



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Linda Thomas, Chair
DATE: Thursday, December 15, 2016
SUBJECT: **December Board Meeting**

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

DATE: Thursday, December 15, 2016
TIME: 1:30 PM
PLACE: Marshall Convention Center
2501 E. End Blvd S.
Marshall, TX 75672
Harrison County

Enclosed please find the agenda and other pertinent information for your review prior to the meeting. Should you have any questions, please call K'Lin Noble at 903.630.7447.

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
Thursday, December 15, 2016
Marshall Convention Center
2501 E. End Blvd S.
Marshall, TX 75672
Harrison 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 Monday, December 12, 2016.

Chair Thomas called the meeting to order at 1:30pm

2. INVOCATION

Gary Halbrooks offered the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Chair Thomas introduced Judge Taylor of Harrison County and thanked him for hosting us this month. Judge Taylor thanked the board for coming back to Marshall and stated his intent to replace the missing Harrison County board member soon. He stated the importance of the work NET RMA does for the region, with Corridor 69 and the Hwy 271 project and the connectivity to regions far beyond East Texas.

4. OPEN PUBLIC FORUM/COMMENT PERIOD

There were no public comments.

5. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE NOVEMBER 9, 2016 BOARD MEETING **Action Item**

Motion to approve minutes was made by Larry Morse, 2nd Barham Fulmer. The motion was unanimous and the approval of the minutes passed.

6. CHAIR'S REPORT

Linda Thomas

7. TREASURER'S REPORT

Tom Fitzgerald

Tom Fitzgerald presented the October Financial Statement. Hudson Old asked why legal was \$13k more than what was budgeted. It was pointed out that he was reading the chart incorrectly. Mike Thomas asked to get a comparable balance sheet in future meetings as a part of the Financial Statement presentations. Chris Miller stated that there would be an examination of the expenses at the Strategic Planning Meeting in January. Chair Thomas asked for a motion to approve the Statement. Motion: John Cloutier 2nd: Dr. Jim Harris. The motion to approve the Financial Statement passed unanimously.

8. EXECUTIVE DIRECTOR'S REPORT

Chris Miller

A. County Meetings Report

1. Wood County Commissioners Court – December 16

Chris Miller stated that this meeting would be the day following the Board Meeting.

B. Other Community Meetings

1. Smith County Commissioners Court – December 6 – Support of US 271

Smith County passed the resolution of support for US 271

C. Segment 6 Project Development

Chris Miller stated that this will begin moving forward by starting a series of discussion with key stakeholders to begin to solicit funding.

D. Submission of NET RMA Annual Project Report

Chris Miller presented the Annual Project Report for the Board’s awareness prior to submission to the various entities as required annually.

E. Resignation of Board Member

Chris Miller stated that Pat McGill had resigned his seat on the board due to his election to the School Board. Brian O’Reilly read a brief synopsis of the events that would cause a board member to step down. Those restrictions on serving can be obtained from the NET RMA staff.

Chris Miller introduced the new NET RMA Financial Controller, Michelle Colburn to the Board. She started December 14.

Chris Miller stated that we would be occupying the new offices in Woodgate 4 on Jan 6. John Cloutier asked if most of the furniture was budgeted for the move, and Mr. Miller reported that everything is on target.

Concerning the newsletter, Chris Miller stated that he met with the Communications/Marketing staff at CTRMA.

Gary Halbrooks left the meeting at 1:58pm.

9. COMMITTEE REPORTS

A. Executive Committee/Audit Committee

Linda Thomas

No report

B. Personnel Committee

Dr. James Harris

Since Michelle had already been introduced, there was no report.

C. Project Development & Implementation Committee

Barham Fulmer

Barham Fulmer reported that there are still 2 tracts in legal processing due to title issues, and should be cleaned up soon, and this is not impeding construction.

D. Long-Range Planning Committee

John Cloutier

John Cloutier presented his committee’s work on both the US 271 project and the Priority Project roll out for this year.

The US 271 Support Package has been sent to each of the counties along the 271 corridor and at this time we have about a 60% response from those entities, 16 or 17 out of 28 or so specific entities. There are several TxDOT projects in the queue to be scheduled, and we are compiling these letters of support along a certain corridor to compile in Austin as they seek to find funding for the various projects and prioritize them according to need, in an effort to move the 271 project higher in the queue. We’ve sent the package to Commissioners’ Courts, major cities along the route, school districts, etc. The specific instructions from Commissioner Austin were to keep it simple. Mr. Cloutier stated that the pile of letters we have probably have as much impact as what they actually say, and Mr. Cloutier believes we’ll have what Commissioner Austin needs in time, by the end of January.

The Priority Project roll out will be next after 271, and will consist of:

- Formal Scoring Matrix
- Two awards to discuss awarding this year
- A full discussion to be kept and addressed in the minutes this year
- Committee will make their recommendations to the Board
- The Board will vote and make the final decision.

John Cloutier encouraged everyone, especially those in smaller counties, to really bite into the leverage of what the NET RMA can do to spur development in their counties.

Hudson Old asked how the packages were sent out. John Cloutier responded that the packages have already

gone out, sent by email by Colleen. There was some discussion about the requirements imposed on committee meetings, and moving forward, complete minutes will be kept of the meetings. Other than that, the process will be the same as last year.

Hudson Old asked that the smaller counties know what the criteria are and if they'd changed some things for submitting their projects, and if the money had to be spent in a calendar year for the award to be made. Chris Miller said that the award to Longview was 2 years' of set-aside funds for Priority Projects and he didn't think that had anything to do with that change or anything. Do they have any money now or are they waiting on these financial resources to come in, and the committee wasn't looking at that. There are construction delays and other factors, so Longview has 2 years to spend that money.

- E. **East Texas Hourglass Committee** **Dave Spurrier**
Dave Spurrier presented an outlook on funding needs for segment 6, 7, and 8, that out of \$7.5 million (\$6.7 million respectively), that \$1.5 million each for segment 6, 7, and 8 could be covered by other stakeholders other than TxDOT.
- F. **Investment Committee** **Robert Messer**
No report
- G. **Facilities Committee** **Gary Halbrooks**
Gary had left the meeting, so there was no report.

10. PARTNERSHIP UPDATES

- A. **East Texas Corridor Council** **Bob Moore**
No report
- B. **I-69 Alliance Committee** **Walta Cooke/Robert Murray**
No report
- C. **East Texas Council of Governments** **Linda Thomas**
No report

11. REPORT ON MAINTENANCE ACTIVITIES ON SEGMENT 3B OF TOLL 49.

Kate Wilder

Kate wilder presented a report on the Maintenance activities along segment 3B.

- Overlay – additional shoulder milling
- Erosion Control: additional grading of cross culverts and clean out
- Spot mill and inlay

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 2 WITH REYNOLDS & KAY FOR EROSION CONTROL IMPROVEMENTS ON SEGMENT 3B OF TOLL 49. (RESOLUTION 16-103)

Action Item

Chair Thomas asked for a motion to approve: John Cloutier 2nd: Dr. James Harris. Everett Owen stated that this CO for \$81k is asking for \$54k for the pond and the rest is for erosion. Barham asked what happened that this wasn't put on the original contract. Everett Owen explained that it was hard to project how moving things would affect erosion. There was no detailed topographic study done because they were moving so fast, and the damages to existing structures was more extensive. The resolution was unanimously approved.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 3 WITH REYNOLDS & KAY FOR MILLING AND INLAY IMPROVEMENTS ON SEGMENT 3B OF TOLL 49. (RESOLUTION 16-104)

Action Item

Chair Thomas asked for a motion to approve; Walta Cooke, 2nd: Larry Morse. Everett Owen presented this CO for \$473k for milling out the shoulder to match the height/density of the travel lane, plus the overlay of the shoulder. Resolution was unanimously approved.

14. UPDATE ON CONSTRUCTION OF SEGMENT 4 OF TOLL 49.

Kate Wilder/Everett Owen

Kate Wilder presented a construction update on segment 4:

- Excavation
- Embankment work
- Earth work
- Stabilization work
- Archeological work is ongoing
- Geotechnical work

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 12.2 WITH RS&H FOR CONTINUED GEOTECHNICAL AND ARCHEOLOGICAL SERVICES ON SEGMENT 4 OF TOLL 49.

(RESOLUTION 16-105)

Action Item

Chair Thomas asked for a motion: Barham Fulmer, 2nd: Larry Morse. Everett detailed the archeological discovery and mitigation process, stating that there were 2 major sites, 3 at the North site and 1 at the South site. There will possibly be additional mitigation to sites that were disturbed prior to discovery. The resolution was unanimously approved.

16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS FOR ENVIRONMENTAL SERVICES FOR SEGMENT 6 OF TOLL 49.

(RESOLUTION 16-106)

Action Item

Chair Thomas asked for a motion to approve: John Cloutier, 2nd: Dan Droege. This is to issue an RFQ for environmental services for Seg 6, but Everett Owen suggested that prior to the award that we wait to see the results of the requests for funds from TxDOT and Smith County. The resolution was unanimously approved.

17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 16 WITH RS&H FOR ENVIRONMENTAL CONSULTANT PROCUREMENT SUPPORT SERVICES.

(RESOLUTION 16-107)

Action Item

Chair Thomas asked for a motion to approve: John Cloutier 2nd: Larry Morse. This resolution was unanimously approved.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE LEGISLATIVE PRIORITIES FOR THE 85TH LEGISLATIVE SESSION.

(RESOLUTION 16-108)

Action Item

Chair Thomas asked for a motion to approve: Walta Cooke 2nd: John Cloutier. This resolution was unanimously approved.

19. PROJECT DIRECTOR'S REPORT

Everett Owen

A. Report on Toll 49 Tolling Transactions and Revenue

There has been some recovery of transaction numbers, but we are still not back to where we were a year ago.

B. Report on Toll Rate Increase

This is the last rate increase that was pre-approved. The question was asked "Do we have data of the number of vehicles, @ axles, and direction of travel?" Yes, we can get that breakdown from Kapsch. Question: Is the multiplier (for increase) the same statewide? Yes, except on 130 in Austin, which was lowered for trucks to get them off of I-35 to alleviate congestion.

C. Update on Development of Back Office Services RFQ

The RFQ has been issued. We will be initiating an ILA again with CTRMA, because a joint selection was becoming too tricky. The main thing that a new contact will bring that we haven't had before is pre-paid license plate accounts, which will greatly enhance the customer service experience for everyone.

20. ADJOURNMENT

With no further business to conduct,

Chair Thomas adjourned the meeting at

3:47pm.

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 attorney-client matters (real estate, litigation, contracts, personnel, and security) under Chapter 551 of the Texas Government Code:
 - 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:

January 12, 2017 – Tyler, TX (Smith County) - Special Strategic Planning Meeting

February 14, 2017 – Longview, TX (Gregg County)

April 11, 2017 – Carthage, TX (Panola County)

May 9, 2017 – Henderson, TX (Rusk County)

June 13, 2017 – Terrell, TX (Kauffman County)

July 11, 2017 – Tyler, TX (Smith County) - Annual Budget Workshop

September 12, 2017 – Texarkana, TX (Bowie County)

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

February 5-7, 2017 - Texas Transportation Forum

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 903.630.7447 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 903.630.7447 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 903.630.7447 at least two working days prior to the meeting so that appropriate arrangements can be made.