noel Rd	Office space	Private	Level 2	Blink	EV network	Not Evaluated	Not Evaluated	Not Evaluated	Not Evaluated	No
Dallas	IMT Capital III Prestonwood LP	IMT Capital III Prestonwood LP	15480 Dallas Parkway	Residential	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Facility Solutions Group Reseller Warehouse	Facility Solutions Group Reseller Warehouse	2525 Walnut Hill Lane	Shopping center	Private	Level 2	Blink	Site Host	Not Evaluated	Not Evaluated	Not Evaluated	Not Evaluated	No
Dallas	One Uptown	One Uptown	2619 McKinney Ave	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Glass House by Windsor	Glass House by Windsor	2728 McKinnon Street	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Bleu Ciel Condos	BC STATION 1 STATION 1	3130 N Harwood St	Residential	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Ardan West Village 2nd Floor	Ardan West Village 2nd Floor	2975 Blackburn Street	Residential	Private	Level 2	Blink	EV network	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Bleu Ciel Condos	BC STATION 1 STATION 2	3130 N Harwood St	Residential	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	The McKenzie	The McKenzie	3140 Harvard Ave	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Cypress of Trinity Grove	Cypress of Trinity Grove	320 singleton boulevard	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	THE ALEXAN EV STATION 02	THE ALEXAN EV STATION 02	3333 Harry Hines Blvd	Residential	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	The Monterey by Windsor location	The Monterey by Windsor location	3930 McKinney Avenue	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Granite Tower	Granite Tower	4055 Valley View Lane	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	4110 FAIRMOUNT EV STATION 01	4110 FAIRMOUNT EV STATION 01	4110 Fairmount St	Residential	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Lyra On McKinney	Lyra On McKinney	4209 McKinney Avenue	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	The Hudson station location	The Hudson station location	4805 McKinney Avenue	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Texas Collision Center	JEH CHARGEPOINT SHOPO2	6007 Peeler St	Car repair	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated

## Charging Stations Not Recommended for Funding through the Electric Vehicle Charging Station Reliability and Accessibility Accelerator Program

Site Details										Screening Criteria			
City	Location	Station Name from FHWA Eligibility List	Address	Location Type	Public or Private Property	Current Charger Type	EV Network	Owner	Eligible to Upgrade to DCFC Station (within 1 mile of designated EV highway corridor)?	Access Type - Is this site publicly accessible (no gates, barriers, or signage restricting use)?	Parking Cost - Is the site in a parking lot that is free to use?	Changes in Site Status - Is the site equipment in similar condition (not already replaced, decommissioned) and/or is out of the warranty period?	Owner Interest - Is the site owner interested and able to provide the 20% cost share?
Dallas	Providence Towers	Providence Towers	5001 Spring Valley Rd	Office space	Private	Level 2	Blink	EV network	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Walgreens	Walgreens	5742 E Mockingbird Ln	Shopping center	Private	DCFC	EVgo	EV network	Not Evaluated	Yes	Yes	No	No
Dallas	PURE Farmers Market	PURE Farmers Market	835 South Good Latimer Expressway	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Tom Thumb	2300NORTHAKARD B2 LOWER GARAGE	2380 N Field St	Grocery store	Private	Level 2	ChargePoint	Site Host	Yes	Yes	No	Not Evaluated	Not Evaluated
Dallas	PLATINUM PARK UNIT 2	PLATINUM PARK UNIT 2	2000 Ross Ave	Shopping center	Private	Level 2	ChargePoint	Site Host	Yes	Yes	No	Not Evaluated	Not Evaluated
Dallas	Gables Park 17	Gables Park 17	1700 Cedar Springs Road	Residential	Private	Level 2	Blink	EV network	Yes	Yes	No	Not Evaluated	Not Evaluated
Dallas	PLATINUM PARK UNIT 3	PLATINUM PARK UNIT 3	2000 Ross Ave	Shopping center	Private	Level 2	ChargePoint	Site Host	Yes	Yes	No	Not Evaluated	Not Evaluated
Dallas	PLATINUM PARK UNIT 1	PLATINUM PARK UNIT 1	2000 Ross Ave	Shopping center	Private	Level 2	ChargePoint	Site Host	Yes	Yes	No	Not Evaluated	Not Evaluated
Dallas	Resident Hub	Resident Hub	14181 Noel Rd.	Residential	Private	Level 2	Blink	Site Host	No	Yes	No	Not Evaluated	Not Evaluated
Dallas	Dallas Love Field Airport	DAL PARKING 3	7816 Aviation Pl	Airport	Public	Level 2	ChargePoint	Site Host	No	Yes	No	Not Evaluated	Not Evaluated
Fort Worth	AMERICANAIRLINE SKY DR. 5	AMERICANAIRLINE SKY DR. 5	100 Skyview Drive	Office space	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Plano	YMCA - Plano	YMCA - Plano	3300 McDermott Road	Gym	Private	Level 2	Blink	EV network	No	Yes	Yes	No	No
Fort Worth	Ariat Warehouse	HFT HFTDFWRDC2	1257 Bold Ruler Road	Warehouse	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Denton	Sally Beauty Holdings, Inc.	Sally Beauty Holdings, Inc.	3001 Colorado Boulevard	Office space	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	American Airlines Headquarters	AMERICANAIRLINE HDQ1 STATION 1	4333 Amon Carter Blvd	Office space	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	American Airlines Headquarters	AMERICANAIRLINE HDQ1 STATION 2	4333 Amon Carter Blvd	Office space	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	American Airlines Headquarters	AMERICANAIRLINE HDQ2 STATION 1	4333 Amon Carter Blvd	Office space	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	YMCA - Town North #75	YMCA - Town North #75	4332 Northhaven Rd	Gym	Private	Level 2	Blink	EV network	No	Yes	Yes	No	No
Dallas	Lone Star Gas Lofts	Motor Court	301 S Harwood St.	Resident	Private	Level 2	Blink	EV network	Yes	Yes	Yes	No	No
Fort Worth	Alleia at Presidio	Alleia at Presidio	2028 Presidio Vista Drive	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	American Airlines Headquarters	AMERICANAIRLINE GARAGE 5 L2 #3	4500 Crewmember Way	Office space	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	American Airlines Headquarters	AMERICANAIRLINE GARAGE 5 L2 #8	4500 Crewmember Way	Office space	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	American Airlines Headquarters	AMERICANAIRLINE SRO	4700 American Blvd	Office space	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	HOTEL DROVER STATION 1	HOTEL DROVER STATION 1	126 E Exchange Ave	Hotel	Private	Level 2	ChargePoint	Site Host	No	Yes	No	Not Evaluated	Not Evaluated
Grapevine	Bexley Grapevine Apartments	WEINSTEIN GRAPEVINE3	3535 Bluffs Ln	Residential	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Irving	Las Colinas Parking Garage	SP+MASTER UT ONE	222 W Las Colinas Blvd.	Office space	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated

## Charging Stations Not Recommended for Funding through the Electric Vehicle Charging Station Reliability and Accessibility Accelerator Program

Site Details										Screening Criteria			
City	Location	Station Name from FHWA Eligibility List	Address	Location Type	Public or Private Property	Current Charger Type	EV Network	Owner	Eligible to Upgrade to DCFC Station (within 1 mile of designated EV highway corridor)?	Access Type - Is this site publicly accessible (no gates, barriers, or signage restricting use)?	Parking Cost - Is the site in a parking lot that is free to use?	Changes in Site Status - Is the site equipment in similar condition (not already replaced, decommissioned) and/or is out of the warranty period?	Owner Interest - Is the site owner interested and able to provide the 20% cost share?
Fort Worth	Braden Apartment Complex	Broadstone on Fifth	500 Energy Way	Residential	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	The Franklin at Samuels Ave	The Franklin at Samuels Ave	520 Samuels Ave	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Irving	ELEMENT HOTELS DFW AIRPORT N	ELEMENT HOTELS DFW AIRPORT N	3550 Interstate 635	Hotel	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	Tanger Outlets H&M DCFC	Tanger Outlets H&M DCFC	15853 North Freeway	Shopping center	Private	DCFC	Volta	EV network	Not Evaluated	Yes	Yes	Not Evaluated	No
Fort Worth	Tanger Outlets Nike DCFC	Tanger Outlets Nike DCFC	15853 North Freeway	Shopping center	Private	DCFC	Volta	EV network	Not Evaluated	Yes	Yes	Not Evaluated	No
Irving	Cypress Waters Office Parking Lot	CYPRESS WATERS2 CYPRESS WATERS2	9111 Cypress Waters Blvd	Office space	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Frisco	Waterford Market Apartments	TX-Waterford Market	9355 John W. Elliott Drive	Residential	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Irving	Citibank Offices	REGENT4010 STATION 2	4010 Regent Blvd	Office space	Private	Level 2	ChargePoint	Site Host	Yes	Yes	No	Not Evaluated	Not Evaluated
Grapevine	AMLI Apartments	Building A Ports 1A & 2A	400 East Dallas Road	Residential	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Grapevine	AMLI Apartments	Building A Ports 3B & 4B	444 East Dallas Road	Residential	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Grand Prairie	Amazon Distribution Center	Amazon DHX5	1102 State Highway 161	Warehouse	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	Walgreens	Walgreens	4515 Camp Bowie Blvd	Shopping center	Private	DCFC	EVgo	EV network	Not Evaluated	Yes	Yes	Yes	No
Irving	Home2 Suites DFW Airport North	Home2 Suites DFW Airport North	4700 Plaza Drive	Hotel	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	Hulen Mall Macy's	Hulen Mall Macy's	4800 S Hulen St	Shopping center	Private	Level 2	Volta	EV network	Not Evaluated	Yes	Yes	Not Evaluated	No
Plano	Instrata at Legacy West	4th Level Station 1.	7850 Communications Pkwy	Shopping center	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Plano	Broadstone Evoke	Broadstone Evoke	1025 Preston Road	Residential	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Mckinney	enXchange	enXchange	400 W Virginia St	Office space	Private	Level 2	Blink	Site Host	No	Yes	No	Not Evaluated	Not Evaluated
Richardson	The Lyla Apartments	The Lyla Apartments	3521 Wilshire Way	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Rowlett	The Towers at Bayside	The Towers at Bayside	8400 Sunset Boulevard	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	Forena Revelstoke Apartments	DD Revelstoke	950 Spanish Needle Trail	Residential	Private	Level 2	Blink	EV network	Not Evaluated	Not Evaluated	Not Evaluated	Not Evaluated	No
Frisco	Stonebriar Centre	Stonebriar Centre	2601 Preston Rd	Shopping center	Private	Level 2	Volta	EV network	Not Evaluated	Yes	Yes	Not Evaluated	No
Frisco	Stonebriar Centre Garage Top Deck	Stonebriar Centre Garage Top Deck	2601 Preston Rd	Shopping center	Private	Level 2	Volta	EV network	Not Evaluated	Yes	Yes	Not Evaluated	No
Mesquite	KOHL'S - CHPT 0468 MESQUITE 1	KOHL'S - CHPT 0468 MESQUITE 1	19065 Lyndon B Johnson Fwy	Shopping center	Private	Level 2	ChargePoint	Site Host	Yes	Yes	Yes	Yes	No
Fort Worth	Pro-Steel Sheet Metal	SE Connector Warehouse	5220 Sun Valley Dr	Office space	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	SPC office	SPC office	5354 East Loop 820 South	Office space	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Richardson	WHOLE FOODS MKT E RENNER STAT 1	WHOLE FOODS MKT E RENNER STAT 1	1411 E Renner Rd	Grocery store	Private	Level 2	ChargePoint	Site Host	Yes	Yes	Yes	No	Not Evaluated

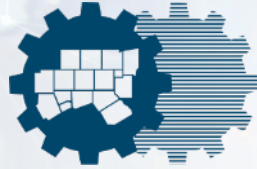


## Charging Stations Not Recommended for Funding through the Electric Vehicle Charging Station Reliability and Accessibility Accelerator Program

Site Details										Screening Criteria			
City	Location	Station Name from FHWA Eligibility List	Address	Location Type	Public or Private Property	Current Charger Type	EV Network	Owner	Eligible to Upgrade to DCFC Station (within 1 mile of designated EV highway corridor)?	Access Type - Is this site publicly accessible (no gates, barriers, or signage restricting use)?	Parking Cost - Is the site in a parking lot that is free to use?	Changes in Site Status - Is the site equipment in similar condition (not already replaced, decommissioned) and/or is out of the warranty period?	Owner Interest - Is the site owner interested and able to provide the 20% cost share?
Grapevine	Original Pancake House - Grapevine	Original Pancake House - Grapevine	1505 William D. Tate Ave	Restaurant	Private	Level 2	Blink	EV network	Not Evaluated	Yes	Yes	Yes	No
Carrollton	Maverick Harley-Davidson	MAVHARLEY DCFast HOG	1845 I-35E	Car dealership	Private	DCFC	ChargePoint	Site Host	Yes	Yes	Yes	Yes	No
Plano	AT&T PLANO CT4020-HD-GW-LT	AT&T PLANO CT4020-HD-GW-LT	701 N Central Expy, STE 400	Shopping center	Private	Level 2	ChargePoint	Site Host	Yes	Yes	Yes	No	Not Evaluated
Farmers Branch	City of Farmer's Branch City Hall	FARMERS BRANCH CH 3-DUAL	13000 William Dodson Pkwy	Government office	Public	Level 2	ChargePoint	Site Host	Yes	Yes	Yes	Yes	No
Arlington	GM Financial Offices	AOC III	3801 South Collins Street	Office space	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	GABLES MCKINNEY STATION 2	GABLES MCKINNEY STATION 2	2500 McKinney Ave	Grocery store	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Fort Worth	SAGEWOOD EV STATION 02	SAGEWOOD EV STATION 02	9100 general worth dr	Residential	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Weirs Plaza	Weirs Plaza	4550 Travis Street	Shopping center	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	Preston Royal Village	Preston Royal Village	6025 Royal Lane	Shopping center	Private	Level 2	Blink	Site Host	No	Yes	Yes	Yes	No
Colleyville	WHOLE FOODS MKT COLLEYVILLE S1	WHOLE FOODS MKT COLLEYVILLE S1	4801 Colleyville Blvd	Shopping center	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Frisco	The Civic at Frisco Square, LLC	The Civic at Frisco Square, LLC	5720 Frisco Square Boulevard	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Lewisville	SEVA Med care	SEVA Med care	1850 Lakepointe Dr Suite 700	Shopping center	Private	Level 2	EV Connect	To be Determined	No	Yes	Yes	Yes	No
Dallas	BMW OF DALLAS STATION 01	BMW OF DALLAS STATION 01	6200 Lemmon Ave	Car dealership	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Irving	Mandalay Towers	Mandalay Towers	220 East Las Colinas Boulevard	Office space	Private	Level 2	Blink	EV network	No	Yes	No	Not Evaluated	Not Evaluated
Dallas	BMW OF DALLAS STATION 1CT4013	BMW OF DALLAS STATION 1CT4013	6200 Lemmon Ave	Car dealership	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Aledo	TCEC Texas	TCEC Texas	200 Bailey Ranch Road	Office space	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Murphy	Murphy Marketplace	Murphy Marketplace	231 FM 544	Shopping center	Private	DCFC	EVgo	EV network	Not Evaluated	Yes	Yes	Yes	No
Dallas	Camden Victory Park Apartments	Gables Park 17	2787 N Houston St	Residential	Private	Level 2	ChargePoint	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Sunnyvale	Sweeney Eye Associates	BSC BSC	2858 N Belt Line Rd	Medical	Private	Level 2	ChargePoint	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated
Wills Point	Wills Point - Best Western Plus	Wills Point - Best Western Plus	3135 Goodnight Boulevard	Hotel	Private	Level 2	Blink	Site Host	No	Yes	Yes	Yes	No
Mesquite	Town East Mall West Entrance	Town East Mall West Entrance	2063 Town East Mall	Shopping center	Private	Level 2	Volta	EV network	Not Evaluated	Yes	Yes	Not Evaluated	No
Plano	Cinemark West Plano	Cinemark West Plano	3800 Dallas Pkwy	Shopping center	Private	Level 2	Volta	EV network	Not Evaluated	Yes	Yes	Not Evaluated	No
Irving	Dallas College North Lake Campus	Dallas College North Lake Campus	5001 North MacArthur Boulevard - Building G	Education	Public	Level 2	Blink	Site Host	No	Yes	Yes	Yes	No
Westlake	The Terrace	The Terrace	1500 Solana Boulevard Garage C & D	Office space	Private	Level 2	Blink	Site Host	No	Yes	Yes	Yes	No
Mesquite	Cracker Barrel	Cracker Barrel	5304 N Galloway Ave	Shopping center	Private	Level 2	EVgo	EV network	Not Evaluated	Yes	Yes	Yes	No
Dallas	Timber Creek Shopping Center	TIMBER CREEK CR STATION 1	6243 Retail Rd	Shopping center	Private	Level 2	ChargePoint	Site Host	Yes	Yes	Yes	Yes	No

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North Richland Hills	Cavalli at Iron Horse	Serial BAE605052	6490 Iron Horse Blvd	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
North Richland Hills	Cavalli at Iron Horse	Serial BAE605053	6490 Iron Horse Blvd	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
North Richland Hills	Cavalli at Iron Horse	Serial BAE605054	6490 Iron Horse Blvd	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
North Richland Hills	Cavalli at Iron Horse	Serial BAE605055	6490 Iron Horse Blvd	Residential	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	WHOLE FOODS MKT ADDISON ST1	WHOLE FOODS MKT ADDISON ST1	5100 Belt Line Rd	Shopping center	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Plano	Home2 Suites by Hilton	MAGNOLIALODGING H2 PLANO RICH	401 Wynhurst Drive	Hotel	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Richardson	Cue Galatyn Station	Cue Galatyn Station	2305 Plaza Blvd	Residential	Private	Level 2	Blink	EV network	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Dallas	FOURTEENS West Garage	FOURTEENS West Garage	14555 Dallas Parkway Suite 140	Office space	Private	Level 2	Blink	Site Host	No	Yes	Yes	Yes	No
Highland Village	WHOLE FOODS MKT HIGHLAND STA1	WHOLE FOODS MKT HIGHLAND STA1	4041 The Shops at Highland VillageWaller Cree	Shopping center	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Richardson	Chase Bank - 780 E Campbell Rd	Chase Bank - 780 E Campbell Rd	780 E Campbell Rd	Bank	Private	DCFC	EVgo	EV network	Not Evaluated	Yes	Yes	No	Not Evaluated
Sachse	Linz at The Station Apartments Bldg. 1	Linz at The Station Apartments Bldg. 1	5300 The Station Blvd	Residential	Private	Level 2	Blink	EV network	No	Yes	Yes	Yes	No
Dallas	TOLLWAY CENTER NORTH UNIT	TOLLWAY CENTER NORTH UNIT	14675 Dallas Pkwy	Office space	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Rockwall	Walgreens	Walgreens	2911 Ridge Rd	Shopping center	Private	Level 2	EVgo	EV network	Not Evaluated	Yes	Yes	Yes	No
Plano	Metro West	Metro West	8055 Windrose Ave	Residential	Private	Level 2	Blink	Site Host	No	Yes	Yes	Yes	No
Plano	Mercedes-Benz of Plano	MB PLANO STATION #1	6455 Dallas Pkwy	Car dealership	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Southlake	Westin Southlake	Westin Southlake	1200 E State Hwy 114	Hotel	Private	Level 2	EV Connect	To be Determined	No	Yes	Yes	Not Evaluated	No
Frisco	HONDA SHOP 02	HONDA SHOP 02	1601 Dallas Pkwy	Car dealership	Private	Level 2	ChargePoint	Site Host	No	Yes	Yes	Yes	No
Waco	Road Ranger	Store 276 Waco - 6615 North Interstate Highway 35	6615 North Interstate Highway 35	Gas Station	Private	DCFC	EV Connect	To be Determined	Yes	Yes	Yes	Yes	No
Dallas	The Victor Dallas	The Victor Dallas	3039 Nowitzki Way	Shopping center	Private	Level 2	Blink	Site Host	Yes	No	Not Evaluated	Not Evaluated	Not Evaluated
Westworth Village	Sam's Club 8277 - Westworth Village, TX	Sam's Club 8277 - Westworth Village, TX	6760 Westworth Blvd	Shopping center	Private	DCFC	Electrify America	EV network	Not Evaluated	Yes	Yes	Not Evaluated	No
Plano	Instrata at Legacy West	3rd level Station 1.	7850 Communications Pkwy	Residential	Private	Level 2	Blink	Site Host	No	No	Not Evaluated	Not Evaluated	Not Evaluated



North Central Texas Council of Governments

# Work Zone Data Exchange (WZDx) 2024 CALL FOR PROJECTS

**SURFACE TRANSPORTATION TECHNICAL COMMITTEE**

01.24.2025

# Work Zone Data Exchange Call For Projects Overview

- Purpose is to get information about work zones in a common format that can be shared between entities.
- March 2022 NCTCOG Issued Procurement Through TXShare
  - Three categories of services
    - Convert raw work zone data into WZDx format
    - Establish WZDx-compliant reporting system
    - General WZDx services
  - Five vendors under contract
    - Blynco
    - iCone,
    - Mixon Hill
    - Navjoy
    - One.Network



# Who is TXShare?

- A direct outcome of municipal governments partnering together to identify common needs for public entities across and **beyond** the State of Texas.
- Local governments and non-profit entities across all 50 states are eligible to participate in the TXShare program at nocost to them.
- Each TXShare contract was procured under strict Uniform Guidance (2 CFR 200).
- Each contract was competitively sourced in a sealed-proposal method independently evaluated by subject matter experts.



# WZDx Call for Projects

- RTC Approved Funding

- \$2.5 Million Available (FY 2025)

Funding Split:

69% Eastern Sub-Region = \$1,725,000

31% Western Sub-Region = \$775,000

Local Match – Transportation Development Credits  
(TDCs)

- Funding Agreement and Notice to Proceed Expected in Q1 2025
- Call for Projects opened in September 2024



# WZDx Project Eligibility and Requirements

- **Eligible Entities**

Public Sector Partner Agencies within the NCTCOG 12-County Actively Involved in Work Zone Management

- **Eligible Activities**

TXShares Vendors

City-Wide Implementation or Corridor-Level Projects

- **Ineligible Activities/Purchases**

Personnel and Staffing Charges

Activities Already Completed or In-Progress

- **Program Requirements**

Must meet Federal WZDx Specifications (4.x Compliant)

Must feed data to regional 511DFW/Transportation System Management & Operation Data Exchange

Must attend Call for Projects Vendor Workshop (Hybrid)



# Approved Scoring/Evaluation Criteria

Scoring Component	Available Points
Describe your proposed project how this project will help benefit current work zone activities.	25
Summarize your agency's current work zone reporting process and how this project will improve operations.	25
Outline your project implementation schedule showing estimated timeframes.	25
Describe what processes your agencies will put in place to ensure your work zone data is accurate.	25
Total	100





# Applications

- Call for Projects closed in November 2024
- Seven submissions received
- One application each was received from the following agencies:
  - City of Arlington
  - City of Denton
  - City of Duncanville
  - City of Frisco
  - City of Garland
  - City of Lewisville
  - City of McKinney



# Projects Recommended for Funding

Implementing Agency	Sub-region	Title	Vendor	Project Cost	Allocation
Duncanville	Eastern	WZDx Project	NavJoy	\$219,240	
Denton	Eastern	WZDx Project	NavJoy	\$299,800	
McKinney	Eastern	WZDx Automation & Sharing Project	Mixon Hill	\$571,869	
Lewisville	Eastern	WZDx Project	Blynco	\$136,935	
Garland	Eastern	WZDx Automation & Sharing Project	Mixon Hill	\$339,960	
Frisco	Eastern	WZDX Implementation	One.Network	\$480,000	
			Eastern Sub-region Total	\$2,047,804	\$1,725,000
Arlington	Western	WZDx Implementation	One.Network	\$380,000	
			Western Sub-region Total	\$380,000	\$775,000



# Proposed Staff Recommendations

All seven projects move forward for implementation

- Total of \$2,428,000 requested

## Funding adjustments

- Reflect ~ \$323K adjustment from the Western Subregion to the Eastern Subregion in the next regional East-West Equity tracking table
- Remaining ~ \$72k will be returned to the funding pool or used for future western subregion projects



# Project Schedule

Date	Action
August 23, 2024	<del>STTC (Action) – Request Approval of Call for Projects Criteria</del>
September 12, 2024	<del>RTC (Action) – Request Approval of Call for Projects Criteria</del>
September 16, 2024	<del>Open Call for Projects (60 days)</del>
September 17, 2024	<del>Call for Projects Vendor Workshop (Hybrid @10am)</del>
November 15, 2024	<del>Close Call for Projects</del>
Nov. 18, 2024 – Jan. 3, 2025	<del>Evaluate Submitted Proposals</del>
January 24, 2025	STTC (Action) – Approval of Selected Projects
January 2025	Public Comment Period Begins
February 13, 2025	RTC (Action) – Approval of Selected Projects
Spring/Summer 2025	Executive Board Approval and NCTCOG Agreements with Implementing Agency
Summer 2025	Agencies Begin Implementation



# Work Zone Data Exchange Call for Projects

Action Requested – A recommendation for Regional Transportation Council (RTC) approval of:

- The project recommendations for the Work Zone Data Exchange Call for Projects and East/West funding split adjustments.
- Administratively amending the Transportation Improvement Program (TIP) and Statewide STIP, as well as other planning and administrative documents to incorporate these projects/adjustments as needed.



# CONTACT/QUESTIONS



Vickie Morris

Project Engineer

[vmorris@nctcog.org](mailto:vmorris@nctcog.org) | (817) 695-9136



Natalie Bettger

Senior Program Manager

[nbettger@nctcog.org](mailto:nbettger@nctcog.org) | (817) 695-9280



Implementing Agency	Sub-Region	Title	Eligibility Requirements			Scoring Criteria (Cumulative Points)				Total Score (of 100)	Project Cost
			Attended Roundtable	WZDx Specification 4.x Compliant Feed	511DFW Data Feed	Description of proposed project and project benefits (25%)	How this project will improve current work zone data and reporting processes (25%)	Schedule and estimated timeframes (25%)	Processes in place to ensure WZDx data is accurate (25%)		
Duncanville	Eastern	Work Zone Data Exchange Project	Y	Y	API	24	25	25	24	98	\$219,240.00
Denton	Eastern	Work Zone Data Exchange Project	Y	Y	API	24	25	25	24	98	\$299,800.00
McKinney	Eastern	Work Zone Data Automation and Sharing Project	Y	Y	API	22	24	23	22	91	\$571,869.00
Lewisville	Eastern	Work Zone Data Exchange Project	Y	Y	URL to consolodate and consume the feed	23	23	21	23	90	\$136,935.00
Garland	Eastern	Work Zone Data Automation and Sharing Project	Y	Y	API	22	23	23	22	90	\$339,960.00
Frisco	Eastern	WZDX Implementation	Y	Y	API	21	21	22	21	85	\$480,000.00
<b>Eastern Sub-region Total</b>											<b>\$2,047,804.00</b>
Arlington	Western	WZDx Implementation	Y	Y	Public facing dashboard / possible API	20	21	20	20	81	\$380,000.00
<b>Western Sub-region Total</b>											<b>\$380,000.00</b>
<b>Total</b>											<b>\$2,427,804.00</b>
<b>Total Funding</b>											<b>\$2,500,000.00</b>
<b>Difference</b>											<b>\$72,196.00</b>



North Central Texas  
Council of Governments

# Dallas Area Rapid Transit Board Meeting

MICHAEL MORRIS, P.E.

North Central Texas Council of Governments

January 8, 2025



# TRANSPORTATION AUTHORITIES FIRST 40 YEARS

## Sales Tax Inflation Adjusted Revenue Source to Pay for Construction

Increases with Price of Goods

Increases with Population Growth

Increases with Employment Growth

Larger Economy Reducing Risk from “Point of Collection”

Benefits from Urban/Central City Location Decisions



# TRANSIT 2.0 NEXT SEVERAL DECADES: TIME FOR REFLECTION AND ADJUSTMENT

## Why?

Leaving Aggressive Construction Phase

Natural Need to Focus on Operations

Greater Board Diversity on Policy

Need Greater Consideration of Technology

Need Review of Transit Patterns Post COVID

Increasing Demographic Growth Rates in Less Urban Locations

State Not Recognizing Benefit from Urban Growth



# DRAFT REGIONAL TRANSPORTATION COUNCIL (RTC) POLICY – FEBRUARY 2025: TRANSIT 2.0/RTC POLICY WATERFALL

## Draft Transit Authority Policy Waterfall

Step 1: Transit 1.0: Right Size Fixed Routes (Reduce Incentive for Empty Buses), Add Microtransit, Add Shuttle Service, +

Step 2: Transit 2.0 Pillars: Economic Development, Competitive Transit, Crime/Safety, Private Sector Pilot Services, Expand Local Government Corporation

Step 3: Draft Policy for Current Members: Update Infill Station Policy, Update Transit Related Improvement Program (TRIP), and Establish Revenue Sharing Policy

Step 4: On a Limited Application Share Revenue Based on Equity Principles and at Discounted Rates (Pending Transit 2.0 Revenue/Cost Model)

Step 5: RTC Maintains Support for Current Transportation Authority Tax Rates



# TRANSIT 2.0 PARTNERSHIP, LEVERAGE AND IMPACTS

	Dallas Area Rapid Transit (DART)	Member City	Regional Transportation Council	State
Economic Development	<ul style="list-style-type: none"> <li>Revenue</li> <li>Ridership</li> </ul>	Revenue (2)	<ul style="list-style-type: none"> <li>Several</li> <li>Revenues to Transit Authorities</li> </ul>	<ul style="list-style-type: none"> <li>Lower Cost</li> <li>Revenue to Transit Authorities</li> </ul>
Competitive Transit	<ul style="list-style-type: none"> <li>Ridership Gain</li> <li>Lower Cost</li> </ul>	Better Service for Residents	Several	Revenue to Transit Authority
Crime/Safety	Ridership Gain	Quality of Life	Several	Aids in Future Revenue
Private Sector Pilot	<ul style="list-style-type: none"> <li>Lower Cost</li> <li>Ridership Gain</li> </ul>	Consistent Business Practice	Consistent Business Practice	Aids in Future Revenue
Expand Local Government Corporation	Business Growth	Lower Cost	Several	Aids in Future Revenue



Therefore, Step 4 is Discounted and Limited

Issued: Dec 11, 2024 (10:21am EST)

## **Biden-Harris Administration Announces Over \$735M in Selections for Clean Heavy-Duty Vehicles as Part of Investing in America Agenda**

**70 applicants tentatively selected to receive funding for over 2,400 zero-emission heavy-duty vehicles, along with infrastructure and workforce development projects, to tackle climate change, reduce air pollution, and advance environmental justice**

**WASHINGTON** — Today, Dec. 11, the U.S. Environmental Protection Agency announced that 70 applicants across 27 states, three Tribal Nations, and one territory have been tentatively selected to receive over \$735 million to assist in the purchase of over 2,400 zero-emission vehicles through its first-ever Clean Heavy-Duty Vehicles Grant Program. EPA’s Clean Heavy-Duty Vehicles Grant Program, created by President Biden’s Inflation Reduction Act, will replace existing internal combustion engine heavy-duty vehicles with zero-emission vehicles, while also supporting the build out of clean vehicle infrastructure, as well as the training of workers to deploy these new zero-emission technologies. Together, the selected projects announced today will reduce harmful emissions from heavy-duty vehicles, support good-paying jobs, and improve air quality in communities across the country, particularly in those that have been overburdened by air pollution.

“Thanks to President Biden, we are accelerating American leadership in developing clean technologies that address the impacts of climate change,” **said EPA Administrator Michael S. Regan**. “Together, the Clean Heavy-Duty Vehicles Grant projects announced today will slash air pollution and enhance the country’s infrastructure for cleaner transportation solutions, creating good-paying jobs along the way.”

“To tackle the climate crisis, we have to slash pollution from every sector, including heavy-duty transportation,” **said John Podesta, Senior Advisor to the President for International Climate Policy**. “Today’s awards from the EPA will create good-paying jobs, make our communities healthier, and protect our planet.”

“From zero-emission freight vehicles to clean school buses for kids, the Biden-Harris Administration is advancing the next generation of clean transportation that will help reduce pollution and make our nation’s cities and communities healthier,” **said White House National Climate Advisor Ali Zaidi**. “When paired with our investments in zero-emission port infrastructure and freight corridors, this Administration’s sector-wide approach to decarbonizing transportation is delivering economic, social and environmental benefits to communities in every corner of the country.”

Across the nation, over 3 million Class 6 and Class 7 vehicles are currently in use, spanning a wide variety of vehicle types and vocations. Many of these are older vehicles that emit higher levels of harmful pollutants like nitrogen oxides, fine particulate matter, and greenhouse gases than newer vehicles. This pollution is associated with respiratory and cardiovascular disease,

among other serious health problems. Children, older adults, those with preexisting cardiopulmonary disease, and those of lower socioeconomic status are particularly vulnerable to these health impacts. Cleaning up pollution from heavy-duty vehicles helps protect the health of 72 million people living near truck freight routes in America.

EPA's Clean Heavy-Duty Vehicles Grant Program will accelerate the adoption and deployment of eligible Class 6 and 7 zero-emission vehicles. Vehicles eligible for replacement include older vehicles powered by internal combustion engines that pre-date recent EPA emission standards.

Proposed replacement vehicles include battery-electric box trucks, cargo trucks, emergency vehicles, refuse/recycling haulers, school buses, shuttle buses, step vans, transit buses, utility vehicles, and other vocational vehicles, as well as a small number of hydrogen fuel cell transit buses. In addition, the Clean Heavy-Duty Vehicles Grant Program also funds zero-emission vehicle fueling infrastructure (e.g., electric vehicle charging stations), as well as workforce development and training. These investments support the implementation of the Biden-Harris Administration's National Blueprint for Transportation Decarbonization and the National Zero-Emission Freight Corridor Strategy.

Approximately 70% of the selections announced today will support the purchase of clean school buses, helping provide clean air for children on their ride to school. These projects complement EPA's Clean School Bus program through the President's Bipartisan Infrastructure Law, which has awarded nearly \$3 billion for nearly 9,000 clean school buses to date.

Selected Clean Heavy-Duty Vehicles Grant Program examples include:

- **Boston Public Schools** has been selected to receive an anticipated \$35,079,653 to replace 125 Class 7 heavy-duty diesel and propane school buses with new, zero-emissions electric units, as well as charging provided by 125 Direct Current Fast Chargers, with advanced load management and sharing capability.
- **Saint Louis Public Schools** has been selected to receive an anticipated \$10,128,735 to replace 30 Class 6/7 diesel buses with Class 6/7 zero-emission buses to reduce the district's emissions of nitrogen oxides, particulate matter, and greenhouse gases. The project will directly improve the air quality for students, staff, and community members and reduce district transportation costs. In addition, the district plans to leverage a public private partnership with Highland Electric Fleets (Highland) to ensure cost-effective use of EPA funding and successful implementation of the project.
- **North Central Texas Council of Governments** has been selected to receive an anticipated \$60,000,000. NCTCOG will award rebates to program beneficiaries to replace approximately 234 vocational vehicles with 234 zero-emission vehicles. Specific projects will be identified through a Call for Projects to select rebate recipients. Based on a regional fleet survey conducted to inform this proposal, NCTCOG expects the fleet mix to consist mainly of box trucks, step vans, and refuse haulers; most new vehicles will be battery electric with a few hydrogen fuel cell vehicle pilot projects. Each project is expected to include supporting infrastructure. NCTCOG will also develop a regional ZEV workforce development plan, implement priorities identified through the plan and host first responder training specific to ZEV.

- **Shakopee Mdewakanton Sioux Community** has been selected to receive an anticipated \$190,000. SMSC will use grant funding to replace its laundry truck with an all-electric alternative. It has existing charging infrastructure onsite that can be used while it waits for new charging infrastructure to be installed closer to where the vehicle will be parked, enabling the new truck to be in service as quickly as possible.

The Clean Heavy-Duty Vehicles Grant Program advances President Biden's [Justice40 Initiative](#), which aims to deliver 40% of the overall benefits of certain federal investments to disadvantaged communities that are marginalized by underinvestment and overburdened by pollution.

EPA prioritized disadvantaged communities facing air quality challenges, including nonattainment with EPA's fine particulate matter and ozone National Ambient Air Quality Standards or high levels of ambient diesel PM. Applications were evaluated on engagement with affected communities, especially local residents, to ensure their meaningful participation with respect to the design, planning, and performance of the project. Approximately \$523 million of the funds announced today will be used to fund projects serving communities located in areas in nonattainment with the NAAQS.

In addition to the funding for the replacement of existing internal combustion engine Class 6 and 7 heavy-duty vehicles with eligible Class 6 and 7 zero-emission vehicles, funding may also be used to support zero-emission vehicle adoption and deployment by providing:

- Zero-emission vehicle refueling infrastructure.
- Workforce development and training.
- Project implementation costs.

EPA will work with selected applicants over the coming weeks to finalize awards. EPA currently anticipates finalizing awards in early calendar year 2025 once all legal and administrative requirements are satisfied. Project implementation will occur over the next two to three years depending on the scope of each project.

Additionally, EPA and the Department of Labor expect to issue in early 2025 a separate grant program designed to strengthen the workforce development ecosystem through curriculum development in order to prepare workers to maintain and repair ZEVs.

Please visit the [Clean Heavy-Duty Vehicles Grant Program webpage](#) for additional information and updates as EPA works with tentatively selected applicants to finalize awards and implement their projects.

Questions may also be directed to [cleanhdvehicles@epa.gov](mailto:cleanhdvehicles@epa.gov).

For further information and to stay up to date on matters related to our office, sign up for the [Clean Heavy-Duty Vehicles listserv](#).

For further information: EPA Press Office ([press@epa.gov](mailto:press@epa.gov))





NCTCOG PRESENTATION

# TCEQ's State Designations 2024 Primary Annual Fine Particulate Matter (PM<sub>2.5</sub>) National Ambient Air Quality Standard (NAAQS)

Daniela Tower | Surface Transportation Technical Committee  
1.24.2025



# 2024 Primary Annual Fine PM<sub>2.5</sub> NAAQS

**Effective February 7, 2024**

**EPA promulgated a revised primary annual PM<sub>2.5</sub> standard**

**From 12.0 to 9.0 micrograms per cubic meter (µg/m<sup>3</sup>)**

**Clean Air Act requires states to submit their designations to EPA within one year of NAAQS promulgation, or by February 7, 2025**



# Designations Schedule Milestones

**TCEQ Commission agenda date:** **December 18, 2024**

**TCEQ recommendation to governor's office:** **December 30, 2024**

**State designations due to EPA:** **February 7, 2025**

**EPA sends 120-day letters:** **October 9, 2025**

**Final designations promulgated by EPA:** **February 7, 2026**



# TCEQ Recommended PM<sub>2.5</sub> Designations

## Nonattainment:

Bowie County

Dallas County

Harris County

Tarrant County

## Unclassifiable:

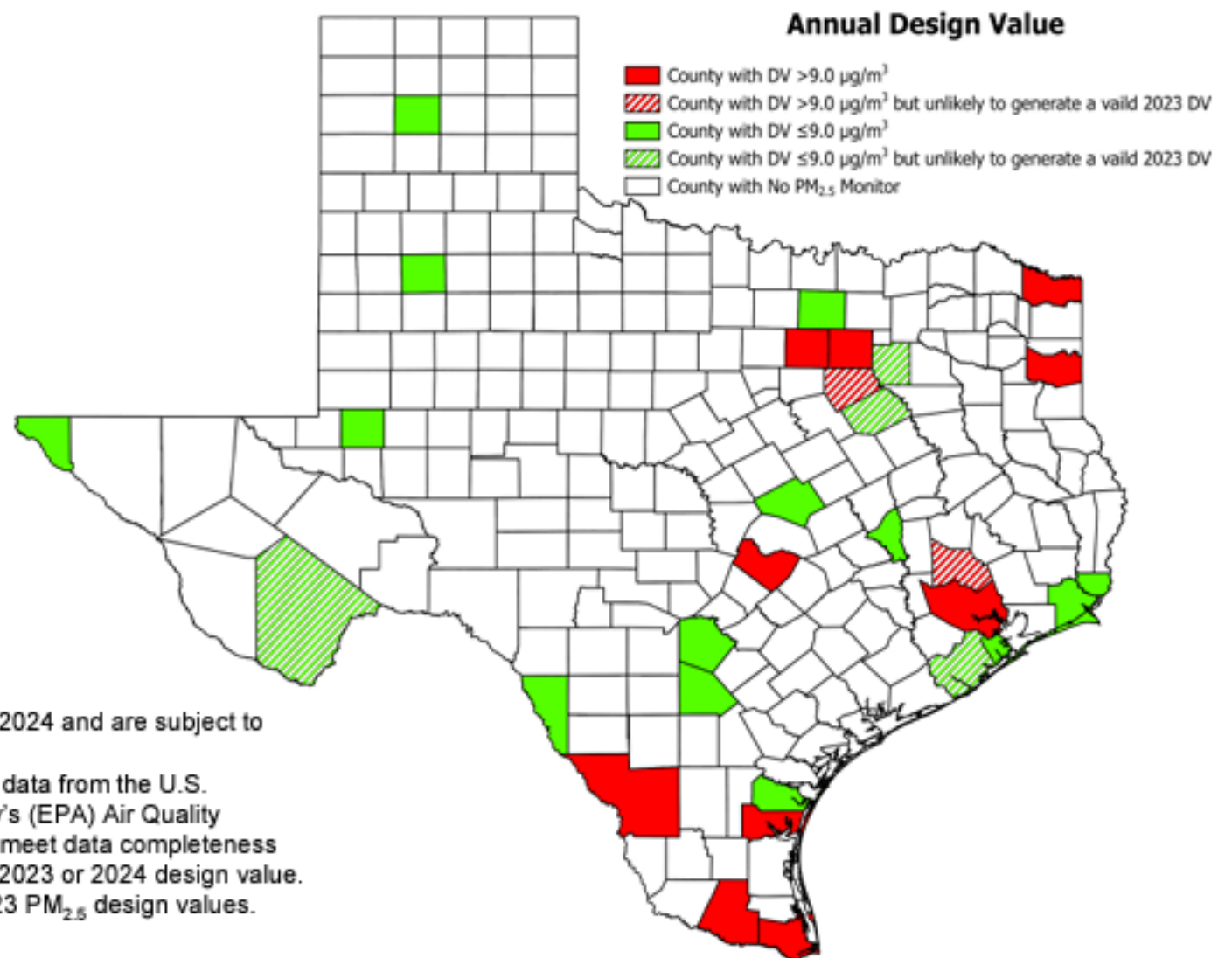
Ellis County  
(No valid data for 2023)

## Attainment

Remainder of state



# Texas Preliminary PM<sub>2.5</sub> Design Values (DV)



County	Preliminary 2023 Annual DV (µg/m <sup>3</sup> )
Harris	12.5
Cameron	11.0
Bowie	10.3
Montgomery	10.0*
Dallas	9.9
Kleberg	9.9
Hidalgo	9.7
Webb	9.7
Tarrant	9.6
Travis	9.6
Harrison	9.5
Ellis	9.2**
Atascosa	9.0
El Paso	9.0
Bexar	8.9
Jefferson	8.8
Navarro	8.7**
Nueces	8.4
Brazoria	8.3**
Galveston	8.3
Orange	8.3
Kaufman	8.1*
Brazos	8.0
Maverick	7.9
Denton	7.7
Bell	7.4
Ector	7.3
Brewster	6.2*
Potter	6.0
Lubbock	5.7

- Notes:
- Data are preliminary as of 06-02-2024 and are subject to change.
  - Based on a review of preliminary data from the U.S. Environmental Protection Agency's (EPA) Air Quality System, select monitors may not meet data completeness requirements to generate a valid 2023 or 2024 design value.
  - EPA is working to finalize the 2023 PM<sub>2.5</sub> design values.

\*unlikely to generate a valid 2023 DV but may generate a valid 2024 DV  
 \*\*unlikely to generate a valid 2023 or 2024 DV

# Effects on PM<sub>2.5</sub>

**International emissions:** otherwise, counties would be in attainment: Cameron, Hidalgo, Kleberg, and Webb Counties

**Exceptional events:** otherwise, counties would be in attainment: Harrison and Travis Counties

events listed: High Winds, Fireworks, Prescribed Fire, Fire (Mexico/Central America), African Dust

No exceptional events for Dallas and Tarrant County

**Long range transport effects (2019 – 2022, HYSPLIT)** according to the TCEQ on: Harris, Dallas, Tarrant, Bowie

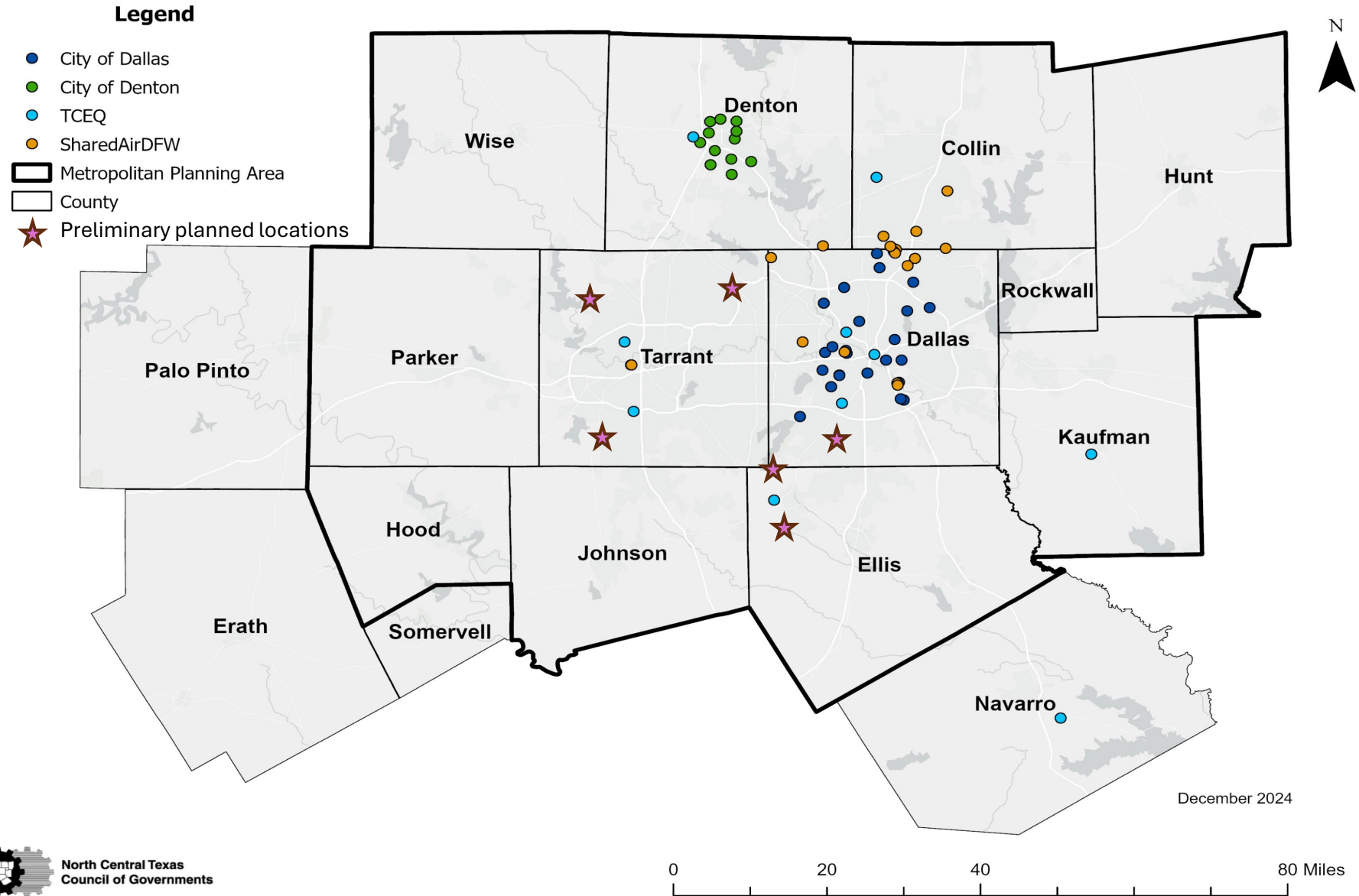


# Projects and Programs

## Rider 7 PM<sub>2.5</sub> Local Air Quality Planning Grant

Monitoring of PM<sub>2.5</sub> pollution levels and meteorology in Dallas, Tarrant and Ellis County

# North Central Texas PM<sub>2.5</sub> Monitors



# Resources:

**DANIELA TOWER**  
Air Quality Planner  
[dtower@nctcog.org](mailto:dtower@nctcog.org)  
817-704-5629

**JENNY NARVAEZ**  
Program Manager  
[jnarvaez@nctcog.org](mailto:jnarvaez@nctcog.org)  
817-608-2342

**CHRIS KLAUS**  
Senior Program Manager  
[cklaus@nctcog.org](mailto:cklaus@nctcog.org)  
817-695-9286

For more information, visit the TCEQ's [Air Pollution from Particulate Matter](https://www.tceq.texas.gov/airquality/sip/criteria-pollutants/sip-pm/#latest) webpage:  
(<https://www.tceq.texas.gov/airquality/sip/criteria-pollutants/sip-pm/#latest>)







# PM2/PM3 Performance Measure Target Update

PAVEMENT AND BRIDGE CONDITION (PM2)  
SYSTEM PERFORMANCE, FREIGHT, AIR QUALITY (PM3)

JAMES MCLANE

SURFACE TRANSPORTATION TECHNICAL COMMITTEE

1.24.2025

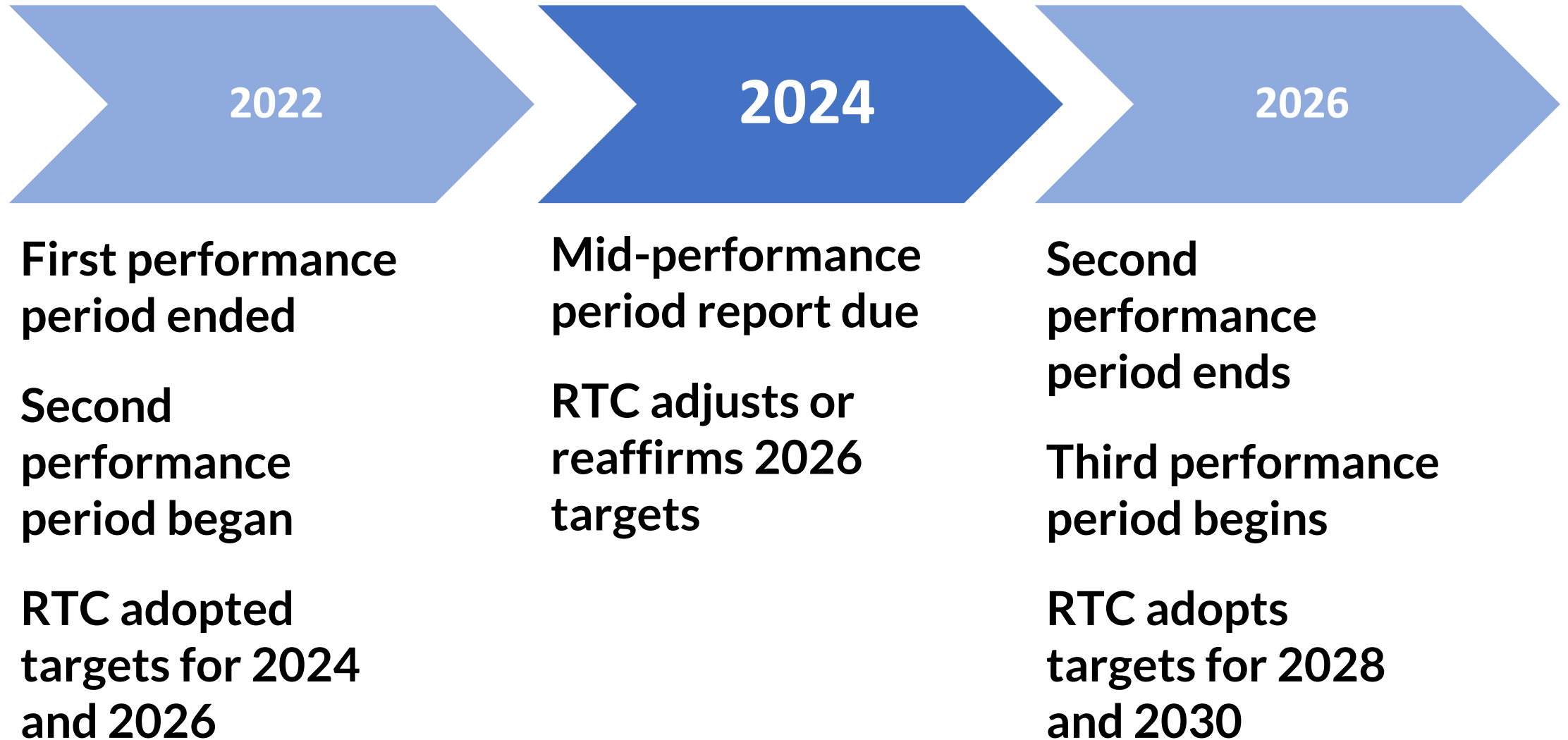


# Federal Performance Measure Schedule

Rulemaking	Next Anticipated STTC Action	Next Anticipated RTC Action	Target-Setting Schedule
PM1 – Roadway Safety	Early 2025 (Information Only)	Early 2025 (Information Only)	Targets established as reductions over 5-year period
PM2 – Pavement and Bridge	February 2025	March 2025	Biennial
PM3 – System Performance, Freight, and CMAQ (Part 1)	August 2024 ✓	September 2024 ✓	Biennial
PM3 – System Performance, Freight, and CMAQ (Part 2)	February 2025	March 2025	Biennial
PM3 - Greenhouse Gas Emissions	N/A (Implementation suspended)		
Transit Safety (PTASP)	Early 2025	Early 2025	Every 4 Years
Transit Asset Management	Late 2026	Late 2026	Every 4 Years



# PM2/PM3 Schedule



# PM2 Measures and Targets (Statewide)

Asset	System	Condition	Desired Trend Indicating Improvement	2022 Observed	2024 Observed	2024 Target	2026 Target
Pavement	Interstate Pavements	Good	↗	64.5%	65.6%	63.9%	63.6%
		Poor	↘	0.1%	0.1%	0.2%	0.2%
	Non-Interstate NHS Pavements	Good	↗	51.7%	51.3%	45.5%	46.0%
		Poor	↘	1.3%	1.7%	1.5%	2.5% 1.5%
Bridge	All NHS Bridges	Good	↗	49.2%	48.9%	48.5%	47.6%
		Poor	↘	1.1%	0.9%	1.5%	1.5%

Will likely be seeking action to reaffirm our support for TxDOT's 2026 targets



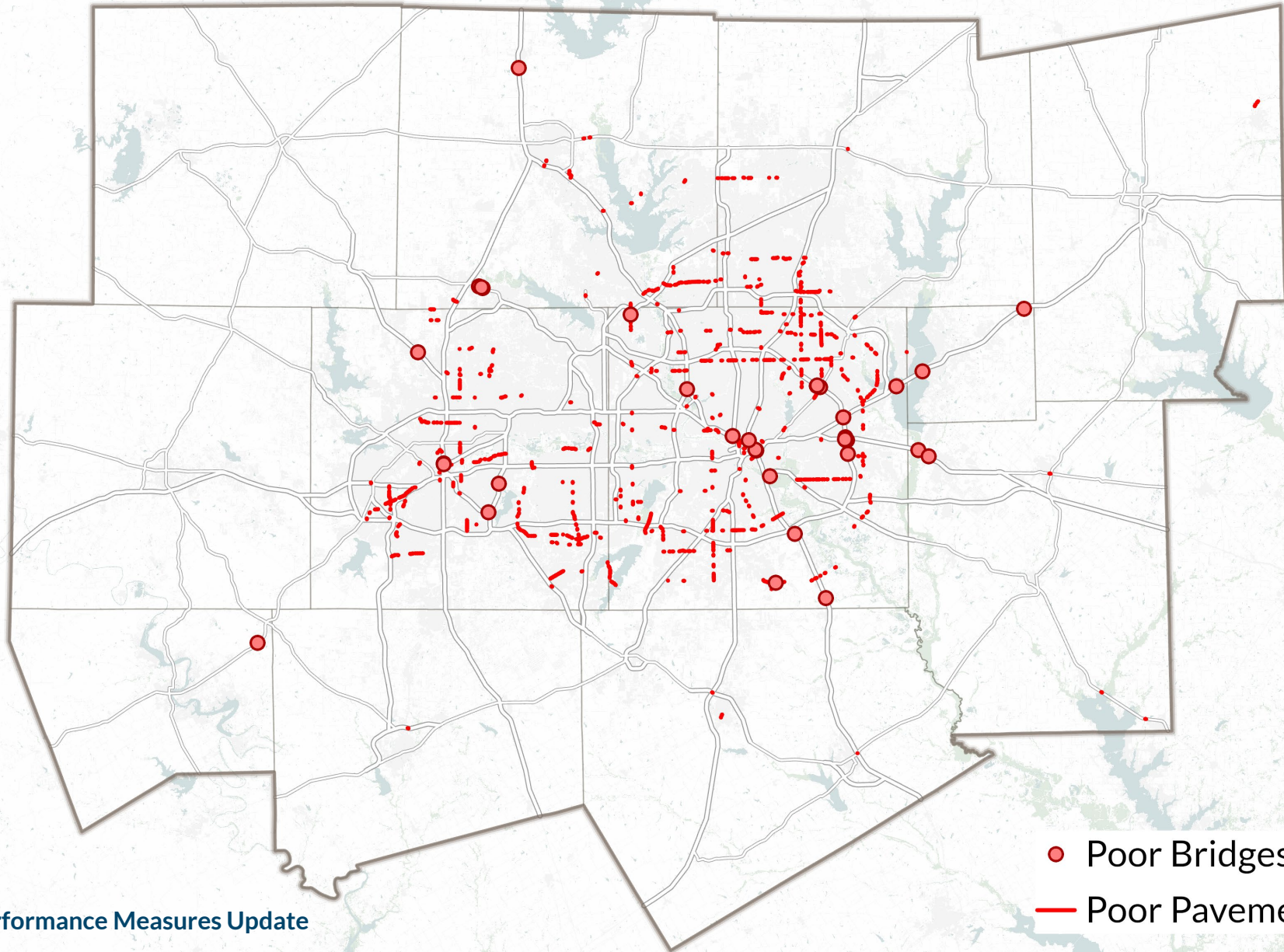
# PM2 Measures (Region)

Classification	Good Condition		Fair Condition		Poor Condition	
	2022	2024	2022	2024	2022	2024
<b>Pavement</b>						
Interstate (On-System)	56.18%	54.26%	43.75%	45.71%	0.07%	0.02%
Non-Interstate Freeway (On-System)	47.75%	43.86%	51.97%	55.93%	0.28%	0.21%
Toll Roads (Off-System)	39.16%	35.70%	60.84%	64.30%	0.00%	0.00%
Arterials (On-System)	31.96%	27.11%	67.54%	72.18%	0.50%	0.71%
Arterials (Off-System)	0.99%	0.77%	91.37%	84.87%	7.64%	14.36%
<b>Bridge</b>						
NHS (On-System)	52.2%	46.4%	45.6%	51.3%	2.2%	2.3%
NHS (Off-System)	51.8%	46.8%	48.2%	53.1%	0.0%	0.1%





# Poor Pavement and Bridges (NHS)



- Poor Bridges
- Poor Pavement



# Addressing PM2 Measures

## Pavement

Ongoing maintenance and reconstruction has addressed much of the region's Poor pavement; however, the amount of pavement in Good condition slipped across the board

NHS Arterials in Poor Condition no longer as dire a concern due to changes in pavement measure reporting; however, these facilities still warrant attention

Action will likely include statement committing to continuing to work with local governments to improve off-system arterials

Many Poor pavements have funded (TIP) or recommended (Mobility 2045 Update) improvements

## Bridges

Ongoing maintenance and bridge replacements have removed many "Poor" bridges from the list

However, 36 NHS bridges in NCTCOG Region in Poor Condition in 2024

Many are good candidates for Bridge Investment Program (BIP) or other grant programs

Many have funded (TIP) or recommended (Mobility 2045 Update) improvements



# PM3 Measures and Targets - Part 2 (Region)

Measure	Desired Trend Indicating Improvement	Latest Observed (2023)	Current Adopted Targets	
			2024	2026
Interstate Reliability	↗	73.4%	80.9%	82.1%
Non-Interstate NHS Reliability	↗	79.3%	77.8%	79.5%
Truck Travel Time Reliability	↘	1.85	2.10	2.60

Will likely be seeking action to reaffirm our previously adopted 2026 targets

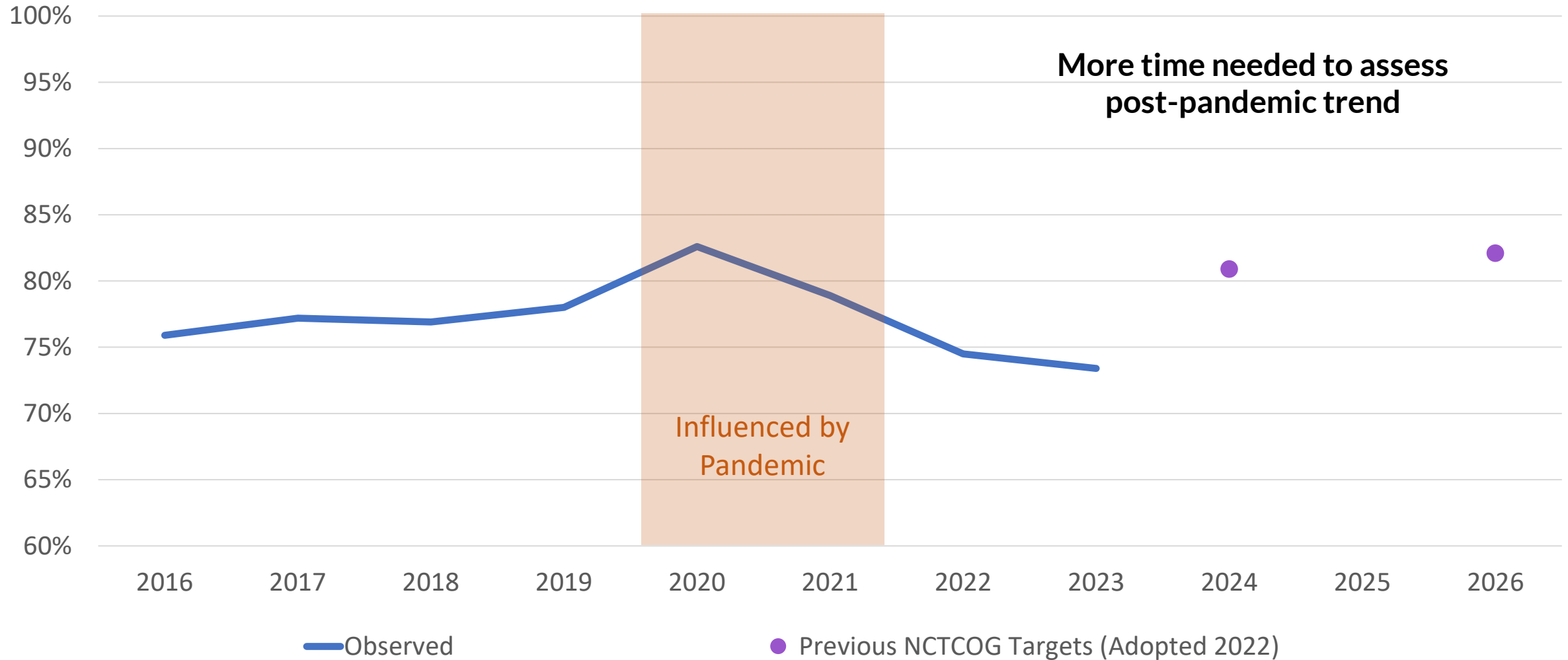




# Interstate Reliability



(Higher values indicate improvement)

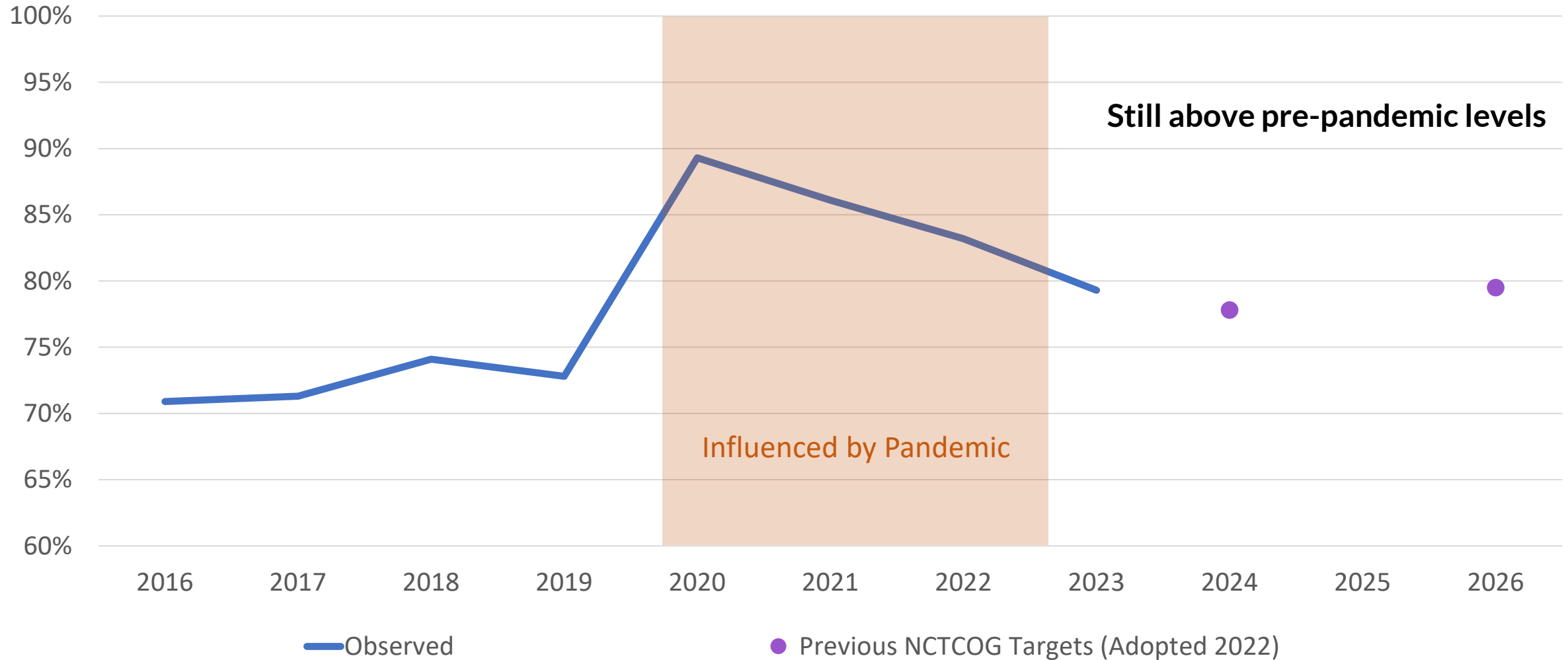




# Non-Interstate NHS Reliability



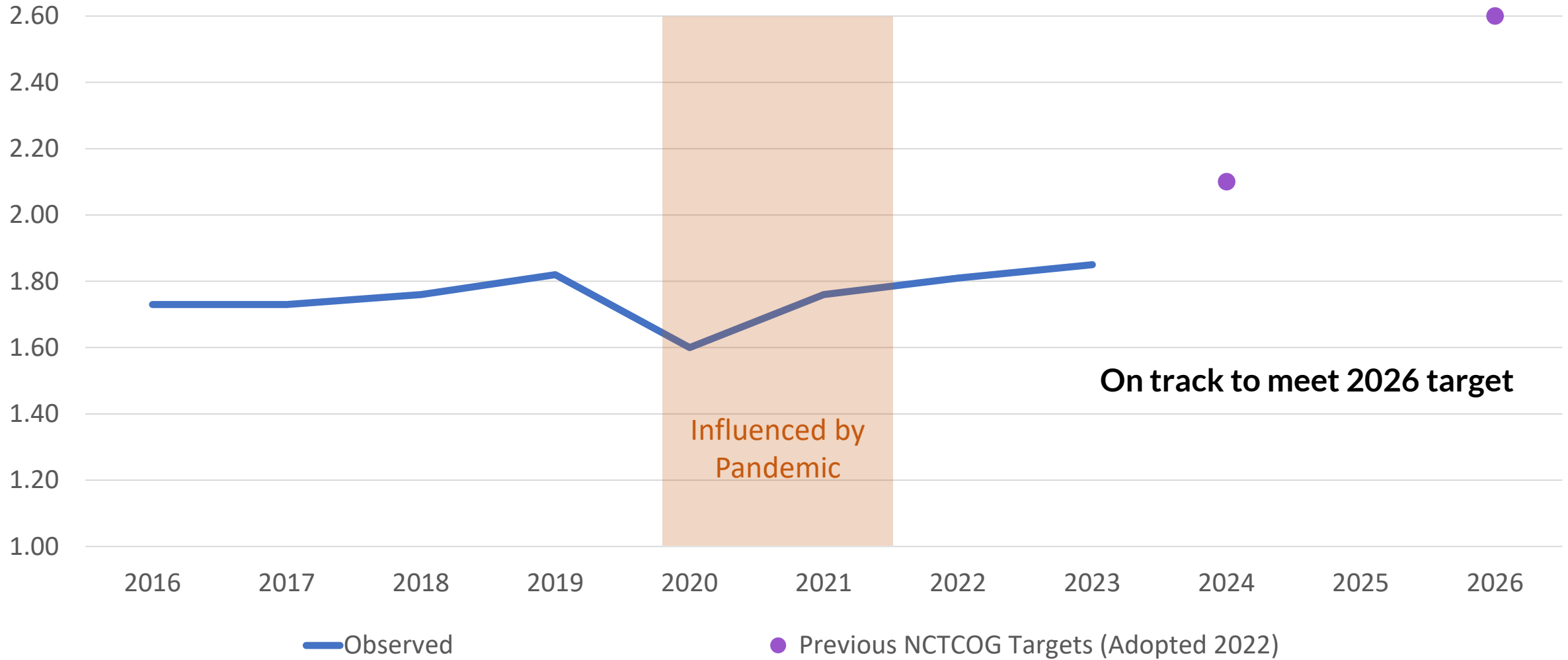
(Higher values indicate improvement)



# Truck Travel Time Reliability



(Lower values indicate improvement)



# Addressing PM3 Measures

Many measures still impacted by COVID-19 pandemic; post-pandemic “new normal” not yet evident

All PM3 measures stand to be improved by policy, program, and projects to be recommended by Mobility 2045 Update

RAISE, BUILD grant awards

PM3 measures and similar calculations using the same source data integrated into:

Transportation Improvement Program, Congestion Management Process, and 10-Year Plan

Truck Travel Time Reliability:

Recent Interstate construction projects, including IH 20 frontage roads and IH 30/SH 360 interchange

Mobility Assistance Patrol Program (MAPP)



# Contacts

**James McLane**  
**TR Info. Systems Manager**  
**817-704-5636**  
**jmclane@nctcog.org**

**Jeffrey Neal**  
**Senior Projects Manager**  
**817-608-2345**  
**jneal@nctcog.org**

**Jenny Narvaez**  
**Program Manager**  
**817-608-2342**  
**jnarvaez@nctcog.org**

**Chris Klaus**  
**Senior Program Manager**  
**817-695-9286**  
**cklaus@nctcog.org**

[www.nctcog.org/pm/fed](http://www.nctcog.org/pm/fed)

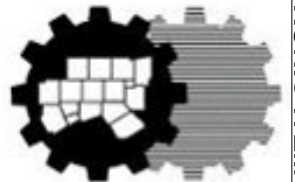




# High-Occupancy Vehicle Quarterly Report

Surface Transportation Technical  
Committee Meeting

January 24, 2025



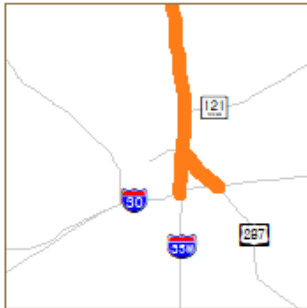
North Central Texas  
Council of Governments

# Managed Lane System

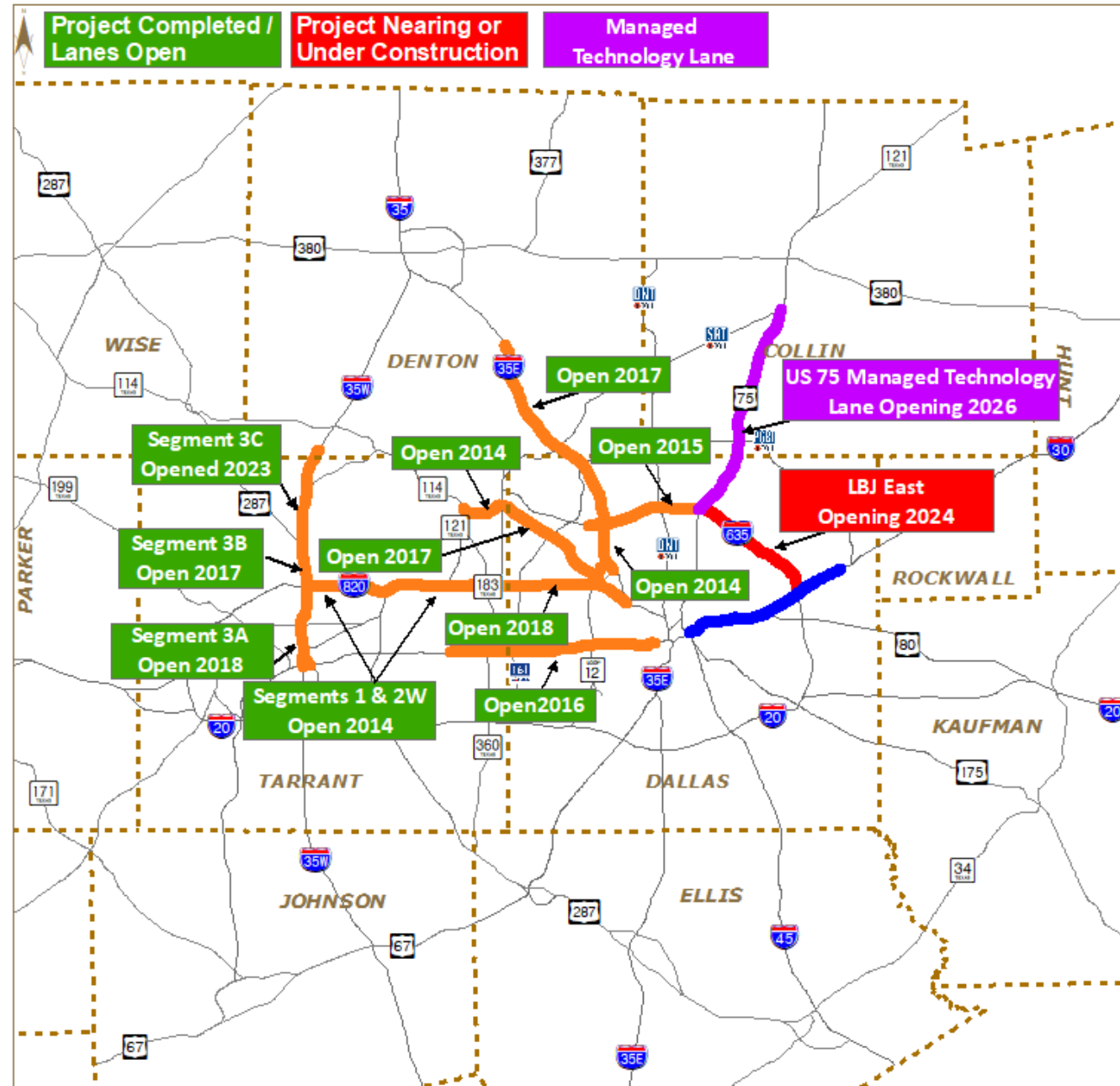
**Current Express/HOV + New Managed Lanes**

- Current Express/HOV Lanes
- Current TEXpress Managed Lanes
- TEXPress Managed Lanes Under Construction
- Managed Technology Lane
- Major Roadways

Fort Worth CBD



Dallas CBD



# Toll Managed Lane Data Monitoring

*Cumulative December 2013 – November 2024*

How much HOV 2+ Subsidy has the RTC been responsible for?

*\$10,641,466 as of November 2024*

How much of the Vanpool Toll reimbursement has the RTC been responsible for?

*\$12,407 from October 2014 – November 2024*

How long can the RTC keep the HOV policy at 2+?

*For now, it remains 2+ and it will continue to be monitored quarterly*

Have there been any additional NTTA customer service needs?

*No, minimal impact*

Have the speeds on the Toll Managed Lane facilities dropped below 35 mph?

*No*

# Toll Managed Lane Data Monitoring

*Cumulative December 2013 – November 2024*

Facility	HOV 2+ Subsidy Costs	NTTA Customer Service (Additional Needs)	Project Performance Events (Speeds < 35 mph)
<b>North Tarrant Express</b> <ul style="list-style-type: none"> <li>• SH 183/121 from IH 35W to SH 121</li> <li>• IH 35W from IH 30 to US 287</li> </ul>	\$6,435,024	Negligible	0
<b>LBJ Express</b> <ul style="list-style-type: none"> <li>• IH 635 from Preston Road to Greenville Avenue</li> <li>• IH 35E from Loop 12 to IH 635</li> </ul>	\$4,206,442	Negligible	0
<b>DFW Connector</b> SH 114 from Kimball Avenue to Freeport Parkway	N/A	Negligible	0
<b>IH 30 Managed Lanes</b> IH 30 from SH 161 to Westmoreland Road	N/A	Negligible	0
<b>IH 35E Managed Lanes</b> IH 35E from FM 2181 (Teasley) to LBJ	N/A	Negligible	0





Update

Automated Vehicle Occupancy Verification

Through December 31, 2024



# HOV Users

January 24, 2020 – December 31, 2024

Users: 82,692

Vehicles: 80,162

Occupant Passes: 14,545



# Total and HOV Transactions

January 24, 2020 – December 31, 2024

Total Transactions – 6,271,940

LBJ/NTE Partners – 4,115,342

TxDOT – 2,156,615

Total HOV Transactions – 2,883,932 (~46%)

LBJ/NTE Partners – 1,961,751

TxDOT – 922,181

Unique Vehicles – 71,241



# Questions/Contacts

**Natalie Bettger**

Senior Program Manager

[nbettger@nctcog.org](mailto:nbettger@nctcog.org)

817-695-9280

**Dan Lamers**

Senior Program Manager

[dlamers@nctcog.org](mailto:dlamers@nctcog.org)

817-695-9263

**Brian Wilson**

Communications Supervisor

[bwilson@nctcog.org](mailto:bwilson@nctcog.org)

(817) 704-2511

**Berrien Barks**

Program Manager

[bbarks@nctcog.org](mailto:bbarks@nctcog.org)

817-695-9282





# Local Clean Air Project Spotlight

Irlenia Hermosillo

Surface Transportation Technical Committee

1.24.2025

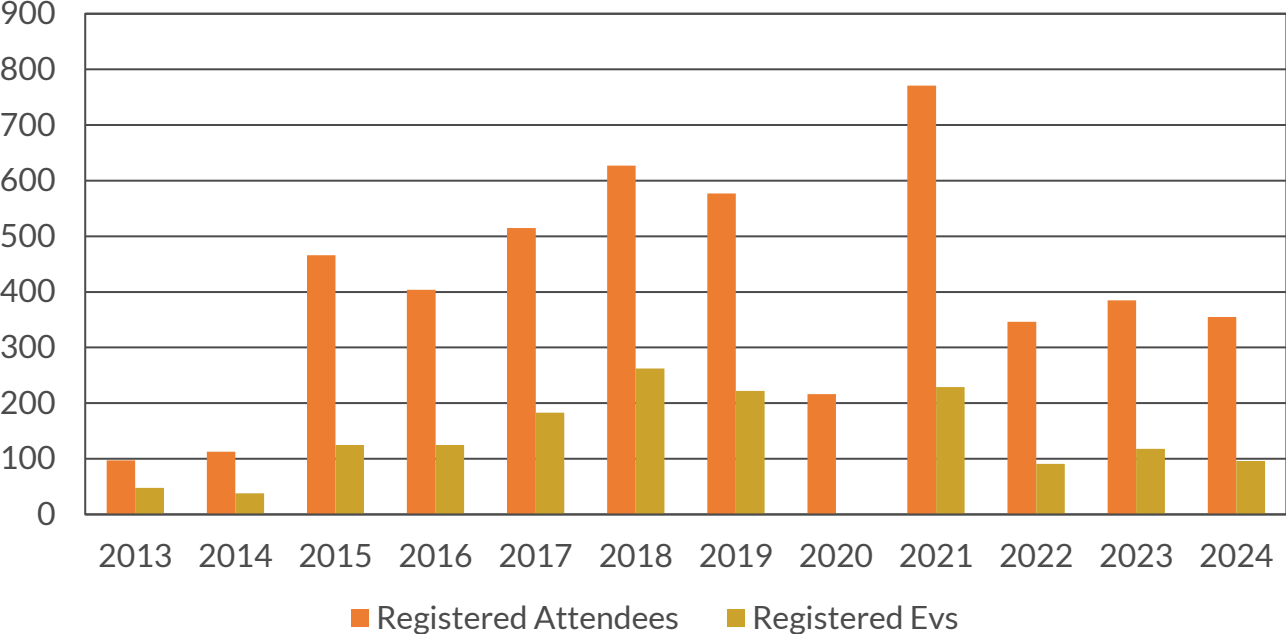
# 2024 Dallas-Fort Worth National Drive Electric Week Recap

Providing an opportunity for electric vehicle (EV) education in a neutral no-sales environment

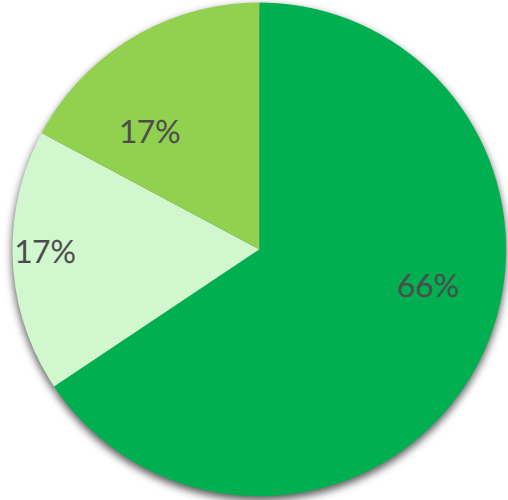
Sunday, October 6, 2024

Tanger Outlets 15853 North Fwy, Fort Worth, TX 76177

NDEW Historical Registration Trends



2024 NDEW Ride & Drive Survey



- My next car will be an EV
- This piqued my interest in Evs
- I enjoyed the ride

*“My favorite part of DFW NDEW was talking with other EV owners about their real-life experiences with their EVs”*  
 -DFW NDEW Post-Survey Respondent





# 2024 Dallas-Fort Worth National Drive Electric Week Recap

## Various activities:

- Ride-and-drives,
- Scavenger hunts,
- EV presented to local veteran by Military Warriors Support Foundation and Wells Fargo,
- Opportunity to provide input on where EV charging stations should be located

## Over 20 different models of EVs on display, including:

- Ford F-150 Lightning and Mach-E
- Rivian R1S and R1T
- Tesla 3, X, Y

## 20 Exhibitors and 10 Sponsors:

- Original equipment manufacturers,
- Electric vehicle owner groups,
- Electric vehicle infrastructure companies

For a full list of Sponsors, Exhibitors, and more information, go to

[www.driveelectricdfw.org](http://www.driveelectricdfw.org)



# Contact Us



Irlenia Hermosillo  
Air Quality Planner  
[ihermosillo@nctcog.org](mailto:ihermosillo@nctcog.org)



Savana Nance  
Senior Air Quality Planner  
[snance@nctcog.org](mailto:snance@nctcog.org)



Lori Clark  
Senior Program Manager  
[lclark@nctcog.org](mailto:lclark@nctcog.org)



**Dallas-Fort Worth  
CLEAN CITIES**



[dfwcleancities.org](http://dfwcleancities.org)



[cleancities@nctcog.org](mailto:cleancities@nctcog.org)



KEY WINTER TRAVEL TIPS AND OTHER FACTS

- Each storm is different;** we make our plans based on forecasts and information from crews in other areas of the state
- For your safety,** travel is discouraged during snow or ice events. Check local forecasts and be prepared to delay travel plans
- If deciding to risk travel,** be prepared for hazardous driving conditions caused by the weather
- Ultimate safety** is in hands of driver during weather events
- Drive slow,** give full attention to road and surrounding traffic and allow extra travel time
- Bridges and overpasses** will freeze first; use caution on these structures
- Conditions can quickly change** and slick spots can reform even on cleared areas. Any spot has the potential to be hazardous due to conditions or the driver behind the wheel
- Our crews and support staff** work 24/7 during weather events.
- Not all lanes may be drivable** especially during the storm.
- With refreezing,** clearance operations may extend several days following the storm
- More than 100 trucks** in Dallas metro that we can attach different equipment to based on the storm (plow blades, spreaders, sprayers, etc.)
- Melting ice takes time:** The temperature and the amount of ice or snow on the road determine de-icing material amounts and melting rates. As temperatures drop, the amount of de-icer needed to melt a given quantity of ice increases significantly.



# DALLAS DISTRICT PROGRESS

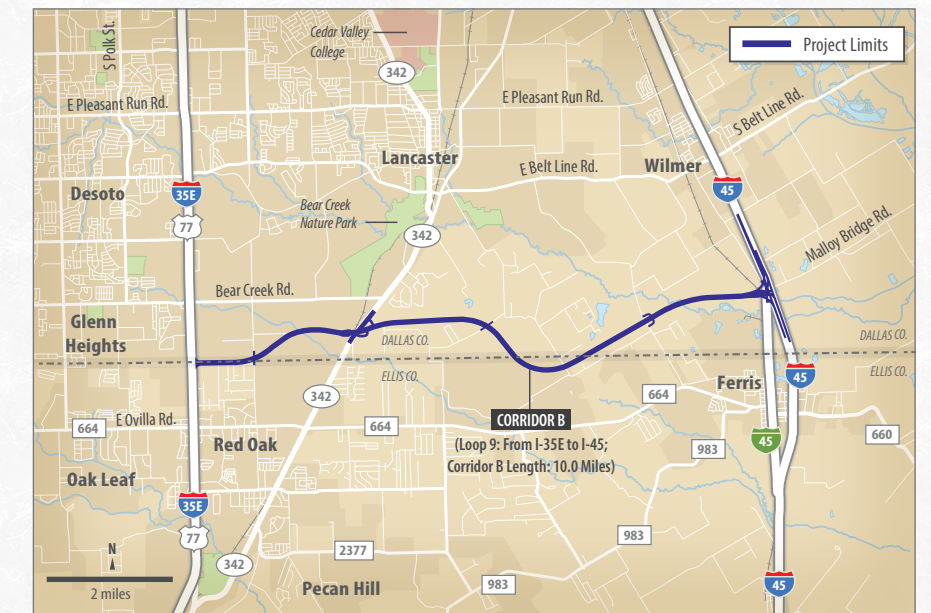
COLLIN CO. | DALLAS CO. | DENTON CO. | ELLIS CO. | KAUFMAN CO. | NAVARRO CO. | ROCKWALL CO.

## Loop 9 Initial Phase Opens

**LOOP 9 PROJECT FOCUS**  
 The new 10-mile Loop 9 in Dallas and Ellis counties has opened, and it is already providing a valuable alternate route for commuters.

The first phase of Loop 9 opened to traffic in early January 2025 and the project will reach final completion this year. In the initial phase, Loop 9 between Interstate 35E and Interstate 45 has opened as a Super 2 with one lane in each direction and passing lanes. The roadway is already offering a needed alternative to motorists during heavy traffic due to weather or incidents.

The recently opened lanes are on what will eventually serve as the three-lane eastbound frontage road. Long-term, Loop 9 will be expanded to a full, controlled access highway with major interchanges at I-35E and I-45. Those improvements will be built as traffic warrants and funding becomes available.



SOURCE: TxDOT TxDOT graphic



Photo Credit: TxDOT

**Building a large portion** of new Loop 9 in floodplain required a small dose of flexibility and a large amount of engineering ingenuity. The first plans called for Loop 9 to be built right on top of Ten Mile Creek, a major drainage source for the fast-growing southern Dallas County area. The district team ultimately developed a final design that shifted the roadway away from the creek.

The Dallas District design team, led by Pauline Morrel, and the district bridge section, led by Rostam Mahbod, designed the project. Morrel worked

extensively on the project in 2020-21 during the COVID era. Flexibility by both Morrel and Mahbod and their teams kept the project moving. The project was built under supervision of the Ellis County Area Office and Ellis County Area Engineer Juan Paredes.

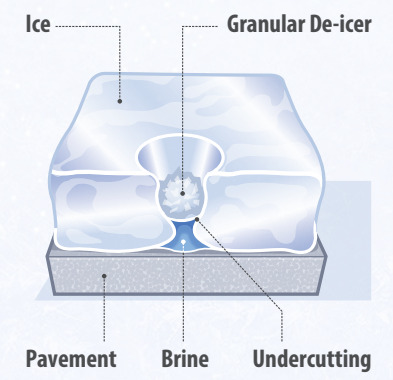
**Loop 9 is the latest example** of the ingenuity and professionalism of the Dallas District design team, bridge team and construction office to not only create this new connector but do so with future growth in mind.

### TxDOT PREPARED FOR WINTER WEATHER

HOW DO THE CHEMICALS WORK?

Granular De-Icer

A granular de-icer – salt for instance – lowers the freezing point of water from 32 °F to about 15 °F (depending on how much you use). When salt makes contact with ice, melting begins immediately and spreads out from that point, creating a salt/water mix (brine) that continues melting the ice, undercutting the bond between the ice and the road.



Melting Ice Takes Time

The temperature and the amount of ice or snow on the road determine de-icing material amounts and melting rates. As temperatures drop, the amount of de-icer needed to melt a given quantity of ice increases significantly.

WHICH MATERIALS ARE USED ON THE ROADS?



Before an ice/snow event

- Liquid salt-based anti-icers help prevent ice formation



During an ice/snow event

- Various salt-based granular de-icers are used to help melt ice already formed on the road

AFTER SNOW/ICE EVENT

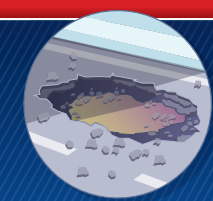
- Stockpiles/supplies are replenished (multi-day storm)
- Roadways are swept/cleaned of excess aggregate
- Winter plan effectiveness is evaluated and adjusted
- Roadway repairs are scheduled (potholes, guardrails, structures, etc.)
- Equipment is serviced and prepared for the next winter storm

SOURCE: TxDOT

TxDOT Public Information Office

FOR MORE INFORMATION:

214-320-4480  
 dalinfo@txdot.gov  
[www.txdot.gov](http://www.txdot.gov)



REPORT A POTHOLE:

Visit <https://www.txdot.gov/inside-txdot/contact-us/contact-us/reportissueSubPage/roadNeedsRepair.html> or call 800.452.9292. Progress report can be downloaded at <http://www.txdot.gov/inside-txdot/district/dallas/progress.html>

TEXAS DEPARTMENT OF TRANSPORTATION

4777 E. Highway 80  
 Mesquite, TX  
 75150-6643





## DECEMBER 2024 LET PROJECTS

	CSJ NUMBER	HWY	LIMITS	TYPE OF WORK	EST. COST (M)	BID (M)	+/- (%)	EST. TOTAL COST (M)	CONTRACTOR
1	0047-05-057	SH 5	SS 399 to Eldorado Parkway	Construct new roadway lanes	\$188.57	\$157.36	-17%	\$274.01	Webber, LLC
2	0095-03-110	US 80	Buffalo Creek Relief to FM 548	Hazard elimination & safety	\$4.54	\$3.49	-23%	\$5.27	Ed Bell Construction Company
<b>EST. DECEMBER 2024 TOTALS</b>					\$193.11	\$160.85			
<b>DISTRICT FY CUMULATIVE LETTINGS</b>					\$315.02	\$310.38			
<b>DALLAS DIST. FY LETTING VOLUME CAP</b>					<b>\$1,301,360,000**</b>				

\* Unmapped.

\*\* District FY 2024 Letting Cap.

## JANUARY 2025 PROJECTED LETTING PROJECTS (SUBJECT TO CHANGE)

	CSJ NUMBER	HWY	LIMITS	TYPE OF WORK	EST. COST (M)
1	0196-02-126	I-35E	At Corporate Drive	Interchange improvement	\$199.39
2	0260-04-005	SS 73	I-35E to FM 877	Rehabilitate existing roadway	\$4.37
3	2054-01-018	FM 2164	FM 455 to north of SL 288	Highway improvement, widen road - add shoulders	\$10.47
4	3148-01-011	FM 3097	FM 549 to east of Tubbs Road	Reconstruct existing roadway	\$3.07
<b>ESTIMATED TOTAL</b>					<b>\$217.3 M</b>

## COMPLETED CONSTRUCTION PROJECTS (FROM DECEMBER 1-31, 2024)

	CSJ NUMBER	HWY	LIMITS	TYPE OF WORK	EST. COST (M)	COMPLETED DATE
1	0095-05-063	US 80	At FM 2728	Install traffic signal	\$2.2	12/6/2024
2	0195-02-087	I-35	From Clear Crk to Clear Crk Relief	Bridge maintenance	\$1.1	12/20/2024
3	1451-03-017	FM 55	From SH 22 to Ellis County line	Reconstruct existing roadway	\$5.0	12/11/2024
4	1568-02-014	FM 407	From Wise C/L to FM 156	Rehabilitate existing roadway	\$9.0	12/9/2024
<b>ESTIMATED TOTAL</b>					<b>\$17.3 M</b>	

\* Unmapped.

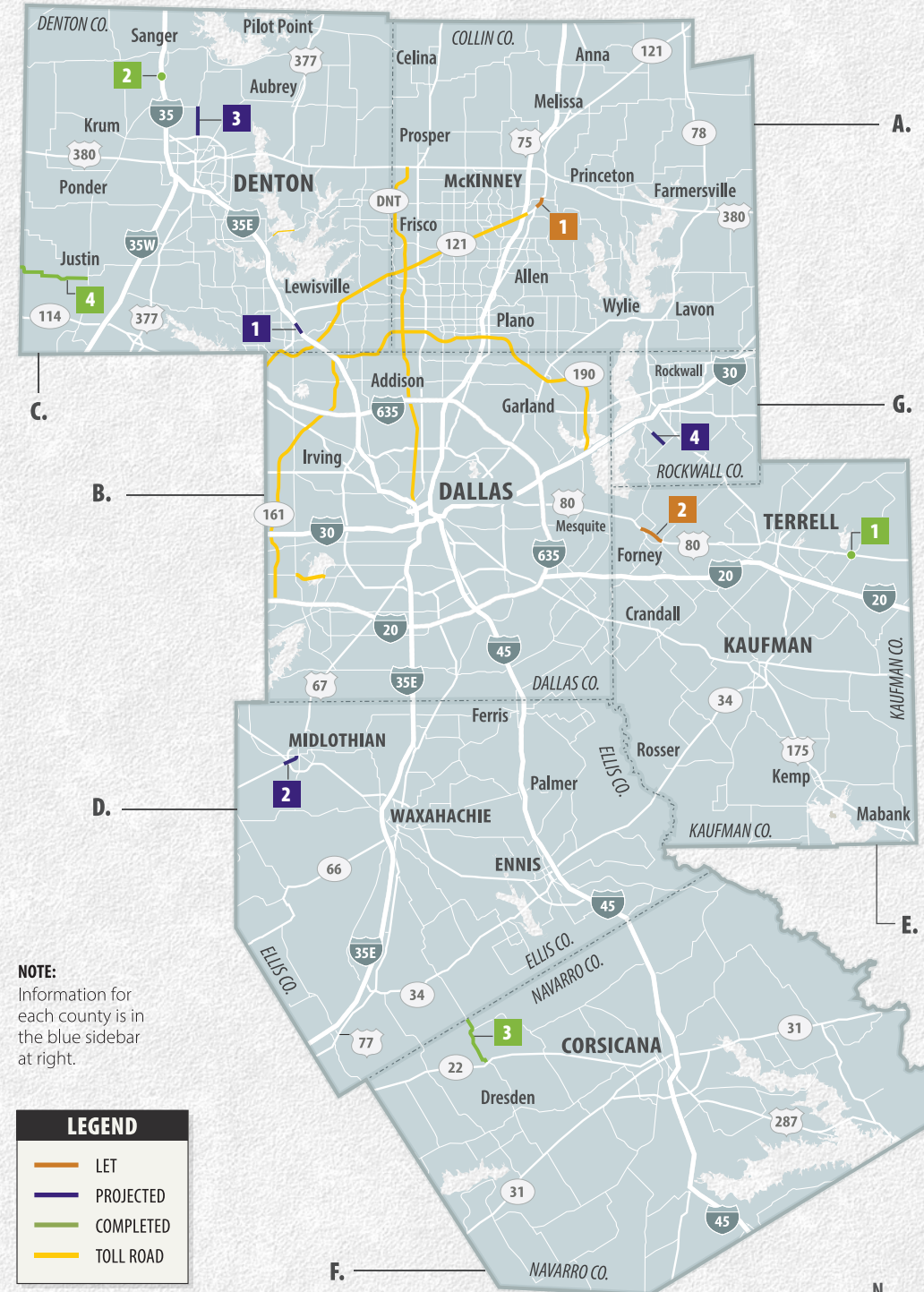
SOURCE: Texas Department of Transportation

TxDOT graphic



## DALLAS DISTRICT PROJECTS MAP

Colored and numbered boxes correspond with the charts on page 2 and show projects that have let in December 2024, are projected to let in January 2025, or have recently been completed.

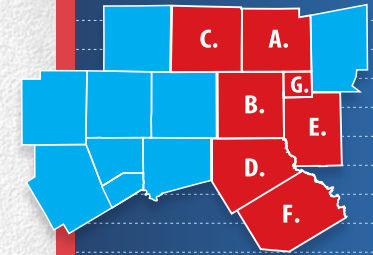


**NOTE:**  
Information for each county is in the blue sidebar at right.

LEGEND	
<span style="color: orange;">■</span>	LET
<span style="color: purple;">■</span>	PROJECTED
<span style="color: green;">■</span>	COMPLETED
<span style="color: yellow;">■</span>	TOLL ROAD

SOURCE: TxDOT research

\*POPULATION ESTIMATE: NCTCOG



### 2024 DALLAS DISTRICT ESTIMATE TOTALS

VEHICLE REGISTRATION | 4,272,434  
\*POPULATION ESTIMATE | 5,560,191  
LANE MILES | 11,456

#### A. | COLLIN COUNTY

VEHICLE REGISTRATION: 892,924  
\*POPULATION ESTIMATE: 1,229,632  
LANE MILES: 1,578

#### B. | DALLAS COUNTY

VEHICLE REGISTRATION: 2,101,685  
\*POPULATION ESTIMATE: 2,716,721  
LANE MILES: 3,563

#### C. | DENTON COUNTY

VEHICLE REGISTRATION: 763,677  
\*POPULATION ESTIMATE: 1,036,720  
LANE MILES: 1,822

#### D. | ELLIS COUNTY

VEHICLE REGISTRATION: 201,810  
\*POPULATION ESTIMATE: 228,511  
LANE MILES: 1,627

#### E. | KAUFMAN COUNTY

VEHICLE REGISTRATION: 151,162  
\*POPULATION ESTIMATE: 161,562  
LANE MILES: 1,225

#### F. | NAVARRO COUNTY

VEHICLE REGISTRATION: 54,161  
\*POPULATION ESTIMATE: 55,873  
LANE MILES: 1,276

#### G. | ROCKWALL COUNTY

VEHICLE REGISTRATION: 107,015  
\*POPULATION ESTIMATE: 131,172  
LANE MILES: 365



10 miles



**PUBLIC COMMENTS REPORT**  
**WRITTEN COMMENTS SUBMITTED BY WEBSITE, EMAIL & SOCIAL MEDIA**

**Purpose**

The public comments report is in accordance with the NCTCOG Transportation Department Public Participation Plan, which became effective June 1, 1994, as approved by the Regional Transportation Council (RTC), the transportation policy board for the Metropolitan Planning Organization (MPO) and amended on Nov. 10, 2022.

This document is a compilation of general public comments submitted from Sunday, Oct. 20 through Tuesday, Nov. 19, 2024 via website, email, social media and in person at NCTCOG's monthly Regional Transportation Council (RTC) meeting. This month, comments related to public involvement and bicycle/pedestrian/sustainable development were in the majority.

Additionally, comments can be submitted through Map Your Experience, the Transportation Department's online mapping tool. This tool allows users to drop a pin on a location in the region and leave a detailed comment. The tool received 52 new comments related to bicycle and pedestrian, roadway and transit conditions. You can view these new comments as well as past comments by visiting <http://nctcoggis.maps.arcgis.com/apps/CrowdsourcingReporter/index.html?appid=b014e6d39b604b3ca329d9094ed1e9e2>.

**Air Quality**

**Twitter –**

1. I am so excited that @NCTCOGtrans received \$2.999 million in grant funding from the @realEPAGov to help the City of Dallas replace heavy-duty diesel vehicles that are currently in service. Environmental sustainability is very important and we're taking steps towards solutions. — Dallas City Council District 2 (@CityofDallasD2)



**Instagram –**

1. I am so excited that @nctcogtrans received \$2.999 million in grant funding from the @epagov to help the City of Dallas replace heavy-duty diesel vehicles that are currently in service. Environmental sustainability is very important and I'm glad that we're taking real steps towards meaningful solutions. #D2 #Dallas Estoy tan emocionado de que @nctcogtrans recibiera \$2,999 millones en fondos de subvenciones del @epagov para ayudar a la Ciudad de Dallas a

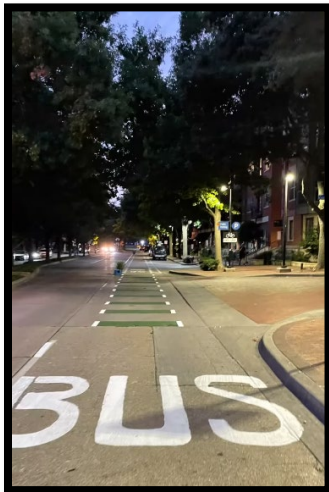
reemplazar los vehículos diesel pesados que están actualmente en servicio. La sostenibilidad ambiental es muy importante y me alegro de que estemos dando pasos reales hacia soluciones significativas. #D2 #Dallas — Jesse Moreno (@dallascitycouncildistrict2)



### Bicycle/Pedestrian/Sustainable Development

#### Instagram –

1. Experience the latest pop-up bike lane demonstration on Quorum Dr through Addison Circle for one last weekend! Share your experience through the online user survey on site. The Town of Addison plans to make this a permanent installation. Now is the time to evaluate the pros and cons of this design and help refine what will ultimately be implemented! Installed by the Popken PopUps team, this project was designed by @kimleyhorn and funded by @nctcogtrans as part of their program to connect the new @dartdaily Silverline stations and Cottonbelt hike & bike trail to nearby bike & pedestrian connections in cities across DFW. We couldn't have asked for a better partner than the @townofaddison. Thanks for making this so much fun!! — Poken PopUps (@popkenpopups)



2. Attention cyclists! We're partnering with TxDOT on a virtual public hearing for potential projects and policies for bicycle use on the Texas highway system. 🚲 Visit [www.keepitmovingdallas.com/bicycle-2024](http://www.keepitmovingdallas.com/bicycle-2024) through Nov. 25. #DFWTraffic — NCTCOG

Transportation (@nctcogtrans)



How many members of the North Texas Council of Governors cycle to work? Try it for a week and adjust your city policy accordingly 🤔 — Matthew Banks (@matthew.banks.3762)

3. We need YOU! 🚲 TxDOT & @NCTCOGtrans are hosting a virtual public hearing for bicycle use on the state's highway system. Learn more & share your thoughts to shape projects, programs & policies. Visit <https://www.keepitmovingdallas.com/bicycle-2024> through Nov. 25. 🚲 — TxDOTFortWorth (@txdotfortworth)



4. Learn your rights and responsibilities when walking, biking or driving. Together, we can make our streets safer for everyone! — NCTCOG Transportation (@nctcogtrans)



Ah yes it's obviously the cyclists fault when they get killed, they should have been wearing yellow. — Alex Rawlings (@alexr4wlings)

5. Learn your rights and responsibilities when walking, biking or driving. Together, we can make our streets safer for everyone! — NCTCOG Transportation (@nctcogtrans)



Or, don't drive on a sidewalk. — bikefriendlyfarmersbranch (@bikefriendlyfarmersbranch)

**Twitter –**

1. If you've got two wheels 🚲, we need your help! Join @TxDOT & @NCTCOGtrans for virtual public hearing on projects, programs & policies for #bicycle use on #Texas state highway system. Go to <http://keepitmovingdallas.com/bicycle-2024> through Nov. 25 to see materials & comment. #DFWTraffic — TxDOT Dallas (@TxDOTDallas)



**Mail –**

1. Phyllis Silver

Please see Attachment 1 for comments submitted via postal mail.

**Public Involvement**

**Facebook –**

1. Hệ thống giao thông Dallas-Fort Worth đáp ứng nhu cầu của bạn tốt đến mức nào?  
#ConnectNorthTexas #Mobility2050 — NCTCOG Transportation Department



0/10 🙄 — Quay Hai

too much traffic. By the way the traffic jam come from people who driving while texting!  
— Locy Dinh

Oh no — Nga Nguyen

Meet the [REDACTED] — Henry Nguyen

2. Do you walk, ride, bike or drive in North Texas? We need your input! — NCTCOG  
Transportation Department



Please see link for comments submitted via Facebook: <https://fb.watch/vnPqGkoSuK/>

Instagram –



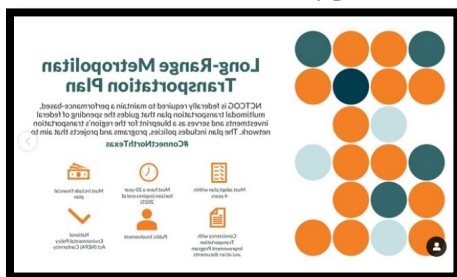
1. Do you walk, ride, bike, or drive in North Texas? We need your input! — NCTCOG Transportation (@nctcogtrans)



Please see link for comments submitted via Facebook:

[https://www.instagram.com/p/DARJ3ROMtQg/?utm\\_source=ig\\_web\\_copy\\_link](https://www.instagram.com/p/DARJ3ROMtQg/?utm_source=ig_web_copy_link)

2. The Metropolitan Transportation Plan (Mobility 2050) acts as a blueprint to guide the spending of federal and state transportation funds in the Dallas-Fort Worth region for the next 20 years and beyond. The plan recommends projects, programs, and policies that aim to improve the quality of life for all residents in the region as part of an ongoing and collaborative planning effort. Mobility 2050 is scheduled to be adopted in 2025 by the Regional Transportation Council, which serves as the policy body for the Metropolitan Planning Organization for North Central Texas. The next public meeting will be on Monday, November 11th at 12:00 p.m at 616 Six Flags Drive, Arlington, TX 76011. For more information, go to [nctcog.publicinput.com/E05628](https://nctcog.publicinput.com/E05628) Want to get involved now? Go to [publicinput.com/g5178#tab-39748](https://publicinput.com/g5178#tab-39748) to fill out a survey and interactive map. #nctcog #transportationplan #connectnorthtexas — Walkable Fort Worth (@walkablefortworth)



3. 🚲 🚶 🚗 🚊 We want to hear from you! Join us and @nctcogtrans on Tuesday (10/29) to discuss transportation along corridors in Oak Farms, in northern Oak Cliff. ¡Queremos escuchar tu opinión! Ven a nuestra reunión pública con @nctcogtrans el martes (29 de octubre) para discutir transporte a lo largo de corredores en Oak Farms, en el norte de Oak Cliff. #dfwtraffic #dallastraffic #VisionZeroDallas #VisionCeroDallas — Dallas Transportation & Public Works

Department (@dalldot)

**PUBLIC MEETING**  
**Oak Farms Area Transportation Corridors Study**

The City of Dallas and the North Central Texas Council of Governments (NCTCOG) are conducting separate studies for bike, pedestrian, traffic, and transit links along transportation corridors in the Oak Farms area of northern Oak Cliff.

**Tuesday, Oct. 29, 2024**  
6:30 p.m. to 7:30 p.m.

**HITT Auditorium - Methodist Dallas Medical Center**  
1441 N. Beckley Ave.  
Dallas, TX 75203

View study information at [bit.ly/DTPWMeetings](http://bit.ly/DTPWMeetings).

City of Dallas

## Twitter –

1. 🚶 🚗 🚲 🚏 We have five open public comment periods for transportation projects across the City of #Dallas. Give us your input! <http://bit.ly/DTPWMeetings> #dallastraffic #dfwtraffic — Dallas Transportation & Public Works (@DDOTransport)



2. We want to hear from you! Join us and @NCTCOGtrans on Tuesday, Oct. 29 to talk bike, pedestrian, vehicle, and transit links in northern Oak Cliff. 🕒 6:30 p.m. 📍 HITT Auditorium, 1441 N. Beckley Ave. More information at <http://bit.ly/DTPWMeetings>. — City of Dallas (@CityofDallas)

**PUBLIC MEETING**  
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View study information at [bit.ly/DTPWMeetings](http://bit.ly/DTPWMeetings).

City of Dallas

## Nextdoor –

Please see Attachment 2 for comments submitted through Nextdoor.

### Rideshare/Carpool

#### Facebook –

1. Try Parking It is a resource for tracking your greener trips, including biking and working from home to earn instant rewards. — NCTCOG Transportation Department



Oh yeah, it's not bad enough that my phone follows me wherever I go but now this alphabet-soup agency wants me to volunteer the info? (I made a Faraday cage for my phone so I can control that if I want to.) — Kit Odom

Sorry but you don't have a proper mass transit system down in Granbury. There's no way for me to park it given how far the nearest bus or train is. It's 64 miles to get from Granbury to any sort of long-distance rail or Intercity bus service up in Fort Worth itself. If you're serious about your no driving agenda, Tell Amtrak and TRE TO GET OFF THEIR HIGH HORSES and work with Fort Worth and Western railway to set up a commute train down here. In fact, it should go all the way to Stephenville. Tell Greyhound and FlixBus they must use a proper bus station and stop stranding passengers alongside the road. And they must actually get serious about getting people everywhere. And seriously, it's time for you to start getting serious about High-Speed rail. Not just the Shinkansen knockoff to Houston, get trains to where people want to go now. — Zach Bell

Wow. So much hate for this program. Y'all, here's how this works. If the COG can show numbers of folks who are finding alternate commuting solutions, it helps them to bring more dollars to the area to support more options to get around in ways other than cars. But hey, don't sign up. Just get yourself to work. If it is in a car, fine. If it is via some other form of transport, better. — Michael Tripp McNair

### Roadways

#### Email –

1. John Donaghey

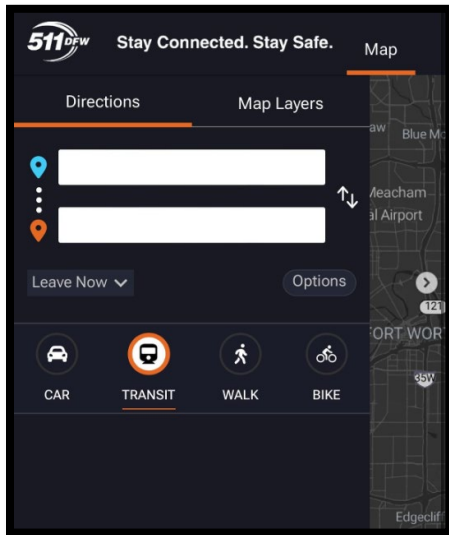
Dear NCTCOG,

Have you noticed how the traffic has impeded travel around the metroplex? The City of Princeton recently imposed a moratorium on any new building permits in order to allow infrastructure a chance to catch up w/ demand. Any chance we in North Texas could suggest such a radical action be implemented? The state of Oregon did much the same thing with their UGB's. Anything you can do to ease our ever-increasing congestion would be much appreciated. Our schools and emergency personnel are overloaded, and many services are suffering. HELP, PLEASE!!!

## Safety

### Instagram –

1. The updated 511DFW Travel Information System, launched on November 4th (administered by @nctcogtrans), is available to DFW travelers to guide them to make better decisions about their mode of transportation, transit routes, as well as links to Mobility Assistance Patrols (such as free roadside assistance). Other features include Traffic speeds, Toll lane facilities, Traffic signals, Highway incidents, Construction zones, EV charging stations, Off-road walk and bike paths, Traffic camera snapshots, and Special events. All routes and services from @dartdaily, @ridetrinitymetro, and @ridedcta are included. Go to 511dfw.org, or download their app, available in English and Spanish. Source: Fort Worth Report #dart #dcta #trinitymetro #dfwtravel — Walkable Fort Worth (@walkablefortworth)



## Transit

### Twitter –

1. @nctcogtrans has been awarded federal funding from the Areas of Persistent Poverty program to conduct a Transit Needs Assessment for the 76104 zip code in Fort Worth. After gathering input from the public and local stakeholders, NCTCOG is now working on drafting a Transit Needs Assessment Plan for the area. There will be public meeting to discuss the Transit Needs Assessment Study on November 19th from 6:30-7:30 p.m. at the Ella Mae Public Library. To fill out the survey, go to [publicinput.com/76104survey](https://publicinput.com/76104survey) For more information about the project, go to [nctcog.org/76104](https://nctcog.org/76104) #nctcog #eastsidefortworth — Walkable Fort Worth

(@walkablefortworth)



The poster features a photograph of a city street with a bus and buildings in the background. At the top left is the logo for North Tarrant Transit Council of Governments. The main title is '76104 Transit Needs Assessment' with the Spanish translation '76104 Evaluación a las Necesidades de Transporte' below it. The bottom section contains the event details in both English and Spanish.

**76104 Transit Needs Assessment**  
76104 Evaluación a las Necesidades de Transporte

**Your input is needed! ¡Necesitamos tu aportación!**

**6:30 - 7:30 pm, Tuesday, November 19th, 2024**  
Ella Mae Shamblee Library, 1062 Evans Ave, Fort Worth, TX 76104

**6:30 - 7:30 pm, martes, 19 de noviembre, 2024**  
Biblioteca Ella Mae Shamblee, 1062 Evans Ave, Fort Worth, TX 76104

# Pedestrian Crossings Along Preston Road in Dallas, South of LBJ

These comments were requested by  
Vickie Morris in October 15, 2024 Public  
Input Meeting

In the past, I have written to COG about the specific intersections along Preston Road that I find difficult to cross as a pedestrian. I am happy to review my request to make it safer by providing the specifics again.

One intersection is at the Shopping Center just South of Forest Lane on Preston Road. If a pedestrian (or a person in a wheelchair or scooter) wanted to go to or from 11661 Preston Road to 11700 Preston Road, at the same moment that the <sup>(white)</sup> green walk sign allows one to cross the street, the green light comes on allowing cars to turn. These cars are turning onto the same road that the pedestrian is trying to cross. I realize that pedestrians have the right of way, but reality shows that many motorists are in a hurry and are not careful driving around pedestrians.

I recommend that the lights be timed so that pedestrians have at least enough time to get to the median before cars are allowed to start their turn into the road.

A similar scenario occurs when you try to cross Preston at Forest Lane or Forest Lane at Preston. There are also shopping centers on both sides of Preston just north of Forest Lane at a separate traffic signal. There are similar safety issues there.

In the area of Preston and Royal Lane, there are shopping centers on both sides of Preston,

just north of Royal Lane. Specifically, if you want to cross from 5959 Royal Lane to the other side of Preston, you have the same situation where the <sup>(white)</sup> green walk sign comes on simultaneously with the green light for turning cars. We have the same situation at the Preston and Royal intersection.

I would appreciate it if COE can work with the City of Dallas to give pedestrians the opportunity to cross safely.

Thank you.

Phyllis  
November 1, 2024



To: Kevin Kokes Bike Lane Pilot Project on Quorum Drive  
Addison, TX Oct. 12 - Oct. 27, 2024

Since I do not have the technology to respond to the QR Code survey, I am sending this critique of the project.

The one good feature of the pilot was that it slowed down traffic in the project zone. Traffic calming, which is the purpose of a round-about, such as Blueprints at Addison Circle, is an important quality of traffic and this project extended the traffic calming beyond the round-about.

Notification about the project to Addison resident subscribers to the weekly electronic Addison newsletter was good. Also some apartment complexes in the area issued notices to its residents alerting them in advance. There were many other Addison residents who were not aware of the installation and implementation of the project. Supervisors at the Addison Post Office did not know of the project in advance. The Post Office, located on Airport Parkway was in the project zone, plus all post office delivery vehicles have to travel in that area in order to get to their delivery destinations.

Motorists travelling through the area were unprepared. Even when the project was implemented, arrow boards only led motorists away from the closed lane without an explanation that it was temporary and that it was for a bicycle lane project. Later on in the implementation phase there were paper signs indicating the nature of the project, but the small signs were more easily read by pedestrians, rather than motorists. A brief explanation on the signboard (arrow board) plus public service announcements on the radio and television would have been appropriate alerts for the public passing through

the area, but there were none.

The DART Scheduling and Service Planning Department was notified by Addison Staff in advance of the project installation and implementation. DART runs three different bus routes through the project zone.

The raised wooden platform on the east side of Quorum at Parkview (at a bus stop) was a mysterious looking structure. Someone explained to me that this was a place for riders to wait for the bus. Part of the wood platform ended up caving in, which could have injured someone. The whole platform looked dangerous for pedestrians, motorists, and bicyclists.

The high orange and white barriers at the round-about were very uninviting. Personally, I had to find ways to re-route myself to avoid that area. The entire route's configuration looked dangerous to me. With only one lane <sup>in each direction</sup> remaining for motorists, what would happen if a car or bus broke down or stalled? If there were rigid barriers between the car lanes and bicycle lanes, what would happen if a car or bus broke down or stalled? How would other vehicles get around the stalled car? There are people illegally dropping off or picking up passengers and they stop in the bicycle lane or they hold up traffic by stopping in the one car lane. I observed a motorist stopping to unload items from their vehicle as they parked in the bicycle lane. You cannot have enough enforcement officers to issue violations for these types of activities.

During the pilot project, I observed very few bicyclists. I conferred with others and they made the same comment. Of the bicyclists that I did see, some were riding in the automobile lane, some rode in the bicycle

lane in the same direction as the cars, and some (11)  
rode in the bicycle lane in the opposite direction of  
traffic. There was no consistency.

I think bicyclists should have a dedicated, safe  
area to travel in. I don't think this should be at  
the expense of inconveniencing motorists by installing  
hard barriers and reducing available car lanes to  
one lane. There are so few bicyclists in relation to  
motorists. Before inconveniencing all the motorists for  
the few bicyclists, the ratio needs to be considered. I  
realize this would be expensive, but if there needs to be  
room on the road for bicyclists, then perhaps the road needs  
to be widened to have two lanes in each direction  
for cars and then a narrower lane for bicyclists. Then  
you have the issue of parked cars. Do you need to  
have space for cars to park, especially in front of  
businesses?

I trust that a wiser solution than the  
configuration of the pilot can be devised.

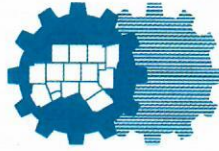
Thank you.

Phyllis Silver

Please note: AS OF 2 PM on Thursday, October 31  
the high, hard barriers were still at the road about.  
All signs had said that the Pilot Project removal  
would take place on Monday, Oct 28 and Tuesday, Oct. 29.  
There have been no notices as to when the actual  
removal date will be.

November 1, 2024

CC: Janna Tidwell, Addison, Director of Parks & Recreation  
Passion Hayes, Deputy City Manager, Town of Addison



North Central Texas Council of Governments

November 7, 2024

Ms. Phyllis Silver  
15720 Artist Way, Apt 4912  
Addison TX 75001

Dear Ms. Silver:

Thank you for the insightful comments concerning the temporary bike lane pilot for Quorum Drive in Addison. The pilot completed last month was part of a broader study to improve first-mile/last-mile walking and bicycle connections to rail stations ahead of the opening of the Dallas Area Rapid Transit (DART) Silver Line between Dallas-Fort Worth International Airport and Shiloh Road in Plano. The pilot was also conducted to gauge the ability to calm traffic and lower traffic speeds along the Quorum Drive corridor to improve safety and comfort for pedestrians and bicyclists.

The temporary bike lanes gave cyclists, pedestrians and motorists an opportunity to interact with one another and provide feedback about options for possible future modifications to roadway corridor. Those who test-drove the lanes were encouraged to submit comments through a survey, with comments being used to shape future decisions on permanent bike lanes and transportation improvements in Addison. Your feedback is important and will be considered by the Town of Addison staff during the engineering design process if a future project is advanced by the community.

Sincerely,

Kevin Kokes  
Program Manager

KK:bw  
Attachment

Cc: Janna Tidwell, Town of Addison

<b>Author</b>	<b>Body</b>	<b>Author Origin</b>	<b>Date</b>
Communications Specialist Sarah T.	<p>The public meeting will be held at 6:30 p.m. Tuesday, Nov. 19, at the Ella Mae Shamblee Library, 1062 Evans Ave. in Fort Worth. The 76104 study is designed to identify innovative transit solutions to increase mobility and access for residents to food, healthcare, housing, and jobs in a part of Fort Worth identified as an area of persistent poverty. The planning study will also identify strategies to reduce greenhouse gas emissions related to transit.</p> <p>NCTCOG staff used information gathered from an online survey and an in-person public meeting to identify potential service gaps and points of interest in the 76104 ZIP code. Most of the responses fell into four main categories:</p> <ol style="list-style-type: none"> <li>1. Fares and Affordability: Recommendations related to fares center on continuing efforts to align any future transit fare structure changes with regional standards and practices for affordability.</li> <li>2. Marketing and Awareness: Marketing recommendations highlight ongoing and future outreach efforts that may be used to heighten awareness of transit services offered in the specific project area.</li> <li>3. Safety and Accessibility: Recommendations for safety and accessibility focus on bus stop and sidewalk improvements and how NCTCOG can assist with planning and funding opportunities.</li> <li>4. Operations Improvements: Operational recommendations take transit frequency and on-time performance into consideration, along with recent service changes and improvements.</li> </ol> <p>Feedback on the draft recommendations is encouraged and will be accepted through Jan.17, 2025. All recommendations are still being developed as more feedback from local stakeholders and the public is received.</p>	NCTCOG Transportation Department	2024-11-11 19:20:38.550944 +00:00
	Provide your feedback today at <a href="https://PublicInput.com/76104survey">PublicInput.com/76104survey</a> .		

This month's presentation topics include Transit 2.0, Mobility 2050, 511DFW Traveler Information System, and more for review/comment.

The session will be held at NCTCOG's Arlington offices, located at 616 Six Flags Drive. For those unable to attend in person, the meeting will be streamed live at [publicinput.com/nctcogNov24](https://publicinput.com/nctcogNov24). Participants can also join the discussion by calling (855) 925-2801 and entering code 7348. A video recording will also be made available afterward. Public comments will be accepted until Tuesday, December 10.

Residents planning to use transit to attend the meeting can take advantage of \$6 roundtrip rides from the CentrePort/DFW Airport Station to NCTCOG via the Arlington Transportation app. To download the app, go to [arlingtontx.gov/ondemand](https://arlingtontx.gov/ondemand). For special accommodations related to disabilities or language interpretation, please contact 817-695-9255 or email [jcastillo@nctcog.org](mailto:jcastillo@nctcog.org).

Communications Specialist Sarah T.	For more information and details on this month's presentation topics, visit <a href="https://www.publicinput.com/nctcogNov24">https://www.publicinput.com/nctcogNov24</a>	NCTCOG Transportation Department	2024-10-28 19:40:38.689528 +00:00 2024-10-29 12:37:03.479545
Tina M.	Sharing!	Harbour Town	+00:00 2024-10-29 14:06:56.399293
Susana D.	Why is this on Granbury NextDoor forum? If it's not for us	Granbury	+00:00 2024-10-29 14:08:32.364664
Susana D.	I never subscribed to this why was I ?	Granbury	+00:00

Hi Susana, our agency serves a 12-county area, including Hood County. You're subscribed automatically by Nextdoor because you live within our service region.

Communications Specialist Sarah T.

Here's our website if you'd like to learn more about NCTCOG: <https://www.nctcog.org/trans>

NCTCOG  
Transportation Department

2024-10-29  
14:22:46.479483  
+00:00

Joy J.

Thank you for sharing. I just did their survey.

Old Dennis -  
Bethel

2024-10-30  
18:38:35.494667  
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in the City of Dallas, Dallas County, Texas.

The meeting will take place on October 29 from 6:00 pm to 7:30 pm at the Hitt Auditorium at the Methodist Dallas Medical Center (1441 N. Beckley Avenue, Dallas, Texas 75203).

Communications Specialist  
Sarah T.

<https://dallascityhall.com/departments/transportation/Pages/public-meetings.aspx>

NCTCOG  
Transportation Department

2024-10-25  
15:04:28.889761  
+00:00

☺☺

On November 7 from 2-4 PM join staff from the North Central Texas Council of Governments at Weatherford College for Connect North Texas: A Transportation and Air Quality Fair!

Enjoy games, snacks, and an opportunity to speak with transportation and air quality planners about the future of our regional transportation system.

We're looking for your input on key topics like:  
Air Quality Improvement Plan ☺☺☺  
EV Charging Stations Locations ☺  
Mobility 2050 - The Metropolitan Transportation Plan ☺☺☺  
Access North Texas - Improving Transit Coverage in the Region ☺☺☺

Communications Specialist  
Sarah T.

Location: Work Building, Room 301  
Don't miss out—we hope to see you there!

NCTCOG  
Transportation Department

2024-10-23  
17:28:21.427374  
+00:00  
2024-10-25  
18:43:27.191880  
+00:00

Carlie S.

Not even

E Hwy 199

**MINUTES****REGIONAL TRANSPORTATION COUNCIL  
PUBLIC MEETING****Transit 2.0: Initial Results Impacting Transportation Authorities****Mobility 2050: The Metropolitan Transportation Plan for North Central Texas****511DFW Travel Information System****Proposed Modifications to the List of Funded Projects****Meeting Date and Location**

The North Central Texas Council of Governments (NCTCOG) held a hybrid public meeting on Monday, November 11, 2024, at noon in Arlington. Patrons could attend in person, via phone or view the live stream at [www.publicinput.com/nctcogNov24](http://www.publicinput.com/nctcogNov24). Natalie Bettger, Senior Program Manager, moderated the meeting attended by 90 people.

**Public Meeting Purpose and Topics**

The public meeting was held in accordance with the NCTCOG Transportation Department Public Participation Plan, which became effective June 1, 1994, as approved by the Regional Transportation Council (RTC), the transportation policy board for the metropolitan planning organization, and amended on November 8, 2018. Staff presented information about:

- Transit 2.0: Initial Results Impacting Transportation Authorities – **presented by Michael Morris**
- Mobility 2050: The Metropolitan Transportation Plan for North Central Texas – **presented by Amy Johnson**
- 511DFW Travel Information System – **presented by Eric Quintana**

The public meeting was held to educate, inform and seek comments from the public. Comments were solicited from those attending who wished to speak for the record. The presentations made during the meeting as well as a video recording were posted online at: [www.publicinput.com/nctcogNov24](http://www.publicinput.com/nctcogNov24).

**Summary of Presentations*****Transit 2.0: Initial Results Impacting Transportation Authorities:***

<https://www.nctcog.org/getmedia/02f528cf-9473-43a5-abb3-1b7b27cf9d37/Transit-2-0-Initial-Results-Impacting-Transportation-Authorities.pdf>

Transit 2.0 aims to assess and modernize regional transportation in order to meet the needs of a population expected to exceed 12 million. This initiative will identify improvements to better prepare the region for future demands and is crucial to creating a resilient and effective transportation system. The program focuses on seven tasks:

- Task 2: Develop Transit Legislative Program
- Task 3: Develop Strategies to Increase Transit Authority Membership

- Task 4: Collaboration Between Existing Transit Authorities
- Task 5: Develop Strategies for Transit Authority Board Partnerships & Teamwork
- Task 6: Develop Strategies for In-Fill Development
- Task 7: Fare Collection Strategies Review
- Task 8: Recommendations for Transit Authority/Member City Paradox

Tasks 2 and 5 are completed, as the Regional Transportation Council (RTC) adopted Task 2 on October 17, 2024, which supports the utilization of Texas Mobility Funds for regional rail improvements as well as dedicated State funds for transit projects.

***Mobility 2050: The Metropolitan Transportation Plan for North Central Texas presentation:***

<https://www.nctcog.org/getmedia/389a2e03-c81c-43c1-8ad0-a85373aadde9/Mobility-2050-The-Metropolitan-Transportation-Plan-for-North-Central-Texas.pdf>

The Metropolitan Transportation Plan (MTP) defines a long-term vision for the region’s transportation system and guides spending of federal and State transportation funds. This includes funding for highways, transit, bicycle and pedestrian facilities, and other programs that reduce congestion and improve air quality.

Mobility 2050 replaces the current MTP, Mobility 2045-2022 Update, and includes population and employment forecasts, goals, a financial plan and an air quality analysis. The financial plan will include new financial forecasts, comprehensive updates to policies and will build on the performance measures framework from the current plan. The Plan will also undergo a baseline analysis, financial assessment and non-discrimination analysis to ensure it meets air quality and social equity targets.

Public comment periods will occur throughout the development process, and the draft Plan will be posted online in early 2025. To take part in the Plan's survey and assist planning staff in understanding how the transportation system works for the public, visit:

[www.publicinput.com/Mobility2050](http://www.publicinput.com/Mobility2050).

***511DFW Traveler Information System presentation:***

<https://www.nctcog.org/getmedia/9cb45e77-c675-496f-97b4-90dee0c06c53/511DFW-Travel-Information-System.pdf>

511DFW is a three-digit phone service and mobile app providing Dallas-Fort Worth travelers with real-time travel information to support better travel decisions regarding transportation mode, timing, route and roadside assistance. Available in both English and Spanish, 511DFW helps users navigate regional transportation more effectively.

The 511DFW website provides comprehensive information, including:

- Traffic speeds
- Toll lane info
- Traffic cameras
- Signals, incidents, construction zones and special events
- Details on public transit agencies (DART, DCTA, Trinity Metro)
- Walking and biking trails
- Roadside assistance
- EV charging stations

- Weather conditions
- Truck routes

Additionally, the 511DFW mobile app (iOS and Android) adds regional services with location-based roadside assistance and user-driven reporting for transportation issues. It links to other regional apps, such as GoPass and DFW Airport, and continuously improves based on user feedback and usage data.

For more information or to download the mobile app, visit [www.511DFW.org](http://www.511DFW.org).

### **Summary of Online Review and Comment Topics**

#### ***Proposed Modifications to the List of Funded Projects handout:***

<https://www.nctcog.org/getmedia/e52da1d0-8811-45db-a081-fd24fb3a7dde/Proposed-Modifications-to-the-List-of-Funded-Projects.pdf>

A comprehensive list of funded transportation projects through 2024 is maintained in the Transportation Improvement Program (TIP), with committed funds from federal, State and local sources. To maintain an accurate project listing, this document is updated on a regular basis.

The current modification cycle includes project updates and funding adjustments for transportation initiatives in Dallas, Denton, Tarrant and Wise Counties. Additionally, financial adjustments related to public transportation services managed by the Denton County Transportation Authority (DCTA) are also included.

## **COMMENTS RECEIVED DURING THE MEETING**

### **Transit 2.0: Initial Results Impacting Transportation Authorities**

#### **Phyllis Silver, Citizen**

##### A. DART

*Comment:* Certain DART board members are advocating for a portion of the 1 percent sales tax to be redirected from transit improvements to economic development within their cities. Could you expand upon that? Also, does NCTCOG have a legislative agenda that could lead to a reduction in sales tax allocated to DART?

*Summary of response by Michael Morris:* The RTC emphasizes maintaining dedicated transit funding and advocates that a lower sales tax is unrealistic for meeting local or future transit needs. One of the tasks of Transit 2.0 will project costs and revenues for transit agencies over the next 20 to 30 years to determine funding needs for maintenance and possible expansion. Transit 2.0 consultants are analyzing the best path forward for transit agencies, aiming to avoid premature legislative changes. Additionally, DART is working with local governments to address transit challenges and foster collaboration. The RTC has encouraged local government leaders to develop a collaborative approach to address the region's needs, and these efforts will guide long-term transit planning for the growing region.

#### **Jonathan Ackmann, Citizen**

##### A. Rail network additions

*Comment:* What plans are there to add Southlake, Westlake, Roanoke, Justin and the Texas Motor Speedway to the rail network? That is one of the fastest growing areas of the metro and it will be a disaster in a few decades if there isn't public transportation built there now.

*Summary of response by Michael Morris:* Now is the perfect time to engage in the mobility planning process, as the new demographic forecast will be presented to the NCTCOG Executive Board this month. This forecast will provide insights into the current and future needs for public transit in various communities. Public feedback shows a desire for more transportation choices, including options for biking, walking and transit, as well as frustration with congestion. I encourage you to provide feedback to help shape the Mobility Plan and address the specific needs mentioned.

### **Bryan, Citizen**

#### A. Transit public perception

*Comment:* Is there any plan to not only improve transit options but improve public perception of public transit? For a lot of North Texans, I think there is a stigma around taking public transit, which needs to be squashed for it to be successful.

*Summary of response by Michael Morris:* Transit 2.0 very much sees the perception of safety and security on both bus and public rail to be a problem. We're seeing post-COVID behaviors both in aggressive driving and communication on the freeway system. Transit 2.0 very much confirms that increasing safety and security in the transit system is a critical step to gain credibility if transit ends up competing with the automobile.

### **Laurence Richardson, Citizen**

#### A. Rail network expansion

*Comment:* Expand regional rail service to the growing east side of Lake Ray Hubbard, including Rockwall, Royce City, Caddo Mills, Greenville and perhaps Commerce.

*Summary of response by Michael Morris:* This is a perfect time to provide comments for the current Mobility Plan. You have a passenger rail service to Rowlett, lakes in Lamont, Lake Ray Hubbard and a major corridor north of there. In the future, we would like to see protected space for bicycle and pedestrian lanes and potentially passenger rail in that area. Additionally, we would like to see an extension of the Silver Line. Transit is a major theme for NCTCOG. With our population growth, we are anticipating the right mode of transportation for the future.

### **Other**

#### **Blair Dedwylder, Sunrise Movement**

##### A. 2026 FIFA World Cup

*Question:* What are the plans for FIFA 2026?

*Summary of response by Michael Morris:* There will be nine events at AT&T Stadium. They are still deliberating on whether or not the International Broadcast Center will be in our region. There

will also be an event open to the public at Fair Park, and we're discussing the possibility of hosting more public events in other parts of the region. Transportation Department staff have created a transportation plan to get to the stadium.

#### B. Transit plans for FIFA 2026

*Question:* What are the plans to corral traffic in Downtown Arlington? Are the buses going to be available for Arlington citizens? Are these plans going to remain in place after FIFA?

*Summary of response by Michael Morris:* Arlington has a well-developed micro transit system that continues to mature and may eventually trigger fixed-route services, reconnecting regular public transit to the TRE station. High-speed rail expansion to Arlington and Fort Worth is under way, with Arlington evaluating its future role in regional transit. Any Fan Fest events at the university, downtown or entertainment district would require dedicated transit plans. The region is focused on maximizing success for the event, with an aggressive travel demand management program prioritizing guests. Regular commuters may be encouraged to consider alternate plans during the event days to ease demand. The goal is to create a memorable experience for guests and inspire young soccer fans in the region.

#### **Rogelio Meixueiro, Sunrise Movement**

##### A. Congestion and safety issues in Arlington

*Comment:* We appreciate your hard work, which often draws criticism. We aim to support, not add to that. As a resident near the stadium, I felt firsthand the chaos and lack of safety during major events like the Taylor Swift concert, with heavy traffic and unsafe conditions. Expecting rideshare services alone to address these issues is unrealistic. I used to rely on the UTA-Centerport bus, but we need better, sustained efforts to make public transit a viable option for more people. Catering primarily to fans with charter buses to the entertainment district neglects the daily needs of residents like me, who depend on accessible transit for work and school. We need stronger political will to prioritize mass transit over car-centric solutions. This isn't just about event traffic; it's about making our city livable. High traffic leads to accidents, especially with impaired drivers after games. Please help us improve public transit for everyone's safety and quality of life.

*Summary of response by Michael Morris:* Everyone is encouraged to join in on the FIFA transportation planning and provide valuable input. The plan will differ from concerts, and we're anticipating most guests coming from around the world will rely on public transit rather than cars. Additionally, soccer presents unique safety considerations due to large crowds. To accommodate diverse audiences, we're planning to have electronic signs in multiple languages. Rideshares like Uber and Lyft may pose safety risks due to drivers disregarding designated pickup and drop-off locations, so a plan is being developed to ensure safe zones.

#### **COMMENTS SUBMITTED DURING THE COMMENT PERIOD VIA EMAIL, SOCIAL MEDIA, WEBSITE & MAIL**

##### **Email**

**Thomas Wall Simons, Citizen**



1. Why do you have this in Arlington? They have no mass transit. Try Grapevine or some other location.

### **Facebook**

1. Transit 2.0, long-range planning and more for review/comment. — NCTCOG Transportation Department



Rick Harrell CHS Amy Prather Barber Crandall - Combine cities! Go work on this for us — Marilyn G Adams

City councils of Combine Community Watch and News Crandall City Councils — Marilyn G Adams

Why would the deadline for questions be a month after the meeting? — Kelly Dennison

Kelly Dennison Hello, Kelly! December 10 is the end of the November public meeting comment period, not the deadline. You can comment on this month's topics from November 11 through December 10. If you have any further questions, please contact [nctcogNov24@publicinput.com](mailto:nctcogNov24@publicinput.com). Thank you. — NCTCOG Transportation Department

NCTCOG Transportation Department: How many of you bike, bus, rail, walk, scooter or even carpool to the office? How about some leadership by example rather than survey after survey after survey. — Rob Dentremont

Rob Dentremont I'm going to guess 0% — Matthew Banks

Hi Matthew. I am sure you are correct, else wouldn't they brag about their high %, use the number to justify their pushing others to find alternatives to the private motorcar? — Rob Dentremont

Matthew Banks How do you know that? — Mark Metcalf

### **Mail**

**Phyllis Silver, Citizen**

Please see Attachment 1 for comments submitted via postal mail.

NCTCOG November 2024 Public Input Opportunity  
Transportation Division

Transit 2.0: Critical Results Impacting Transportation Authorities

Page 3 - Comment - Task 2 - These seem like wise recommendations to support successful transit

Page 5 - Question - Task 5 - Top 5 Focus Areas - What does next generation transit signals refer to? What are transit signals? I don't suppose this refers to traffic signals, does it?

Mobility 2050:

Page 5 - Comment - 3rd Column (Active Transportation Infrastructure)

I can definitely relate to these comments, especially as it pertains to pedestrian infrastructure - insufficient sidewalks and safe walking paths, also

unsafe crossings - I am looking forward to improvements in these areas

Page 8 - Question - in the heading on this page, I am aware that IIJA stands for Infrastructure Investment & Jobs Act, what does BIL or BIL/IIJA stand for?

511 DFW Traveler Information System - Question

Page 2 at the entire document - Is 511 a voice phone number or is it only a website? From reading the document and participating in the live presentation, I am understanding that this is different from 311, as in Dallas, when you dial 311 you reach a person. It does not appear that one can dial 511 and obtain information <sup>verbally</sup> about traffic, transit, and the other items listed on page 3. Is this correct?

Phyllis Silver

Draft February 2025 TIP Modifications for  
Public Review

TIP Code: 24009

CSJ: 0918-47-516 (Pg. 33 of 49)

Thanksgiving Square Improvement

Comments:

Greater Connectivity between Thanksgiving Square,  
AT&T Performing Arts Center, & Klyde Warren  
Park will be a welcome enhancement.

Comment about a write-in comment that was read  
at the end of the November 11, 2024 Public Meeting.  
The comment addressed the perception that the  
public has of transit. Someone from COG responded  
that safety and security on transit is being addressed.  
While I agree that safety and security is a major issue  
and I feel that transit agencies are working toward  
improving safety and security, I think the issue of  
perception goes beyond this.

I see more and more, especially in the <sup>more</sup> suburban cities,  
the perception is that only poor people take transit,  
especially buses. DART's June 2024 Strategic Plan,  
Point B, A New Vision for Mobility in North Texas  
expresses this notion in a more refined way. Under  
the section of Auto Connectivity in the Region, the Plan  
says, "This focus on car travel affects the efficiency  
and competitiveness of transit, and creates a perception  
that transit is for those who have no better alternative."

I believe that if we don't work on changing  
people's perceptions of transit, we are going to be limited  
in the growth and acceptance of transit. Strategies to conquer  
this perception must be devised for us to succeed. Page 2 of 2

Phyllis Silver 11/27/2024



The Transportation Policy Body for the North Central Texas Council of Governments  
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

December 18, 2024

Phyllis Silver

Dear Phyllis,

Subject: November 2024 Public Meeting Response

Thank you for your questions and comments on the item I presented on "Transit 2.0: Initial Results Impacting Transportation Authorities." I wanted to personally thank you for your support of our Transit 2.0 work we are doing on growing the success of our transit institutions and providing a better transit experience that grows transit ridership.

With regard to next generation transit signals, we wish to advance traffic signal technology which advances the competitiveness of transit speeds on thoroughfare streets without lowering vehicle/car travel time speeds. This will assist in moving transit travel time competitive.

Thank you for your regular participation in our Public Meeting and the valuable feedback you give us.

Sincerely,

A handwritten signature in black ink that reads "Michael Morris". The signature is written in a cursive, flowing style.

Michael Morris, P.E.  
Director of Transportation

**PUBLIC COMMENTS REPORT**  
**WRITTEN COMMENTS SUBMITTED BY WEBSITE, EMAIL & SOCIAL MEDIA**

**Purpose**

The public comments report is in accordance with the NCTCOG Transportation Department Public Participation Plan, which became effective June 1, 1994, as approved by the Regional Transportation Council (RTC), the transportation policy board for the Metropolitan Planning Organization (MPO) and amended on Nov. 10, 2022.

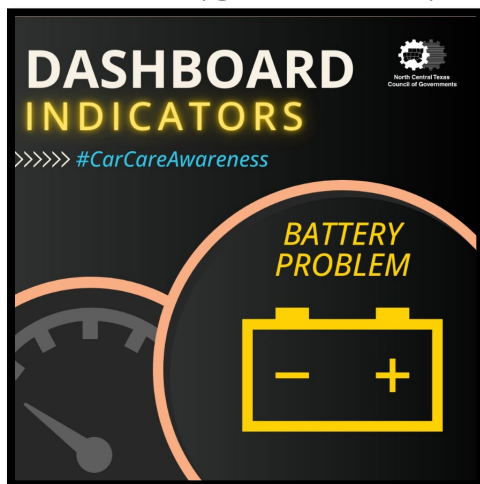
This document is a compilation of general public comments submitted from Wednesday, Nov. 20 through Thursday, Dec. 19, 2024 via website, email, social media and in person at NCTCOG's monthly Regional Transportation Council (RTC) meeting. This month, comments related to bicycle and pedestrian initiatives, sustainable development and transit were in the majority.

Additionally, comments can be submitted through Map Your Experience, the Transportation Department's online mapping tool. This tool allows users to drop a pin on a location in the region and leave a detailed comment. The tool received 15 new comments related to bicycle and pedestrian, roadway and transit conditions. You can view these new comments as well as past comments by visiting <http://nctcoggis.maps.arcgis.com/apps/CrowdsourcingReporter/index.html?appid=b014e6d39b604b3ca329d9094ed1e9e2>.

**Air Quality**

**Twitter –** 

1. Is that a present under a tree? No! It's a battery light on your dashboard. Colder weather can make an already weak battery give out. If you see that light, get it tested so it doesn't leave you stranded! Learn more at <http://ntxcarcare.org> #CarCareAwareness #CarCareTips — NCTCOG Transportation (@NCTCOGtrans)



'Tis the season! Check your vehicles now, well ahead of any potential wintry weather later this season. #dallastraffic #DFWtraffic — Dallas Transportation & Public Works (@DDOTransport)



## Bicycle/Pedestrian/Sustainable Development

### Twitter –

1. Don't Forget to Comment! 🚲 TxDOT & @NCTCOGtrans are hosting a virtual public hearing for bicycle use on the state's highway system. Learn more & share your thoughts to shape projects, programs & policies. Visit <http://keepitmovingdallas.com/bicycle-2024> through Nov. 25. 🚲 — @txdotfortworth (@TxDOTFortWorth)



### Facebook –

1. Learn your rights and responsibilities when walking, biking or driving. Together, we can make our streets safer for everyone! — NCTCOG Transportation Department



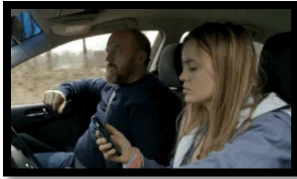
Who came up with that name. Follow with a ! and it's great advice for Texans in crosswalks with the walk signal while oncoming, turning traffic has a flashing yellow arrow and wants to play chicken with you. — Rob Dentremont

2. Learn your rights and responsibilities when walking, biking or driving. Together, we can make our streets safer for everyone! — NCTCOG Transportation Department





Yeah, sure. Lack of hi-viz is the problem. 🙄 — Lex Jenkins



People make fun of high vis but it has a time and place. I agree in the dark it could save lives. I see a lot of kids riding the electric kick scooters at night and they are hard to see. — Natalie Stenger

### Other

#### Twitter –

1. This AM, I addressed @DRC members along with friends @dartmedia CEO Nadine Lee and @NCTCOGtrans Exec. Dir. Michael Morris on the State of the Region. The @DRC does so much for our region. We face challenges and opportunities in healthcare, education and more 🙌 er together. — Clay Lewis Jenkins (@JudgeClayJ)



## Public Involvement

### Facebook –

1. Do you walk, ride, bike or drive in North Texas? We need your input! — NCTCOG Transportation Department



Please see link for comments submitted via Facebook: <https://fb.watch/vnPqGkoSuK/>

## Rideshare/Carpool

### Facebook –

1. Try Parking It is a resource for tracking your greener trips, including biking and working from home to earn instant rewards. — NCTCOG Transportation Department



Stuff it — Keith Davis

## Safety

### Twitter –

1. 🚶 🚲 🚗 🗓️ Join us to discuss transportation safety improvements along west Camp Wisdom Road. Acompáñanos para dialogar sobre posibles mejoras en la seguridad del transporte a lo largo de Camp Wisdom Road. #dallastraffic #dfwtraffic #VisionZeroDallas #VisionCeroDallas — Dallas Transportation & Public Works (@DDOTransport)

**Instagram –**

1. Last month, voters approved a \$60M bond to enhance safety and mobility in Johnson County. This supports the efforts of the @txdot and the @nctcogtrans, which focus on planning and engineering. Freese and Nichols is honored to have participated in the planning process, continuing our legacy of trusted advisory in #transportation for multiple counties. Read more at the link in our bio. — Freese and Nichols (@freesenichols)



**Transit**

**Twitter –**

1. Shout out to @NCTCOGtrans for receiving \$1 million from FTA to plan for TOD along the Trinity Railway Express. The funding will help the council assess opportunities for affordable housing & mixed-use development near stations. <http://bit.ly/FY24TOD> — Federal Transit

Administration (@FTA\_DOT)



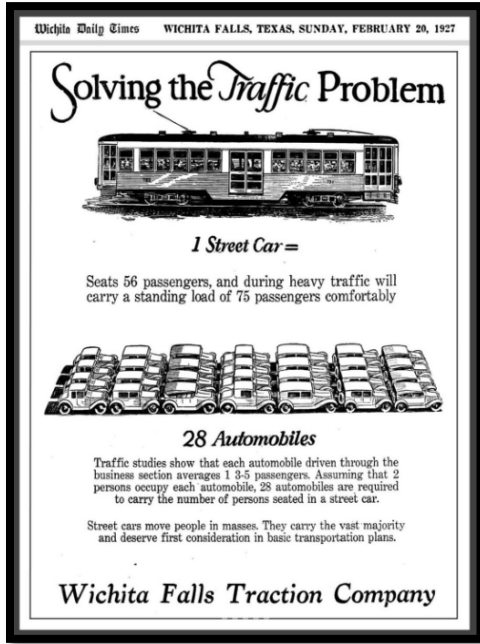
### Instagram –

1. Shout out to @nctcogtrans for receiving \$1 million from FTA to plan for transit-oriented development along the Trinity Railway Express, the 34-mile commuter rail connecting Dallas and Fort Worth. The federal funding will help the council assess opportunities for affordable housing, mixed-use development and pedestrian facilities to improve how people connect to transit stations. [bit.ly/FY24TOD](https://bit.ly/FY24TOD) — Federal Transit Administration (@FTA\_DOT)



2. As you can see according to an old paper from the Wichita Daily Times, the streetcar has been a long-told tale in Tarrant County- and it looks like it may finally be reality. Mayor Mattie Parker's Urban Rail Committee and Trinity Metro are discussing an idea of introducing streetcars to Fort Worth again. In 2010 (swipe for a photo of a promotional streetcar in downtown Fort Worth on Nov. 18, 2010), there was an unsuccessful plan for a 2.5-mile street system that connected downtown to nearby tourism spots. On a recent survey done from @nctcogtrans, residents feel "frustrated and limited" when it comes to transportation in the region. About 48% of respondents indicated expanding public transit options is the biggest challenge they see impacting the region in the future. Conclusively, after deliberations continue between DART and six of its 13 member cities that support pulling back their funding to the agency by 25%, with an alarmingly increase of riders on DART and Trinity Metro, the need for improved public transit is loud and clear. NCTCOG just received a \$1 million grant from the

@federaltransitadministration to plan for transit-oriented development along the Trinity Railway Express, the 34-mile commuter rail connecting Dallas and Fort Worth. The federal funding will help the council assess opportunities for affordable housing, mixed-use development and pedestrian facilities to improve how people connect to transit stations. Swipe to see a recent map of the proposed high-speed rail connecting Dallas and Fort Worth. Source: Fort Worth Report, NCTCOG, Mass Transit Magazine #nctcog #dart #streetcars #trinitymetro #nctcog #dartdaily #ridetrinitymetro #fortworthhistory — Walkable Fort Worth (@walkablefortworth)



3. Help us identify transportation needs in your community! Access North Texas documents transportation needs with a focus on older adults, people with disabilities, and individuals with lower income across the region. Take the survey to provide your input: [publicinput.com/AccessNorthTexas](http://publicinput.com/AccessNorthTexas) #AccessNorthTexas — NCTCOG Transportation (@nctcogtrans)



Definitely making rail loops around the major cities, it makes nonsense having to pass through downtown for every trip — M&M (@mnm\_op\_g)





North Central Texas  
Council of Governments

# TRANSPORTATION PUBLIC MEETING

**JAN. 13 | NOON | 616 SIX FLAGS DR. ARLINGTON, TX 76011**

## PRESENTATIONS

### WORK ZONE DATA EXCHANGE CALL FOR PROJECTS

In March of 2022, five vendors were selected through the NCTCOG's TXSHARE Cooperative Purchase for Work Zone Data Exchange (WZDx). These vendors were approved in three areas related to WZDx, including converting raw work zone data into WZDx format, establishing WZDx-compliant reporting system and general WZDx services. In June 2023, the RTC set aside funding for implementation and directed staff to engage regional partners on project scoping and execution to continue this effort. Local agencies submitted projects to staff in November 2024 for consideration for funding. Staff will provide an overview of projects recommended for implementation.

### FEEDBACK ON REGIONAL ELECTRIC VEHICLE CHARGING STATION PROJECTS

NCTCOG is involved in multiple electric vehicle (EV) charging station deployment projects bringing nearly \$90 million to the region. Staff is seeking feedback on how to deploy this funding from residents, public agencies and private organizations who may be interested in EV charging. Find more

information and provide feedback on an interactive map at [www.publicinput.com/nctcogevcharging](http://www.publicinput.com/nctcogevcharging).

### LOCAL CLEAN AIR PROJECTS SHOWCASE AND FUNDING OPPORTUNITIES

The North Central Texas Council of Governments (NCTCOG) works closely with regional partners to develop and implement strategies, policies and programs to enhance air quality. NCTCOG periodically makes opportunities available for public and private entities to compete for funding intended to reduce the emissions of their fleets and purchase cleaner vehicles and equipment. Staff will highlight some fleet projects that were implemented in the DFW region using grant funds and announce any current funding opportunities available to fleets.

## RESOURCES + INFORMATION

Mobility 2045 - 2022 Update: Administrative Revisions

[www.publicinput.com/nctcogJan25](http://www.publicinput.com/nctcogJan25)

Air Quality Programs and Funding Opportunities

[www.publicinput.com/nctcogAQ](http://www.publicinput.com/nctcogAQ)

Try Parking It

[www.TryParkingIt.com](http://www.TryParkingIt.com)

Access North Texas

[www.AccessNorthTexas.org](http://www.AccessNorthTexas.org)

*For special accommodations due to a disability or for language interpretation, contact Hannah Witcher at 817-573-1719 or [hwitcher@nctcog.org](mailto:hwitcher@nctcog.org) at least 72 hours prior to the meeting. Reasonable accommodations will be made.*

*Need a ride to the public meeting? Request a \$6 roundtrip ride from the DFW CentrePort Station to NCTCOG with the Arlington Transportation app! Download the app at: [arlingtontx.gov/ondemand](http://arlingtontx.gov/ondemand).*

*Attend in person, watch the presentations live at [publicinput.com/nctcogJan25](http://publicinput.com/nctcogJan25) or participate via phone by dialing 855-925-2801 then code 7533.*

    @nctcogtrans



North Central Texas  
Council of Governments

# TRANSPORTATION PUBLIC MEETING

**FEB. 11 | NOON | 616 SIX FLAGS DR. ARLINGTON, TX 76011**

## PRESENTATIONS

### FEDERAL/STATE PARTNERSHIPS FOR THE INTERCITY PASSENGER RAIL PROGRAM

This grant program aims to improve American passenger rail assets by funding projects that improve performance or expand and establish new intercity passenger rail service, including privately operated intercity passenger rail. The proposed project for the grant application is the planning and development of double tracking the remaining single-track sections of the Trinity Railway Express (TRE), including the IH 35 Stemmons Freeway and SH 360 bridges.

### MOBILITY 2050: THE METROPOLITAN TRANSPORTATION PLAN FOR NORTH CENTRAL TEXAS

NCTCOG is developing Mobility 2050, the region's next long-range Metropolitan Transportation Plan (MTP). This plan will guide transportation investments and address regional needs through 2050. Staff will provide an update on the plan's progress and next steps. For more information, visit: [nctcog.org/PlanInProgress](https://nctcog.org/PlanInProgress).

### COMMUNITY NOISE MITIGATION PROGRAM GRANT

NCTCOG was awarded grant funding through the US Department of Defense Community Noise Mitigation Program. This funding will be used to install noise mitigating insulation at six school district facilities near Naval Air Station Joint Reserve Base Fort Worth. An

overview of the grant activities will be provided.

### 2025 STRATEGIC TRANSPORTATION FUNDING PROGRAM

Over the past few months, NCTCOG staff has been evaluating funding requests from agencies in the Dallas-Fort Worth region. The 2025 Strategic Transportation Funding Program is a culmination of those efforts and proposes to award federal and regional funding to projects across the region. Details of the program and the projects being proposed for funding will be presented.

## ONLINE REVIEW + COMMENT

### PROPOSED MODIFICATIONS TO THE LIST OF FUNDED PROJECTS

### MODIFICATIONS TO THE FY2024 AND FY2025 UNIFIED PLANNING WORK PROGRAM

No in-person presentation. Handout will be posted online at [www.publicinput.com/nctcogFeb25](https://www.publicinput.com/nctcogFeb25).

## RESOURCES + INFORMATION

Mobility 2045 - 2022 Update: Administrative Revisions  
[www.publicinput.com/nctcogFeb25](https://www.publicinput.com/nctcogFeb25)

Interactive Public Input: Map Your Experience  
[www.nctcog.org/mapyourexperience](https://www.nctcog.org/mapyourexperience)

Air Quality Programs and Funding Opportunities  
[www.publicinput.com/nctcogAQ](https://www.publicinput.com/nctcogAQ)

Try Parking It  
[www.TryParkingIt.com](https://www.TryParkingIt.com)

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    @nctcogtrans