



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Linda Thomas, Chair
DATE: Tuesday, May 9, 2017
SUBJECT: **May Board Meeting**

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

DATE: Tuesday, May 9, 2017
TIME: 1:30 PM
PLACE: Henderson Civic Center
1500 Lake Forest Parkway
Henderson, TX 75652
Rusk 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
Tuesday, May 9, 2017, 1:30 PM
Henderson Civic Center
1500 Lake Forest Parkway
Henderson, TX 75652
Rusk 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, May 5, 2017.

Chair Thomas called the meeting to order at 1:38 pm and a quorum was declared.

2. INVOCATION

Chair Thomas asked Barham Fulmer to voice the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Present at the meeting were members: Linda Thomas, David Anderson, Jason Ray, Dr. James Harris, Dave Spurrier, Dan Droege, John Cloutier, Gary Halbrooks, Mike Thomas, Barham Fulmer, Hudson Old, Larry Morse and Bob Moore.

4. OPEN PUBLIC FORUM/COMMENT PERIOD

There were no public comments.

5. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE APRIL 11, 2017 BOARD MEETING

Action Item

Motion to approve: Gary Halbrooks, 2nd: John Cloutier. The minutes were unanimously approved as written.

6. CHAIR'S REPORT

Linda Thomas

Chair Thomas thanked everyone for attending the meeting. She then expressed her condolences to the families and loved ones of the individuals who lost their lives on Toll 49 on April 12, 2017. There was a moment of silence for the families of Gary McCrary of Flint and Annette Burkhart of Garland.

Chair Thomas also expressed her concern for the residents of Van Zandt County regarding the recent slew of tornadoes that passed through that area on April 29th. A moment of silence was held for those citizens suffering losses.

Chair Thomas then asked every board member to complete their performance review of Director Miller and return them to Keith Honey.

7. TREASURER'S REPORT

Tom Fitzgerald

Motion to approve: Larry Morse, 2nd: Dr. Harris. The financial statement was unanimously approved.

Jason Ray joined the meeting at 1:46 pm.

8. EXECUTIVE DIRECTOR'S REPORT

Chris Miller

A. County and Partner Meetings

1. Longview Metropolitan Planning Organization Meeting, April 2017
2. Tyler Surface Transportation Committee Meeting, May 4, 2017
3. Van Zandt County, May 23, 2017 – meeting postponed due to storm damage.

B. Update on Traffic and Revenue Monitoring

Ram Midali provided a report on Traffic and Revenue, with transaction trends of each gantry in both monthly and weekday snapshots. He also provided information on truck shares vs private vehicle shares of those trends in both historical trends and projected revenues.

Larry Morse asked if there is any ongoing impact of the construction in the usage numbers. Everett Owen answered that both construction and weather play a part in usage numbers. A request was made that a report of daily usage by gantry and vehicle type be provided each month in the board materials.

Dave Spurrier asked how many more trucks are we having on the road than CDM Smith projected? The report and the slide show that there are more than were projected. Mr. Spurrier asked to have this data by axle (3, 4, 5, 6) each month in the transactions report.

C. Update on Procurement of Investment Management Services

Director Miller stated that there are 3 proposals on the table: Zion's, Regions Bank, and PFM of Dallas.

D. Update on Media Training, May 2, 2017

Director Miller spoke about Brian Brands of Core Insights providing a media training for Chair Thomas, John Cloutier, Everett Owen, Colleen Colby and himself on how to address the media.

E. NET RMA Newsletter

Director Miller stated that the second edition of the newsletter would be coming out the end of May/first of June.

9. COMMITTEE REPORTS

A. Executive Committee/Audit Committee

Linda Thomas

No report.

B. Personnel Committee

Dr. James Harris

No report beyond completing Director Miller's evaluation.

C. Project Development & Implementation Committee

Barham Fulmer

Briefing last week, no report.

D. Long-Range Planning Committee

John Cloutier

There is a line item in the agenda to address this.

E. East Texas Hourglass Committee

Dave Spurrier

There is a report later on Hwy 271 funding.

F. Investment Committee

Robert Messer

No report.

G. Facilities Committee

Gary Halbrooks

No report.

10. PARTNERSHIP UPDATES

A. East Texas Corridor Council

Bob Moore

No report.

Gary Halbrooks left the meeting at 2:41 pm.

B. I-69 Alliance Committee

Linda Thomas

Charles and Chair Thomas will be going to Washington next week with Commissioner Austin and Judge Carlow for a meeting.

C. East Texas Council of Governments

Linda Thomas

No report.

11. REPORT FROM TEXAS DEPARTMENT OF TRANSPORTATION DISTRICTS

A. Tyler District

Dennis R. Cooley

Jeffrey Harmon, TPDF at TxDOT Tyler District presented on Hwy 271 and FM 16 NE Gladewater is getting funding up to Loop 485. Construction is set to begin 2022, which seems like a long time, but the funding will allow surveying to begin.

B. Atlanta District

Glenn H. Green

Bill Compton, Area Engineer in Mount Pleasant presented on several projects in his are, by-pass around Mt. Pleasant was awarded to East Texas Bridge in Longview. Bridges toward Paris will begin being replaced for safety. There are rehab projects in Titus/Upshur Counties taking place as well.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AMENDMENT TO THE NET RMA INTERNAL ETHICS AND COMPLIANCE POLICY.

(RESOLUTION 17-21)

Action Item

Motion to approve: John Cloutier, 2nd: Hudson Old. Resolution was unanimously approved.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AMENDMENT TO THE NET RMA PERSONNEL POLICY MANUAL, ADDING VEHICLE USE POLICY.

(RESOLUTION 17-22)

Action Item

Motion to approve: Bob Moore, 2nd: Dan Droege. Resolution was unanimously approved.

14. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE AWARD OF A PRIORITY PROJECT GRANT.

(RESOLUTION 17-23)

Action Item

John Cloutier, chair of the Long Range Planning Committee named and thanked the committee members for their hard work on determining the award recipients. Upshur County's project for feasibility study for the Gilmer Loop was awarded \$250,000. Wood County's project for water, sewer and natural gas infrastructure in support of the Northeast Texas Poultry Complex was awarded \$172,183. Kaufman County's project for SH243/FM2727 intersection improvements was awarded \$77,817.

Motion to approve: Provided by Long Range Planning Committee, 2nd: Hudson Old. Resolution and awards were unanimously approved. Chair Thomas thanked the committee.

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

Kate Wilder

- The mill / inlay was completed using the new mix design in the remaining areas
- Permanent striping was completed Segment-wide
Upcoming Activities include:
- Remove/replace failing sections of pavement with the new mix
- To be completed in early April by the asphalt supplier

- 2100 tons of asphalt on the northbound section between CR 31 and SH 64
- Re-apply permanent striping
- Erosion Control:
 - No work performed in the month of April
 - Potential Change Order is pending to address additional culvert clean outs due to major rains and gabion modifications
- Upcoming Activities:
 - Trimming of winter grass and placement of summer seeding on slopes
 - Finalize the Change Order addressing culvert clean outs and gabion extensions for board approval

Widening:

- Begin May 2017
- Complete 3B widening July 2017 , Begin OCST, overlay and restriping
- Substantial OCST, overlay, and restriping complete Nov 2017
- Final Acceptance Jan 2018

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

Kate Wilder/Everett Owen

Archeological:

- Part of the archeological site was cleared on April 13th, allowing work to resume in the area
- Additional investigation has been requested by TxDOT in the remaining part of the site
- Field work will take 1 month to complete
- Contractor has begun clearing a route through the remaining site to facilitate hauling

Project Schedule:

- June 2016 Begin
- August 2016 Begin additional archeological
- June 2017 anticipated archeological completion
- June 2018 Contract substantial completion
- October 2018 Anticipated substantial completion

Expenditures to date:

- \$29.9*M expended to date
- Reflects work performed through April 1, 2017
- \$69.1M Total Contract amount (includes approved Change Orders)
- \$47.5*M expended to date
- \$126.2M project budget includes significant remaining contingencies
- \$16.7M ROW contingency and
- \$9.1M Project contingency

Recent Construction Activity:

- Nearly all the bridge drill shaft and column work is complete
- The Contractor began pouring bridge deck
- The Contractor began paving activities
- All stream mitigation credits were received and cross culvert construction resumed

Ongoing Construction Activities:

- Structure work including beams, caps, and deck for bridges
- Excavation and embankment
- Erosion control including silt fence, rock filter dams, erosion control blankets, topsoil, compost, and temporary seeding

Upcoming Activities:

- Complete construction of haul road across the archeological site
- Resume work in the cleared portion of archeological area
- Continued earthwork, culvert construction, bridge construction, and placement of environmental controls

17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 12.3 WITH RS&H FOR CONTINUED GEOTECHNICAL AND ARCHEOLOGICAL SERVICES ON SEGMENT 4 OF TOLL 49.

(RESOLUTION 17-24)

Action Item

- Additional Archeological work within Segment 4 ROW limits per TxDOT's recommendation
 - Hand excavation for burials
 - Site screenings and scrapings
 - Reporting and curation

Cost Summary:

- Current WA: \$7,301,861.56
- Supplemental: \$708,035.39
- Total WA: \$8,009,896.95

Motion to approve: Barham Fulmer, 2nd: Hudson Old. Resolution was unanimously approved.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE SELECTION OF AN ENVIRONMENTAL SERVICES CONSULTANT FOR SEGMENT 6 OF TOLL 49.

(RESOLUTION 17-25)

Action Item

CP&Y and Lochner were the finalist. CP&Y is recommended.

Next Steps:

- Notify all teams of award
- Enter into scope and fee negotiation
- Board approval of final contract with the successful proposer
- Schedule debrief meetings with the unsuccessful teams

Motion to amend resolution: Barham Fulmer, 2nd: Larry Morse. Amended resolution to state that the final agreement for Environmental Consulting Services will be presented to the board for approval and financing.

Motion to approve amended resolution: John Cloutier, 2nd: Barham Fulmer. Amended resolution was unanimously approved.

19. PROJECT DIRECTOR'S REPORT

Everett Owen

Everett Owen presented the transaction report, with the daily average for April being 33,771 transactions.

20. LEGISLATIVE UPDATE

Brian Cassidy

Brian O'Reilly presented the legislative update, stating that many bills will be considered procedurally dead after the upcoming deadline on Thursday, and that they are still working to address the RMA's legislative priorities. He stated that the Senate Nominations Committee is considering Chair Thomas' reappointment to Board Chair.

21. ADJOURNMENT

Director Miller asked everyone to look over the proposed Transportation Forum agenda and let him know of any changes they wish to make.

Chair Thomas broke briefly at 3:49 pm before calling the board back into an Executive Session. Meeting was reopened to the public at 4:22pm and adjourned at 4:23 pm.

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:

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:

May 25, 2017 – Texas Transportation Commission

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.