



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Gary Halbrooks, Vice Chair
DATE: Tuesday, September 14, 2021
SUBJECT: **September Board Meeting**

The next meeting of the NET RMA is scheduled as follows:

DATE: Tuesday, September 14, 2021
TIME: 1:30 PM
PLACE: 2772 S. Southeast Loop 323
Tyler, TX 75701
Smith County

Enclosed please find the agenda and other pertinent information for your review prior to the meeting. Should you have any questions, please call Lana Lane at 903.630.7894.

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
Tuesday, September 14, 2021
2772 S. Southeast Loop 323
Tyler, TX 75701
Smith County

1. CALL TO ORDER AND DECLARATION OF QUORUM

Notice of this meeting was posted with the Secretary of State's Office and on the NET RMA website and office on Friday, September 10, 2021

September 14, 2021, 1:34 PM the meeting was called to order by Jason Ray sitting in for Gary Halbrooks. Glenn Green for those on virtually, we are having to go through and re-verify there is enough for a quorum. Gary Halbrooks our Vice Chair is absent today he had an unfortunate family emergency. He is at urgent care with family member, so we have Jason presiding in his place. Is there anyone on the line Board Member wise that I failed to call? No responses. With that Glenn asks Colleen Colby to reassure that we have a quorum with the count.

September 14, 2021, 1:47 PM the meeting was called to order by Jason Ray sitting in for Gary Halbrooks, we now have a quorum. We apologize for delay. Reintroductions now.

2. SWEARING IN OF REAPPOINTED BOARD MEMBERS

Smith County Judge Nathaniel Moran

Board Member was not available for swearing in. Therefore, Judge Nathaniel Moran was not needed to be on site.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Glenn Green welcomes everyone to meeting and does roll call. Dave Spurrier, Dan Droege, Chet Clayton, Jason Ray, Larry Morse, John Cloutier, Marcia Daughtery, Jim Payne, Robbie Shoults, Robert Messer, Ben Hamilton

4. OPEN PUBLIC FORUM/COMMENT PERIOD

No one present for public comments

5. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE

A. JULY 13, 2021 REGULAR BOARD MEETING; AND

B. AUGUST 31, 2021 SPECIAL CALLED BOARD MEETING

Action Item

Jason Ray motions to Approve the Minutes for the July 13, 2021 Board Meeting and the August 31, 2021 Special Called Board Meeting. Motion for approval Dave Spurrier, 2nd Dan Droege. Motion is approved unanimously.

6. VICE CHAIR'S REPORT

Gary Halbrooks

No Chair's Report

7. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON AN HONORARY RESOLUTION FOR FORMER BOARD CHAIR LINDA THOMAS.

Dave Spurrier reads the Honorary Resolution and presents Linda with award and gifts. Linda gives her thanks of having the joy of working with everyone on the Board. Thanks for the support of everyone on the Board. Hope to see everyone again soon.

8. COMMITTEE REPORTS

A. Executive Committee

Gary Halbrooks

Nothing to report

B. Community Relations Committee

Andrea Williams McCoy

Nothing to report

C. East Texas Hourglass Committee

Dave Spurrier

Dave Spurrier reports the committee is very near scheduling the next meeting. He will go over the plan and revised

calendar for Segment 6. Also looking at Segments 7 and 8 to discuss the new routes. Will try to meet next month.

D. Finance Committee

Robert Messer

We have been working on the budget that Dianne will discuss. There was a lot of work and effort from the group for this project.

E. Member Outreach Committee

John Cloutier

No report

F. Personnel Committee

Jason Ray

No report

G. Project Development & Implementation Committee

Larry Morse

There has been work on a revised scope of work for the priority project in Upshur County, US 271 for the Feasibility Study, which is almost complete. Once completed the committee will submit a Work Authorization to the Board.

9. PRESENTATION ON BOWIE COUNTY PRIORITY PROJECT.

Andrea Williams McCoy

10. REVIEW AND ACCEPTANCE OF NET RMA FINANCIAL STATEMENTS.

Dianne Johnston presenting the budget. As of July 31, 2021 Net Toll Revenue Electronic over budget, Net Video Revenue and Fees over budget 16%, Total Operating Revenue over budget 5%, Operating Expenses under budget 6%, Toll 49 operating expenses under budget 4%, Net other expenses under budget 4%, Net income as of July 31, 2021 deficit under budget 30%.

11. REPORT ON TOLL 49 TOLLING TRANSACTIONS AND REVENUE.

Dianne Johnston- Toll 49 Tolling transactions July average transactions charted up over June average 43,107. August was down a bit, average weekday 40,552. Weekdays are above where we were historically in the past. Things are coming back up for September.

Larry Morse asks what the budgeted transactions are. Dianne is not really going off the T&R. Cannot give a number off the top of her head, but we are under that number. Everette responded we do not budget based on transactions.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE NET RMA 2021-2022 BUDGET. (RESOLUTION 21-15)

Action Item

Diane-2 budget docs in your Board books, Budget Summary page 21, Budget detail page 23. Reviewed extensively and green light given to present today. Also reviewed by Executive Committee. Focus in on the summary if you have questions we can look at the detail. Start with total operating revenue proposed amount is \$24,478,000 month-to-month analysis of the Toll revenue. Transaction reports are up, then project that into 22 normalize items that negatively impacted revenue. Then use historical data to estimate the month-to-month. The total operating revenue is 9% over estimation.

Glenn- Weather days and things like that impact ridership. Cloutier- the last overlay we ended up paying more and went over. Glenn we have done a thorough job to limit time and being sure finish on time. It is spelled out upfront. The contractor can get a bonus for quality work, completed early. Can go over but, allow for that, but if he doesn't achieve it, it costs. Cloutier speaks on compromised standards and having to come back and redo a lot of things.

Diane speaks on Operations and maintenance expense, Roadway maintenance, capital purchases, toll collections, Maintenance Support (CAPCHE partial year then SICE). Cloutier are there any trucks for maintenance? Diane, there is a tractor and trailer for hauling.

General fund required-projects committed to and full amount not expected to be expended.

Different areas of the budget and amounts along with depreciation and bond premiums. Any questions on the details? Robert Messer spoke on general fund. \$177,865 if only operating toll road we would break even. Pay attention to detail and they key point is we are breaking even. Dipping pretty hard this year and we cannot afford to do this every year. Cloutier- we do have some cash that we are sitting on and not touching, am I looking at this correctly? Messer-yes there is some cash reserve. We need to be cautious and be careful how we spend it. Diane-the bonding agencies hit us really hard this year. Messer-we need to be cautious because it will get harder for us to borrow money. We need to look and see if \$5M is a good number.

Motion to approve budget by John Cloutier, 2nd by Larry Morse. Motion passes unanimously.

- 13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 5 WITH CDM SMITH FOR TRAFFIC AND TOLL REVENUE TECHNICAL SUPPORT SERVICES DURING FY 2022. (RESOLUTION 21-16)** **Action Item**
Glenn speaks on this WA for \$150,000 CDM Smith. Traffic toll revenue accounts and monitoring reports and assistance with other miscellaneous tasks.
Recommends approval. Motion of approve Larry Morse, 2nd Dan Droege. Motion passes unanimously.
- 14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 14 WITH ATKINS FOR GEC SUPPORT SERVICES DURING FY 2022. (RESOLUTION 21-17)** **Action Item**
Glenn speaks on this WA for GEC Atkins to support nature and rehab to rehabilitate. \$452,000 amount for 1 year. Our normal GEC contract.
John Cloutier- Are we getting in any major changes more or less? Glenn Green, no sir.
Recommends approval. Motion for approval John Cloutier, 2nd Larry Morse. Motion passes unanimously.
- 15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE A TOLLING SERVICES AGREEMENT WITH THE NORTH TEXAS TOLLWAY AUTHORITY. (RESOLUTION 21-18)** **Action Item**
Glenn speaks on the continuation with NTTA as back-office provider. This replaces services provided by an existing 3rd party vendor. This will ultimately shorten time to receive payment for tag transactions, and getting the money to us. Better customer service. Recommend approval. Droege questions on toll transactions. Glenn turns it over to Everette.
Cloutier speaks on interoperable tags. If not smooth, we will lose some customers. Everette- we will not be forcing anyone to change over the tags. It is advantageous for us to have the NTTA toll tag. Since there has been quite a few issues with Tx Tag. We can encourage, but we will not force a customer to change over. Speaks on collection agencies. Cofiroute's way of pushing the customer is late fees and so on. NTTA takes the position that if PBM outstanding balance encourages customer to get a tag and then waive fees. Discuss the benefits of having a toll tag. Interoperable tag is 8% fee, any transaction but not NTTA tag we pay 12% of toll, PBM transaction is 38%. Those are the 3 points. Everette, we paid 8%. John Cloutier asked for our current percentage. Everette clarified with 8% then we also pay Coufiroute for transactions and fees. Everette- with additional fees, and the additional fee by Coufiroute. \$5M savings per Everette
Everette speaking on DV: people did not have tags, going forward they will need to have a tag to be in the DV program.
Motion to approve Dave Spurrier, 2nd John Cloutier. Motion passes unanimously.
- 16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 2 WITH FAGAN CONSULTING, LLC FOR TOLL SYSTEMS CONSULTING SERVICES DURING FY 2022 AND OVERSIGHT OF THE BACK OFFICE TRANSITION. (RESOLUTION 21-19)** **Action Item**
Glenn speaks on. Oct 1 – Sept 30, 22. Daily monitoring/tracking and keeping photos/transponder transactions/monitor hub transactions/analysis/special analysis recommends approval with Fagan Consulting. John Cloutier speaks on the previous fixes of the equipment. Does not like that after approval a large bid was submitted for computers because ones that were there were not compatible. Motion to approve Larry Morse, 2nd Dan Droege. Motion passes unanimously.
- 17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 2 WITH SICE, INC. FOR CONTINUED TOLL SYSTEMS INTEGRATOR SERVICES. (RESOLUTION 21-20)** **Action Item**
Glenn speaks on WA presented before in different form. Was a template and included some verbiage that was more applicable towards work authorization #1. This is the correct version with language cleaned up, no price changes. Motion to approve Jim Payne, 2nd motion Ben Hamilton. Motion approved unanimously.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 4.3 WITH CDM SMITH FOR CONTINUED TRAFFIC AND TOLL REVENUE TECHNICAL SUPPORT ON TOLL 49.

(RESOLUTION 21-21)

Action Item

Glenn speaks on WA extend termination date with no changes to the scope or compensation. Spurrier where is the detailed report? Was there not one every 90 days? Glenn: one was done in July. 1st motion John Cloutier 2nd Dan Droege. Motion passes unanimously

19. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN EXTENSION TO THE ENVIRONMENTAL CONSULTING AGREEMENT WITH CP&Y.

(RESOLUTION 21-22)

Action Item

Glenn speaks on for extension of 1 year original contract. For term of 4 years that expires today. Extended the time of the contract with no change in price.

Spurrier: will this be 1 year or will we have a choice to change? We can renew and then you may want to have a discussion to do longer. Cloutier: this keeps our price locked in correct? Yes

Request approval for 1 year extension. 1st Dan Droege, 2nd Larry Morris. Motion to approve unanimously.

20. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE A REQUEST FOR PROPOSALS FOR THE 2022 TOLL 49 MAINTENANCE PROJECT.

(RESOLUTION 21-23)

Action Item

Glenn speaks on current maintenance contract expiring Dec 31-21. This is an amendment to procurement policy. Proceed with advertisement of bids.

Cloutier- are we happy with what they did? They were lower in their bid. Glenn- They went through some changes like any company does. We have had some issues that have come up. Had some changes with our contract and our facility. They will have to make changes with NET RMA approval. Recommends approval to advertise.

Motion to approve John Cloutier, 2nd Marcia Daughtrey. Motion passes unanimously.

21. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE PROCUREMENT OF A CONTRACT FOR THE TOLL 49, SEGMENT 1 OVERLAY PROJECT.

(RESOLUTION 21-24)

Action Item

Glenn speaks on this. Routine pavement maintenance, this will extend life of the payment. \$4M staff recommends approval. Dave Spurrier: remind me where the money is being spent since \$5.2M. Diane lists the details bridge/erosion control/Atkins R&R using \$1.9M won't take the fund down to zero. Glenn: additional island/work/upgrading work fence/guardrail before the height requirements. John Cloutier: will we see change in amount? Glenn: we do ours early in the year so we get ahead of everyone else instead of being behind. People throw numbers, just to pick it up. We do anticipate several bids per Glenn. Motion to approve Larry Morse, 2nd Marcia Daughtery. Motion passes unanimously.

22. EXECUTIVE DIRECTOR'S REPORT.

A. Facility Update

Glenn: current lease end date for current building is December 2021. IHOC put together by previous Chair Linda Thomas, to determine should we extend the lease or see what else is on the market. Coming shortly will be recommendations on potential steps for current office facility. Our lease is up, we will evaluate our best options. Just general information on letting you know what is coming.

John Cloutier-where do we stand on trucks and tractors? Glenn- we have one bobcat, we have no tractors, and work trucks go home. We have a flatbed trailer in what is called our yard. We recently also added electricity with our internal guys. We intend to install surveillance equipment. Building is not enclosed, however, equipment is not exposed to direct weather.

B. Update on Maintenance Activities

Glenn: Maintenance Activities- center coat job has new stripe on it. Due to get the remainder of markers on center line some side roads not completed. We will move forward under current maintenance agreement and freshen up on

markers/stripping. Just to let you know we continue to improve our delineation. Keeping it bright, fresh, and reflective. Just replaced all delineators.

23. ADJOURNMENT

Jason Ray states the time of 2:59 PM, meeting adjourned

EXECUTIVE SESSION - PURSUANT TO CHAPTER 551, SUBCHAPTER D, TEXAS GOVERNMENT CODE, IF ANY

- **At any time during the meeting of the NET RMA Board of Directors, the Board may meet in executive session for consultation concerning matters under Chapter 551 of the Texas Government Code, including:**
 - A. Section 551.071. Consultation with Attorney—Consultation with and advice from legal counsel concerning pending/contemplated litigation, settlement offers and negotiations, ongoing disputes and potential disputes, and other legal issues.**
 - B. Section 551.072. Deliberation Regarding Real Property—Discussion of real property purchase, exchange, lease, license, gift, donation, and/or negotiated settlement, including property to be acquired for right-of-way.**
 - C. Section 551.074. Personnel Matters—Deliberation concerning the appointment, employment, reassignment, evaluation, duties, discipline, and/or dismissal of personnel.**

PARTICIPATION BY TELEPHONE CONFERENCE CALL:

One or more members of the Board may participate in this meeting through a telephone conference call, as authorized by Section 370.262, Texas Transportation Code. Under that law, each part of the telephone conference call meeting that by law must be open to the public shall be audible to the public at the meeting location. During the meeting, the identification of each party shall be clearly stated prior to speaking, and the meeting shall be documented by written minutes. On conclusion of the meeting, the written minutes of the meeting will be made available to the public.

OPEN COMMENT PERIOD

The Board will allow an open comment period, **not to exceed one hour**, to receive public comment on any other matter that is under the jurisdiction of the Board, including an item listed on the agenda. Public comment must be made during the open comment period. You must be recognized by the presiding officer.

Each speaker will be allowed a **maximum of three (3) minutes**. For subjects that are not otherwise part of the agenda for the meeting, Board members may neither comment nor question speakers during the open comment period, but may request the presiding officer, or a recognized committee, to investigate the subject further. No action will be taken on matters that are not part of the agenda for the meeting.

NOTE

Enumerated agenda items are assigned for ease of reference only, and will not necessarily be considered by the Board in that particular order. The presiding officer may rearrange the order in which agenda items are considered.

Presenters with audiovisual needs are requested to contact NET RMA at 903.630.7894 at least two working days prior to the meeting.

ACCESSIBILITY STATEMENT FOR DISABLED PERSONS

This meeting site is accessible to disabled persons as follows: wheelchair ramp at the main entrance. If any special assistance or accommodations are needed in order to attend this meeting, please contact the NET RMA at 903.630.7894 at least two working days prior to the meeting so that appropriate arrangements can be made.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for person who are deaf or hearing impaired, and readers of large print or Braille, are requested to contact the NET RMA at 903.630.7894 at least two working days prior to the meeting so that appropriate arrangements can be made.