

DRAFT RTC LEGISLATIVE PROGRAM FOR THE 83RD TEXAS LEGISLATURE



North Central Texas
Council of Governments

Amanda Wilson

Regional Transportation Council – October 11, 2012

Transportation Funding Initiative

Context

2

Subcommittee #1

Implementing Agency, Voting Geography, 4a/4b Uses

- Affirmed support for existing transit agencies with closer partnerships.
- Recommended RTC support appropriate statewide funding initiatives and ensure transit eligibility, but also recommend should no statewide initiative be brought forward that a county-by-county voter initiative be pursued.
- Recommended RTC Equity Principles (Reference Item 5.2).

Subcommittee #2

Transit Agency Response, Transit Agency Partnership

- Approved the North Central Texas Regional Passenger Rail Alliance be sent to transit agencies for signature (Attachment 1 of Reference Item 5.3).
- Recommended RTC resolution supporting the North Central Texas Regional Passenger Rail Alliance (Reference Item 5.3).

Subcommittee #3

Determine Candidate Funding Source(s), Implementation Difficulty

- Directed staff to modify the online revenue tool.
- Recommended RTC provide a list of potential funding sources to the Legislature as ways to address the transportation funding problem (Reference Item 5.4).

Subcommittee #4

Draft Legislation, Communications Plan, Meet with Legislators

- Approved a communications plan (Reference Item 5.5).

RTC Legislative Program

Strategy: Present the transportation funding problem to the Legislature and request solutions from the Legislature*

*Reference Item 5.6

Subcommittee #1: Legislative Fundamentals – Chair, Rob Franke

3

Charges: Implementing Agency, Voting Geography,
4a/4b Uses

Actions:

- Affirmed support for three existing transit agencies with closer partnerships.
- Recommended RTC support appropriate statewide funding initiatives and ensure transit eligibility, but also recommend should no statewide initiative be brought forward that a county-by-county voter initiative be pursued.
- Recommended RTC Equity Principles.*

*Reference Item 5.2

Subcommittee #2: Partnerships

Chair, Charles Emery

4

Charges: Transit Agency Response, Transit Agency Partnership

Actions:

- Approved the North Central Texas Regional Passenger Rail Alliance.*
- Recommended RTC resolution supporting the North Central Texas Regional Passenger Rail Alliance.*

*Reference Item 5.3

Subcommittee #3: Funding Source

Chair, Linda Koop

5

Charges: Determine Candidate Funding Source(s),
Implementation Difficulty

Actions:

- ▣ Directed staff to modify the online revenue tool.
- ▣ Recommended RTC provide a list of potential funding sources to the Legislature as ways to address the transportation funding problem.*

*Reference Item 5.4

Subcommittee #4: Legislative Communication – Chair, Kathryn Wilemon

6

Charges: Draft Legislation, Communications Plan,
Meet with Legislators

Actions:

- ▣ Approved a communications plan.*

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Transit Funding Initiative Principles

The Regional Transportation Council (RTC) has long supported expanded public transportation options, as demonstrated by recommendations contained in Mobility 2035: The Metropolitan Transportation Plan for North Central Texas (Attachment 1). Transit provides many benefits to people and cities. It can serve as an economic development tool, provide a reliable commute option, promote more sustainable development in infill areas, and allow for expanded options for the region.

The RTC finds many reasons for seeking to expand public transportation, which have evolved over time:

- In the 1970s, the private sector demanded rail due to the energy embargo as a way to increase the reliability of the local economy during times of fluctuation in fuel price and availability.
- During the 1980s, the region recognized the need to become a world-class region by providing mobility to all residents, including those dependent on transit to access employment opportunities. This is when city bus companies became regional transit agencies.
- In the mid-1980s, rail transit was able to provide sensitivity in roadway corridors such as Central Expressway in order to minimize the highway lanes needed. It was during this time that air quality concerns emerged (and they continue to grow today) and the region recognized the important role for transit.
- In the 1990s, cities began to question homogeneous land-use decisions and provide opportunities for mixed-use and transit-oriented developments in order to link residents with economic opportunities.
- During the 2000s, people began to accept some level of congestion, but be very concerned with reliability of the transportation system and support rail as a more reliable option. In addition, as the population continues to age, transit can help provide independence, even as people are no longer to drive.
- More recently, the region has seen large increases in transit ridership as fuel prices have risen. As low- and middle-income workers continue to be in demand in areas where moderately priced housing may not be available, transit can provide an affordable transportation option to reach employment opportunities and mitigate the jobs-housing imbalance.

In order to implement the recommendations of Mobility 2035, additional revenue will be needed due to the reality that additional local “sales tax” is not available and may not be available for the foreseeable future from nonmember cities. When seeking additional revenue, the RTC must acknowledge the funding commitments made by transit member cities and local governments and seek to move forward as outlined in the Path Forward Outline (Attachment 2).

The Transportation Funding Initiative Subcommittee #1: Legislative Fundamentals recommends that the RTC adopt a set of principles to expand rail opportunities across the region in an equitable manner:

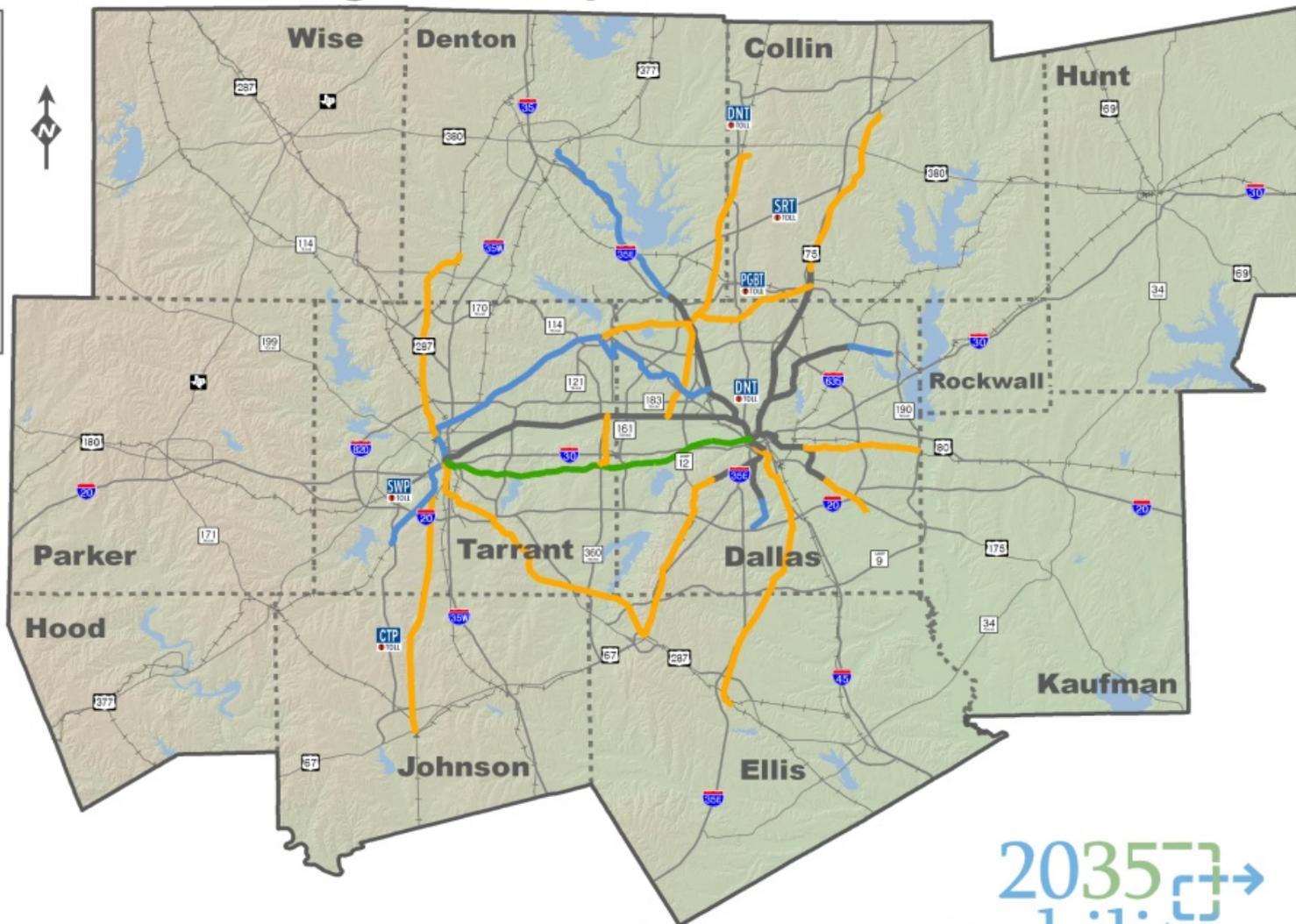
- The RTC recognizes that each decision is unique.
- The Texas Legislature has allowed “4a/4b” sales tax revenue to be used for transportation purposes and communities should be encouraged to use this source.
- The RTC’s level of financial support towards expanding the regional rail system will be proportional to the level of financial commitment made by communities.
- Differing levels of investment will result in differing levels of service and support from the RTC, as outlined in the Path Forward Outline (Attachment 2).
- The RTC should recognize and encourage transit-supportive initiatives, such as TOD planning, by nonmember cities.

Funded Recommendations

Passenger Rail Improvements

Attachment 1

Legend	
Funding Sources	
	Public
	Public and Private
	HSR/Regional Rail Integrated Corridor*
	Completed Projects
	Rail Lines



Corridor specific alignment, design, and operational characteristics for the intercity passenger, regional passenger, and freight rail systems will be determined through capacity evaluation and ongoing project development. Refined rail forecasts are necessary to determine technology and alignment in future rail corridors.

*See High Speed Rail map for additional inter-region rail access.



PATH FORWARD OUTLINE

Attachment 2

RTC POLICY

		Light Rail	Door-to-Door Para-Transit	Fixed Route Bus	Regional Rail (LRNT)	Supportive RTC Policies
DART	1 Cent "Sales Tax" ¹	✓	✓	✓	✓	Assist with Transit Funds
DCTA/FWTA	½ Cent "Sales Tax" ¹		✓	✓	✓	Assist with Transit Funds
GRAPEVINE	3/8 Cent "Sales Tax" ¹				✓	Assist with Transit Funds
Remainder		No	✓	✓	No	Limited/Pilot Program/Non-permanent Support Through Specialized Federal Programs

¹ Or equivalent from now forward. This includes local governments using revenues from various sources, including the private sector. These rates are guidelines, actual revenues need to pay for actual costs.

**RESOLUTION SUPPORTING THE NORTH CENTRAL TEXAS REGIONAL PASSENGER RAIL ALLIANCE
(R12-05)**

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is designated as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be the regional forum for cooperative decisions; and,

WHEREAS, over 40 percent of the population of the North Central Texas Region does not live within a transportation authority service area; and,

WHEREAS, the Regional Transportation Council's Mobility 2035: The Metropolitan Transportation Plan for North Central Texas addresses the implementation of the Regional Passenger Rail System as a critical element of the overall transportation system in the region; and,

WHEREAS, Dallas Area Rapid Transit (DART), the Fort Worth Transportation Authority (The T), and the Denton County Transportation Authority (DCTA) are proposing the recognition of joint efforts in the provision and expansion of the regional passenger rail system as the "North Central Texas Regional Passenger Rail Alliance."

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- Section 1.** The Regional Transportation Council supports the North Central Texas Regional Passenger Rail Alliance as included in Attachment 1.
- Section 2.** The Regional Transportation Council will continue to be financially supportive of the transportation authorities.
- Section 3.** The NCTCOG Transportation Director is authorized to communicate the position of the Regional Transportation Council.
- Section 4.** This resolution will be transmitted to the North Central Texas legislative delegation.
- Section 5.** This resolution shall be in effect immediately upon its adoption.



Pete Kamp, Chair
Regional Transportation Council
Mayor Pro Tem, City of Denton

I hereby certify that this resolution was adopted by the Regional Transportation Council of the North Central Texas Council of Governments for the Dallas-Fort Worth Metropolitan Area on October 11, 2012.



Kathryn Wilmon, Vice Chair
Regional Transportation Council
Councilmember, City of Arlington

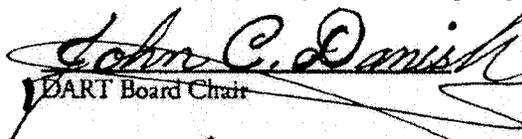


DCTA



**STATEMENT OF PRINCIPLES
NORTH CENTRAL TEXAS REGIONAL PASSENGER RAIL ALLIANCE**

1. Dallas Area Rapid Transit (DART), the Fort Worth Transportation Authority (The T), and Denton County Transportation Authority (DCTA) have an established history of coordination, cooperation, and provision of transit services within and across service area boundaries and are well positioned to lead the planning, implementation, and operation of a system of regional passenger rail in the 16-County North Central Texas Council of Governments Region, ("the region" -Wise, Denton, Collin, Hunt, Palo Pinto, Parker, Tarrant, Dallas, Rockwall, Kaufman, Erath, Hood, Somervell, Johnson, Ellis, Navarro). This can continue to be accomplished without the creation of a fourth entity.
2. DART, The T, and DCTA have expressed their desire, intent, and willingness to cooperate by participating, at their own option and upon satisfactory terms, in the following:
 - a) Regional cooperative agreements for corridor management, dispatching, and operations
 - b) Fuel purchases as mutually beneficial
 - c) Regional fare structure, enforcement, security, and safety standards
 - d) Regional marketing campaigns
 - e) Access to rail corridors owned by the three existing transit agencies or other entities
 - f) Regional call center and enhanced customer service
 - g) Positive train control and regional rail safety and design standards
 - h) Design, implementation, and future procurement of a single regional rail vehicle to provide regional passenger rail service in accordance with DART Board Resolution No. 080114 (Attached)
 - i) Opening freight corridors for passenger rail
 - j) Rail planning and alignment development
 - k) Resolutions for liability insurance coverage and liability issues enabling passenger rail service in freight railroad corridors
 - l) Smart Card (electronic fare media) development and regional fare equipment purchases
3. DART, The T, and DCTA will work cooperatively to seek support for The Alliance's efforts to expand regional passenger rail service in the region through the Texas Legislature and U.S. Congress.
4. To continue to pursue the goals of expanding a system of passenger rail services in the region, DART, The T, and DCTA wish to reaffirm their joint goal to cooperate in the coordination, development, and operation of a seamless system of regional passenger rail service in the region by creating the "North Central Texas Regional Passenger Rail Alliance."
5. This does not preclude the independent efforts of the individual entities to further agency-specific objectives. Dallas Area Rapid Transit, Denton County Transportation Authority, and the Fort Worth Transportation Authority will maintain respective funding, responsibilities, and commitments.

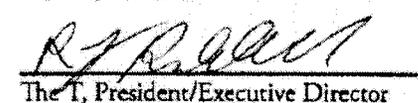

DART Board Chair


DART, President/Executive Director


DCTA, Board Chair


DCTA, President


The T, Board Chair


The T, President/Executive Director

**Funding Source Evaluation Chart
Transportation Funding Initiative - 2012**

Funding Source	Revenue Category (Reallocation, New, or Increase)	Implementation by County ¹	Implementation Efficiency ²	Politically Feasible	Transportation Nexus	Revenue Potential ³	Comments
Vehicle Registration Fee	Increase	Yes	Very Easy	Yes	Yes	High	Mechanisms for county implementation are currently in place. Vehicle registration fees are deposited into the State Highway Fund. Once the fees are in the State Highway Fund they cannot be used for transit.
Mobility Improvement Fee*	New	Yes	Very Easy	Yes	Yes	High	Mechanisms for county implementation are currently in place. This source is similar to the vehicle registration fees and would be deposited into the State Highway Fund for use on all project types.
Motor Vehicle Sales Tax*	Reallocation	Yes	Easy	Yes	Yes	High	Implementing this in select counties could negatively impact vehicle sales in those counties. Would be a better option if implemented statewide.
Drivers License Fee*	Increase	Yes	Easy	Yes	Yes	Low	Mechanisms for county implementation are currently in place.
New Resident Vehicle Impact Fee*	Increase	Yes	Easy	Yes	Yes	Low	DMV currently collects a similar fee (\$90) which is assessed when a vehicle is first registered in the state of Texas. It would have to be determined if the fee is assessed on new residents to the state or new residents to the county.
Value Capture (e.g. iFi)	New	Yes	Difficult	Yes	Yes	Medium	This would require piecemeal implementation.
Concession Payments	New	No	Difficult	Yes	Yes	Low	This has limited applicability but should be pursued where viable. Use of this source would be on a project-by-project basis.
Property Tax	Increase	Yes	Very Easy	No	No	Medium	Mechanisms for county implementation are currently in place.
Local Option Gas Tax (Excise Tax)	New	No	Very Difficult	No	Yes	High	Existing tax structure makes it very difficult to collect county by county.
Parking Fees	New	Yes	Difficult	No	Yes	Low	Institutional mechanism to collect is not established.
Fuel Sales Tax	New	Yes	Very Difficult	Yes	Yes	High	Fuels are currently exempt from sales taxes. Implementation of this type of fee would have to be done statewide.
VMT Tax	New	No	Very Difficult	No	Yes	High	This would likely have to be implemented at the national level. There are still a number of issues that have to be resolved before this type of fee could be implemented.
Regional Development Impact Fee	New	Yes	Very Difficult	No	Yes	Low	This source could put the region at a disadvantage for future growth and development. This would be more viable if implemented statewide.
Gas Well Revenues	Reallocation	Yes	Difficult	No	No	Low	Unreliable source. Revenue already committed at local level.
4a/4b Retirement	Reallocation	No	Difficult	No	No	Medium	This would require city-by-city implementation. 4a/4b funds are committed to other local priorities.
Sales Tax	Increase	No	Difficult	No	No	High	Many cities have reached their sales tax ceiling. This would require legislative action and may result in city-by-city implementation.
Vehicle Emissions Fee	New	Yes	Difficult	Yes	Yes	Medium	Collected at the time of vehicle inspection

*This funding source has been added to the revenue estimation tool.

¹Can the source reasonably be implemented within the geographic confines of a county?

²Do the institutional mechanisms exist to assess/collect the source? And what level of complexity may be needed to modify those mechanisms?

³Does the source generate enough revenue, if assessed at a reasonable rate, to matter?

Legislative Communications Plan

Situation Analysis

Current communications between the North Central Texas Council of Governments (NCTCOG) staff and legislators representing the North Texas region lacks consistency and regularity. Communication efforts are typically more frequent during the legislative session, but are less frequent during the interim.

Communication between NCTCOG staff and state legislator offices currently consists of emailing monthly publications and making phone calls on an as needed basis. Two publications, the North Texas Transportation Connection and Mobility Matters, are sent to keep legislators and their staff informed of RTC actions and transportation planning projects in the Dallas-Fort Worth region. Progress North Texas, the annual state-of-the-region publication, was also recently mailed to all legislative offices.

In early 2011, as the 82nd legislative session began, the RTC legislative program with fact sheets was sent to legislators' offices. These fact sheets outlined the legislative program with the problem and legislative solution. During session, phone calls and emails were exchanged with legislators' staff members, usually dealing with specific legislation. NCTCOG staff also helped draft legislation that was carried by members of our legislative delegation and provided testimony as a resource witness during committee hearings.

In the past, office visits by NCTCOG staff have also occurred when a significant regional transportation issue arose, such as the Rail North Texas Initiative. RTC members have also made office visits and placed phone calls to legislators to discuss vital regional transportation items with legislators. However, there is a need for more consistent and coordinated communications among NCTCOG staff, legislators, partner agencies and RTC members that will aid efforts to help meet transportation and air quality needs for the entire Dallas-Fort Worth region.

Audience

- North Central Texas legislative delegation (49 members)
- Staff of the North Central Texas legislative delegation
- Partner agencies, legislative affairs staff

Key Messages

- Explain what the RTC, NCTCOG is - Regional transportation planning in North Central Texas is conducted by the federally designated Metropolitan Planning Organization (MPO), comprised of the North Central Texas Council of Governments Transportation Department, NCTCOG Executive Board, Regional Transportation Council and several technical committees.
- Explain what the RTC, NCTCOG does - NCTCOG assists local governments in planning for common needs, cooperating for mutual benefit and coordinating for sound regional development.
- How partnerships can help the region - The RTC and NCTCOG Transportation Department work with elected officials, state and local governments, transportation partners and the region's citizens to plan coordinated transportation systems, projects and policies to meet transportation and air quality needs for the Dallas-Fort Worth area.

Objectives

- Increase communications and build better relationships with legislators and their staff resulting in a partnership for a mutual benefit
- Educate legislators and their staff about what the RTC and NCTCOG is and what they do by establishing regular points of contact before the next legislative session begins
- Coordinate with partner agencies – RTC + DART, DCTA, NTTA, The T, TxDOT – to plan for common needs and sound regional development

Tactics

Increase communications and build better relationships with legislators and their staff resulting in a partnership for a mutual benefit

- Place additional phone calls to legislators' offices to build better rapport with staff
 - NCTCOG staff will update contact information more frequently and provide the information to the RTC
 - Update NCTCOG legislative contact database for better accessibility
- Visit a returning member's district office and send correspondence more often
 - Visit offices to build rapport, visit key offices, also visit new members
 - Be proactive with visits, do not wait until the legislative session begins
 - Send correspondence to offices more often
 - Hand write address on envelopes to help get noticed
 - Send hand-written notes for an old-fashioned feel
- Invite area legislators to monthly RTC meetings with lunch provided
 - Email monthly RTC meeting agenda to offices and encourage legislators to attend to improve communication with RTC members
 - Provide lunch to encourage early arrival and interaction
 - Staff to follow up with offices to ensure a good turn out

Educate legislators and their staff about what the RTC/NCTCOG is and does and establish regular points of contact before the next legislative session begins

- Conduct a "new-member orientation" consisting of special communications including letters, notes, publications and visits aimed at educating legislators
 - Send new-member correspondence and hand-written notes
 - Send welcome letters with recent publications and information about projects (NCTCOG project fact sheets) or funding initiative information
 - Include information about regional transportation efforts, history of transportation with major initiatives, funding revenue options
 - After new-member correspondence is received, make office visits to meet staff
 - Discuss the current funding initiative, regional projects, why it is important and how legislators can get involved, seek input on whether the legislator would support or oppose the various initiatives or revenue options
- NCTCOG staff will provide the RTC legislative agenda, fact sheets and additional publications to legislative offices
 - When a new fact sheet for a project is created, email to legislator offices
 - Monthly and quarterly publications (Local Motion, It's Your Region) are created but not sent to legislative offices, these publications can be emailed to legislative staff

- Inform legislators and their staff of the services NCTCOG can provide
 - Continue to draft bills based on RTC legislative agenda
 - Continue to provide testimony as a resource witness during committee hearings
 - Begin to send legislative analyses of bills from an MPO perspective

Coordinate with partner agencies – RTC + DART, DCTA, NTTA, The T, TxDOT – to plan for common needs and sound regional development

- Contact partner agencies to identify issues and legislative positions
 - Before session begins, exchange RTC legislative agenda and fact sheets with partner agencies and gather their legislative agendas in return
- Provide RTC members with legislator/legislative information
 - Create a list of RTC members and their corresponding area legislators
 - Create maps/lists of all districts for RTC members and partner agencies
 - Identify key legislators for RTC members, create multiple contact lists with tiers and encourage meetings
 - Key legislators – chairs, vice chairs on specific committees
 - First-tier legislators – North Central Texas legislators who have supported transportation/air quality legislation in the past
 - Second-tier legislators – remaining North Central Texas legislators
- Plan county-by-county meetings
 - Invite RTC members, partner agencies, legislators and their staff to meetings before the legislative session begins to discuss upcoming legislative issues
 - Meetings can be held in RTC member's district
 - Involve public

Budget

- Additional phone calls – Minimal cost, aim to make additional calls to district offices
- Mailing additional publications/correspondence
- Semi-annual lunch, twice as much as regular RTC lunches
- RTC Note Cards

Evaluation/Measurement

In an effort to build better relationships with the North Texas legislative delegation, RTC members and NCTCOG staff must increase communications with legislators. This can be accomplished by making additional phone calls to create rapport, visiting legislators' district offices and inviting legislators to RTC meetings.

Another goal is to educate legislators and their staff about what the RTC and NCTCOG is and does. This will be accomplished through new-member orientations and more frequent communication efforts including welcome letters, hand-written notes and office visits. The RTC legislative agenda with fact sheets, project fact sheets and additional publications will also be sent to legislators.

The last goal is to coordinate with partner agencies, DART, DCTA, NTTA, The T, TxDOT and RTC members, for sound regional development. This can be done by contacting partner agencies to identify issues and positions, providing RTC members and agencies with legislative/legislator information and hosting additional meetings.

The key message in these communication efforts is the emphasis on partnerships and cooperation between NCTCOG, RTC, legislators and partner agencies in order to meet transportation needs for the Dallas-Fort Worth area.

Over time, the objectives of this communications plan can be measured through legislative scorecards. Comparing carried and passed legislation to previous legislative sessions will show if the additional communication strategies are working. An increase of regional transportation legislation carried or passed during the session can reflect success.

Additional communication efforts can be completed at zero to minimal cost. Emailing supplemental publications and more frequent phone calls to legislator's district offices can be completed at no additional cost. During the legislative session, phone calls will be placed to Austin but the cost would not greatly exceed current costs of phone calls to the Capitol.

Mailing hand-written notes and other correspondence can be completed at low costs. Providing annual lunches can also be completed at low costs. RTC lunches cost about \$300 for 50 people or approximately \$6 per person. Better lunches should be provided if legislators attend. An estimate of a nicer lunch may double the cost. The need for more consistent communications between the RTC, NCTCOG staff and legislators, along with the overall benefits, clearly outweigh the minimal cost of additional efforts.