

## AGENDA

**Regional Transportation Council  
Legislative Workshop: Orientation to Funding Principles  
Thursday, October 8, 2020  
11:30 am – 12:45 pm**

**1. Introductions**

Action       Possible Action       Information

Presenter: Michael Morris, NCTCOG

Item Summary: NCTCOG staff will provide the committee with an overview of the agenda and the workshop's purpose.

**2. Transit Operational Needs and Funding Initiative**

Action       Possible Action       Information

Presenters: Michael Morris and Rebekah Hernandez, NCTCOG

Item Summary: NCTCOG staff will discuss regional transit matters and request feedback on various funding sources and the potential for a transit funding initiative during the upcoming legislative session.

**3. Background on Formula Allocations**

Action       Possible Action       Information

Presenter: Michael Morris, NCTCOG

Item Summary: NCTCOG staff will provide RTC members with an overview and background of current transportation funding formula allocations. A 2016 letter on this topic is provided in [Electronic Item 3](#).

**4. Implementation of Transportation Statutes**

Action       Possible Action       Information

Presenters: Michael Morris and Ken Kirkpatrick, NCTCOG

Item Summary: NCTCOG staff will provide RTC members with a review of current practices related to the implementation of provisions of the Texas Transportation Code. The debate centers around the status of DFW region protections as a result of a commitment to tolled managed lanes. This is often referred to as the Senator Shapiro amendment. The second refers to the magnitude of discretionary funds the Texas Transportation Commission has authority over. This is based in legislative history over 30 years and recent legislation in HB 20.

**5. Review Draft Legislative Topics for the 87<sup>th</sup> Texas Legislature**

Action       Possible Action       Information

Presenter: Rebekah Hernandez, NCTCOG

Item Summary: RTC members will be provided with an overview of draft topics to include in the 2021 RTC State Legislative Program for the 87<sup>th</sup> Texas Legislature. Members will be encouraged to discuss issues to include for the 2021 legislative program. The draft 2021 RTC Legislative Program is included as [Electronic Item 5](#).

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

CAPITOL OFFICE  
 P.O. Box 12068  
 Austin, Texas 78711  
 (512) 463-0103  
 FAX: (512) 463-1526  
 Dial 711 for Relay Calls



COMMITTEES:  
 Transportation, Chair  
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 Intergovernmental Relations  
 Natural Resources & Economic Development

**ROBERT L. NICHOLS**  
 STATE SENATOR

July 22, 2016

The Honorable Tryon Lewis  
 Chairman, Texas Transportation Commission  
 125 East 11<sup>th</sup> Street  
 Austin, Texas 787001

Dear Chairman Tryon Lewis:

Thank you for your leadership of the Texas Transportation Commission. I am writing to express my thoughts on the development and adoption of the Uniform Transportation Plan (UTP), and how it relates to the implementation of House Bill 20.

Firstly, I want to compliment the Commission and the Department of Transportation (TxDOT) for reaching out to the public, and especially to local transportation planners, for their input on the UTP. It is important this process be as transparent as possible.

Last Session, I was pleased to sponsor House Bill 20 in the Texas Senate. Section 4 of this law created a new Section 201.999 of the Transportation Code, Prioritization and Approval of Projects by the Commission. Subsection (c) states in part, "The system must account for the diverse needs of the state so as to fairly allocate funding to all regions of the state."

My comments specifically relate to the proposed \$5 billion increases in both Category 12 - Strategic Priority and Category 4 - Connectivity in the UTP.

I believe it is good judgment to direct Category 12 funds for congestion relief. These funds can be used by the Commission for strategic purposes, and Governor Greg Abbott has clearly made congestion relief a priority for Texas. For several years, the Texas Transportation Institute has been tracking the top 100 most congested roadways in the state. The overwhelming majority of those roads are in four particular metropolitan planning organizations (MPOs), which include five TxDOT districts. Strategically targeting these areas for congestion relief, in my opinion, makes good use of transportation dollars.

I encourage the Commission to use a "fair share" methodology using distribution formulas created over a decade ago to target the strategic objective of reducing chokepoints in these four MPOs within Category 12. Some communities have chosen to leverage local transportation dollars by developing toll projects, while others have chosen to live with more congestion. It would be perceived as penalizing some and rewarding others if the distribution is not made on a systematic distribution that has been used and accepted in the past.

JACKSONVILLE OFFICE  
 329 Neches Street  
 Jacksonville, Texas 75766  
 (903) 589-3003  
 FAX: (903) 589-0203

NACOGDOCHES OFFICE  
 202 E. Pilar Street, Ste. 309  
 Nacogdoches, Texas 75961  
 (936) 564-4252  
 FAX: (936) 564-4276

LUFKIN OFFICE  
 2915 Atkinson Drive  
 Lufkin, Texas 75901  
 (936) 699-4988  
 FAX: (936) 699-4991

CONROE OFFICE  
 15260 Hwy. 105 W., Ste. 230-H, Box 5  
 Montgomery, Texas 77356  
 (936) 588-7391  
 FAX: (936) 588-1713

Historically, Category 4 – Connectivity funding has been used to connect our state and roadways of the major urban areas so that traffic can move throughout our state. When traffic becomes congested on our primary corridors in urban areas, it impedes commerce statewide. If the Commission is intending to use these transportation dollars for that purpose, I would encourage it be specific on which vital corridors of statewide and national significance to target, and to use performance-based criteria in selecting which segments should be improved.

I do not believe that this statewide connectivity funding should be restricted to just a select four MPOs. Instead, it should be distributed among the 25 TxDOT districts fairly, using some combination of population and vehicle miles traveled. As I recall, this kind of proportional distribution has given the four major urban areas approximately 75% to 80% of funding over the last decade, while still ensuring our urban centers remain strongly connected.

I appreciate the Commission's and the Department's work in this difficult and important decision making process. If my office can assist in any way, please do not hesitate to let me know.

Sincerely,

A handwritten signature in black ink that reads "Robert Nichols". The signature is written in a cursive, slightly slanted style.

Robert L. Nichols  
State Senator, District 3

**DRAFT TOPICS FOR THE REGIONAL TRANSPORTATION COUNCIL LEGISLATIVE PROGRAM  
87<sup>TH</sup> TEXAS LEGISLATURE****Adequately Fund Transportation and Utilize Tools**

- Ensure fair-share allocation of funds to metropolitan regions
- Identify additional revenue for transportation
- Support full appropriation of funding initiatives previously approved by the Legislature
- Allow for the ability to utilize tolling, managed lanes, debt financing and public-private partnerships in large metropolitan regions through a local decision-making process
- Authorize the use of a Comprehensive Development Agreement for specific needed projects
- Work with MPOs to allow tolled managed lanes with restrictions

**Improve Air Quality**

- Modernize and increase flexibility in the Local Initiative Projects (LIP) through a restricted program focused on transportation and air quality improvements; appropriate LIRAP's residual balance of previously collected funds back to counties
- Appropriate and protect TERP revenue balance; ensure funds are utilized for projects that meet the intent of the program and provide equity among fuel types
- Support system reliability, congestion relief, and encourage trip reduction strategies
- Support legislation that improves air quality

**Pursue Innovation, Technology, and Safety**

- Utilize innovation in high-speed transportation, transit, autonomous vehicles, and freight
- Support the collaboration between local governments, the military, the State, and FAA to advance regulations for the safe operations of unmanned aircraft vehicles
- Plan for shared mobility solutions; enable transportation data sharing and accessibility with appropriate privacy protection
- Increase safety, including but not limited to texting while driving, speed limits, driving under the influence, bicycle and pedestrian safety

**Expand Transportation Options**

- Plan, fund, and support the implementation of all modes of transportation, including transit
- Support legislation regarding excess rail liability that would allow North Texas transit agencies to operate on additional rail corridors as part of the regional transportation system.
- Retain eminent domain authority to allow planning and development of new and/or expanded transportation corridors including high speed rail, commuter rail, freight rail, roadways, and trails

**Support Transportation Planning and Land Use**

- Provide tools that would promote compatible development around military installations and training areas
- Support efforts to utilize performance-based planning to select high-quality transportation projects that are suitable for each region
- Support the use of State right-of-way for appropriate transportation projects