



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Linda Thomas, Chair
DATE: Tuesday, September 11, 2018
SUBJECT: **September Board Meeting**

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

DATE: Tuesday, September 11, 2018
TIME: 1:30 PM
PLACE: Pine Crest Country Club
214 Club Dr.
Longview, TX 75602
Gregg County

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

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
Tuesday September 11, 2018, 1:30 PM
Pine Crest Country Club
214 Club Dr.
Longview, TX 75602
Gregg 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 7, 2018.

1:30 PM meeting called to order

2. INVOCATION

A moment of silence was taken for 9/11 victims and first responders.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

In attendance: Tim McRae, Larry Morse, John Cloutier, Barham Fulmer, Gary Halbrooks, Linda Thomas, Chris Miller, Dan Droege, Cory Floyd, Dave Spurrier, Nate Priefert, Chet Clayton, Robbie Shoults, Jason Ray, Belinda Andrus

4. REMARKS BY GREGG COUNTY JUDGE BILL STOUDT

In place of Judge Stoudt, David Spurrier welcomed all to Gregg County.

5. OPEN PUBLIC FORUM/COMMENT PERIOD

No comments

6. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE AUGUST 14, 2018 BOARD MEETING. **Action Item**

Motion to approve: Dan Droege. 2nd: Barham Fulmer

7. CHAIR'S REPORT

Linda Thomas

Linda Thomas thanked all for joining the NET RMA for the board meeting. She stated that new tolling technology was announced by Audi which brings forth the possibility of tag transponders implemented in the car itself. It's an exciting possibility. She also encouraged all to look through the NET RMA newsletter that was released the previous week.

8. COMMITTEE REPORTS

A. Executive Committee/Audit Committee

Linda Thomas

No report

B. Personnel Committee

Jason Ray

Jason Ray stated that all board members should have received an email from him relating to the Executive Director's performance evaluation review. He has heard from a few board members but still needs several more. He also spoke to some of the new board members that were uncomfortable with providing a review as they felt they did not have sufficient experience to provide an accurate review.

C. Project Development & Implementation Committee

Barham Fulmer

Barham Fulmer stated that they had a conference call to discuss items that were on this meeting's agenda. The only change orders discussed this day are small change orders that were previously approved by the Executive Director. They were all discussed beforehand.

D. Long-Range Planning Committee

John Cloutier

No report.

E. East Texas Hourglass Committee

Dave Spurrier

Dave Spurrier stated that a report for item 19 by Everett Owen would be presented later in the meeting. There was also a letter of support sent by Gregg, Smith and Harrison counties regarding TxDOT financing. They will propose that the East Texas Hourglass will host another committee meeting in conjunction with the Project Development Committee in order to further discuss the future of Segment 6. Barham Fulmer said that as they move forward and complete Segment 4, they are hoping to have David Spurrier sit in on some of their Project Development meetings regarding Segment 6 since it is directly related to the East Texas Hourglass.

F. Investment Committee

Robert Messer

No report

G. Facilities Committee

Gary Halbrooks

No report

H. Public Communications Committee

Andrea Williams-McCoy

No report

9. PARTNERSHIP UPDATES

A. East Texas Corridor Council

Linda Thomas

B. I-69 Alliance Committee

Linda Thomas

Cory Floyd stated that a meeting was set for October 30th at 10AM at the TxDOT Riverside Campus. He stated that he would also circulate that information later in the day via email.

C. East Texas Council of Governments

Linda Thomas

No report

10. REVIEW AND ACCEPTANCE OF NET RMA FINANCIAL STATEMENTS

Michelle Colburn

Michelle Colburn provided the presentation. She stated that they had recently closed out both June and July this time around so they are now up to current reporting standards. She also stated that she would not go into detail on June as the July statements encompass June. In June, revenue was at 1.1M vs a budget of 1.4M. Operating expenses were below average at 125k when the average is usually around 140k. Toll 49 operating expenses were also below average at 250k compared to an average of 275k. Operating income was about 300k below average. In July, total operating revenue is about 500k less than last year. The total operating expenses were up by about 50k compared to last year. Toll operating expenses are largely on track compared to last year. Operating income is about 561k behind which is largely due to revenue being down and expenses being up. Revenues and expenses compared to year to date: 1.6 million down in revenue. Total operating expenses are about 200k ahead of schedule. Total Toll 49 operating expenses are essentially on track by only being 35k less than anticipated. Operating income is about 1.7 million compared to year to date. Revenue is down while expenses are up which has led to the overall loss. Expenses are 1.6 million ahead which is due to the added debt leverage. Total net income is about 100k behind budget. Total current assets equal 52.7 million. Total assets are about 389 M. Liabilities 5.9M. Total liabilities in net assets equal 389 M.

Motion to Approve: Larry Morse, 2nd: Tim McRae. Unanimously approved.

11. REPORT ON TOLL 49 TOLLING TRANSACTIONS AND REVENUE

Chris Miller

A. Monthly Transactions (August 2018)

Chris Miller stated that in the month of August, there have been about 32k transactions which is to be expected. There has been a bit of an uptick compared to July 2018. He stated there will be substantial completion on a lot of the construction projects which should show a turn around in transactions in the future.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE NET RMA FY 2018-2019 BUDGET. (RESOLUTION 18-48)

Action Item

Chris Miller stated that the budget has been looked over by the Executive Committee. The only thing that has changed is that they asked the GECs to look over the Segment 4 project. After looking at it, it is now 15.1M. It lowered by about 1.4M since the construction is moving along. Additionally, 20k was added to the marketing budget in order to gain further insight on the demographics of toll users and customers. It will provide a lot of information on who is using the tolls as well as who the habitual violators are. They are also looking at more options for people to pay when using the road. About 50% are currently pay by mail with 46% tag usage. The goal is to have a higher transponder-based transaction because it provides better assurance of payment. Additionally, Chris Miller stated that there currently is not enough information out there to the public for them to know what their payment options are. He also stated that Andrea Williams-McCoy has worked diligently and has provided contacts for video advertisements that would play up Toll 49 and would hit the Dallas market. Chris Miller recommends the approval of the budget.

Motion to Approve: John Cloutier, 2nd: Larry Morse. Unanimously approved.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AMENDMENT EXTENDING THE AGREEMENT WITH IIP USA, LLC FOR ROADWAY MAINTENANCE SERVICES ON TOLL 49.

(RESOLUTION 18-49)

Action Item

Tammy Sims provided the presentation. She stated that IIP was awarded the maintenance contract for FY 2018. According to staff, IIP has been doing quality work and because of this, staff is asking for an extension of their contract through FY 2019 for the same amount as FY 2018. Barham Fulmer clarified that it is an "as needed" contract. John Cloutier asked if that price would change once Segment 4 was open. Tammy Sims stated that once Segment 4 opens, there will likely be a change order issued in order to account for the added miles. Dan Droege pointed out that 950k has been budgeted. Chris Miller stated that yes, for legal reasons the amount budgeted was larger than the extension asked for. John Cloutier asked if the remaining 80k would be enough to cover the additional maintenance of segment. Mark McClanahan stated yes.

Motion to approve: Larry Morse, 2nd Tim McRae. Unanimously approved.

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR INCIDENT RESPONSE FOR MAINTENANCE AND TRAFFIC OPERATIONS.

(RESOLUTION 18-50)

Action Item

Tammy Sims stated that the current ILA with TxDOT expires on September 30th. This agreement is to provide incident response. Staff is proposing a total of not-to-exceed 68k. Chris Miller stated that last year they spent 11k so they do not expect to come even near that. Dave Spurrier reiterated that it was a not-to-exceed amount.

Motion to approve: Dan Droege, 2nd: Jason Ray. Unanimously approved.

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE SOLICITATION OF BIDS FOR IH-20 BRIDGE REPAIR.

(RESOLUTION 18-51)

Action Item

Tammy Sims stated that in the August 2018 meeting, she presented a repair strategy for the damage to IH-20 bridge. Staff is recommending 367k contract award with 440k total including contingency. That contingency is largely due to the fact that bridge jacking prices can vary greatly. Larry Morse stated that the reason to increase the contingency is to make sure this does not need to come in front of the board again since pricing can vary so greatly.

Motion to approve as written: John Cloutier, 2nd: Tim McRae

Barham Fulmer moved to amend the contingency from 10% to 20% total. 2nd: John Cloutier. Unanimously approved as amended.

16. REPORT ON TOLL 49 IMPROVEMENT PROJECT.

Kate Wilder

Kate Wilder provided the presentation. Total contract price is 8.4M. Total that has been paid so far is 8.2M. The major projects left are implantation of pavement markers, relocation of signage, guardrail installation, and other miscellaneous items. The project's expected completion is the end of October 2018. Recent activities include raised speed limits, installation of pavement markings, and continued work on permanent striping. Upcoming activities include relocation and installation of roadside guiding signs and completing other punch list items. Kate Wilder reiterated that all major road work is complete. For traveling motorists, the road is largely complete. Dave Spurrier asked if the committee will start marketing this aspect of the completion. Chris Miller stated that he believes Andrea Williams-McCoy would like to take a more comprehensive approach. He also stated that there will be a radio commercial talking about Toll 49 and its projects in the near future. The plan is that once the ramps at 110 are completed, that's when the NET RMA will begin larger marketing efforts. Barham Fulmer stated that the 110 work is actually part of the new construction with Webber and not part of the improvement project. So, there will still be delays but not related to the improvement project. John Cloutier stated that there should be a mass marketing movement. Dave Spurrier asked when the 110 ramp will be open. Kate

Wilder stated early October at the latest. Dave Spurrier stated that the months upcoming have been historically high so marketing and opening that area as quickly as possible should be essential. Everett Owen wanted to be clear that the remaining work is largely striping so once the weather clears, they'll be able to continue their striping work.

17. REPORT ON CONSTRUCTION OF SEGMENT 4 OF TOLL 49.

Kate Wilder

Kate Wilder provided the presentation. The contractor has been paid 73.5M and the total contract price is 80.8M. That price includes all change orders executed to date, but it does not include the 600k early completion bonus to the contractor. Based on how things have been moving, they do expect they will pay out that early completion bonus to the contractor as they will likely finish within that time limit. Project expenditures equal 99.8M. The total project budget is \$126.2M that includes the contingency of about \$11.1M. Ongoing construction activities on the job site include concrete rip rap, subbase and pavement work, erosion control and guard rail installation. Kate Wilder then presented before and after photos of the project to show how much progress has been made. She then stated that they have recently flown the entirety of the site with drones and will have a video to show at the next board meeting.

18. REPORT ON CHANGE ORDERS WITH WEBBER APPROVED BY THE EXECUTIVE DIRECTOR SINCE PREVIOUS BOARD MEETING.

Chris Miller

Chris Miller stated that there was one miscellaneous change order that totaled about 48k. It was related to adding flashing beacons at SH 110, drainage adjustment, and metal beam guard fence additions.

19. REPORT ON DEVELOPMENT OF SEGMENT 6 OF TOLL 49.

Everett Owen

Everett Owen introduced Andy Atlas, Project Manager with CP&Y, to provide the presentation. Mr. Atlas stated that they have done various studies showing the areas that will stretch to I-20 and have allowed themselves various alternatives to study best course. He stated that they are not utilizing state funds. It is a local process and will be accelerated because they will not need to do an environmental impact study. However, they will be coordinating with TxDOT at state highway crossings. He also stated that the local process will not affect the environmental process for Segments 7 and 8 so federal funding can still be sought after. They will be working on a feasibility study which will include design criteria, preliminary route options, primary route options, and preliminary environmental analysis all to see what areas are best. He also assured that they will be following TxDOT's process which, if need be, will allow the NET RMA to move seamlessly into the federal process in the future. Environmental documentation will be provided in the form of technical reports. There will also be two phases of public involvement. The first phase will involve the feasibility study and environmental development. The last phase of the process will be the schematic development. Drainage, ROW mapping, ride of entry, aerial mapping, ground surveying and designing the roadway are all part of the schematic development process. They expect that the final schematic will be submitted in September 2020. In handling it locally, they essentially save about a year compared to the federal process. Dave Spurrier stated that the Hourglass committee has recommended doing following this route - start local with the flexibility to change in the future if needed. Linda Thomas asked if there is a day for the completion of Segment 4. Everett Owen stated that due to the rain that is expected for all this week, they feel a conservative estimate would be late October.

20. EXECUTIVE DIRECTOR'S REPORT

Chris Miller

John Cloutier asked for the status on Camp and Cass County joining. Chris Miller stated that there have been 9 counties that have passed the resolution. Wood, Upshur and Bowie County are the remaining Counties that have not passed the resolution. He also stated that if he needs to visit each of these counties to discuss what is needed, he is happy to do so. He also stated that he has kept in touch with Camp and Cass County to let them know of the status.

Larry Morse also wanted to speak of the Gilmer Loop Feasibility study which the NET RMA awarded a grant earlier this year. There was a joint meeting between the commissioner's court, TxDOT and several other officials and GECs. They also had a conference call yesterday talking about the next steps in the feasibility study. They are planning on holding a stakeholder meeting sometime in October. They will try to include the school district and some others so they can see the results of the study. Hopefully by the end of that meeting, they hope to have a study area identified. Tammy Sims then provided a presentation. The study will determine the transportation purpose and need along US 271 in the Gilmer

area. They will characterize the environmental setting of the study area which will allow them to have the study area identified. US 271 has regional importance. It provides a redundancy for I-20 and I-30. It is part of the Texas Trunk System and is a hurricane evacuation route. Additionally, it is a long-distance corridor with 50-60% of the traffic being through traffic. An analysis of the current road was conducted. It showed that the level of service in the middle of Gilmer was rated an F (traffic wise) and it will progressively get worse if not dealt with. School zones are present within the Gilmer loop and there is also heavy truck traffic which also leads to safety concerns. The next step is to define the purpose and need and provide an environmental features map. They will also hold an external briefing with outside stakeholders in October. It will allow them to collect information from locals that have valuable environmental knowledge. The point is to prepare the study for TxDOT. John Cloutier asked what portion of the budget the grant the NET RMA provided would cover. Larry Morse stated that it would cover all of Phase 1 which includes: draft purposes, delineate study area limits, prepare environmental features, conduct briefing and so on. Larry Morse also stated that he would like to express thanks to the NET RMA. In the meeting they had earlier that year, it was determined that utilizing Atkins at the NET RMA's suggestion was a great choice.

A. Report on August 27th Senate Transportation Committee Hearing

Chris Miller stated that he was invited to Senator McNichols' transportation committee to discuss tolling fees and so forth. The NET RMA is a relatively small fish in a large pond of toll agencies but he enjoyed the opportunity and are on the radar. It is a testimony to the hard work of the organization. Brian Cassidy stated that at the last transportation commission, there was a cap that only allowed a total of \$48 fee. That was not economical for most agencies so it is being looked at again. Chris' testimony would be helpful. He then stated that there were only 3 RMAs asked to testify and Chris was one of them and he did an excellent job. John Cloutier asked if we know what the NET RMA's minimum would be if a blanket fee cap was implemented. Chris Miller stated that it was discussed with the CTRMA to possibly a cap of 500-700 and that would work for the NET RMA. The first choice would be to not settle to any uniformity but if they had to, the 500-700 numbers would fine.

B. Community Outreach Meetings Regarding Toll 49

Chris stated that they are really trying to pin down meetings with I-20 and above. He visited Lindale last week and will be in Mineola with the rotary. He has also reached out the Bowie County as well to let them know of Segment 4. He will also be at the Longview rotary next week.

C. Maintenance Report

Chris Miller stated that the savings the NET RMA has received with Mark McClanahan's hiring and the reduction of the GEC and project director is about 300k. Mike Thomas had wanted to know which is why ran the analysis. He stated that if they add another maintenance employee, the savings will be significant.

21. ADJOURNMENT

Meeting adjourned at 2:46PM.

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.**

Tentatively Scheduled NET RMA Board Meetings:

October 9, 2018 – Gilmer, TX

Non-Scheduled Meetings / Functions - Where a Quorum could be Present, but No RMA Business would be conducted:

September 26, 2018 – Texas Transportation Commission workshop

September 27, 2018 – Texas Transportation Commission meeting

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.

COURTESY RULES

Thank you for your presence. The NET RMA appreciates your interest. If you wish to address the RMA on any agenda item, Public Participation Forms will be available before the meeting. These forms must be filled out and turned in to the RMA Chair or Secretary *prior* to the time the agenda item in question is addressed by the RMA.

You must be recognized by the Chair. (NOTE: Items will not necessarily be presented in the order they are posted.)

OPEN COMMENT PERIOD

At the conclusion of all other agenda items, 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. Public comment that does not relate to a specific agenda item must be made during the open comment period.

Each speaker will be allowed a **maximum of three (3) minutes**. Speakers must be signed up prior to the beginning of the open comment period. 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 Chair, 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 Chair 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 RMA meeting, please contact 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 NET RMA at 903.630.7894 at least two working days prior to the meeting so that appropriate arrangements can be made.