



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Members

FROM: Linda Thomas, Chair

DATE: October 13, 2015

SUBJECT: October Board Meeting

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

DATE: Tuesday, October 13, 2015
TIME: 1:30 PM
PLACE: Jacksonville ISD Administration
800 College Ave.
Jacksonville, TX 75766

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 903.594.4834.

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS REGULAR MEETING
1:30 PM Tuesday, October 13, 2015
Jacksonville ISD Administration Building
800 College Ave
Jacksonville, TX 75766
Cherokee 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, October 9, 2015.

Called to order at 1:31pm

2. INVOCATION

Barham Fulmer offered the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Board Members

4. OPEN PUBLIC FORUM/COMMENT PERIOD

5. APPROVAL OF MINUTES

A. Discussion, consideration and approval of minutes for:

1. Sept 22, 2015 NET RMA Regular Board Meeting

Action Item

Motion: Jack Traylor 2nd: Barham Fulmer
Minutes were approved.

6. CHAIR'S REPORT

Linda Thomas

A. Comments from the Chair

NET RMA Committee assignment clean-up
Please support Prop 7 on the Nov 3 ballot

7. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON A RESOLUTION HONORING FORMER NET RMA BOARD MEMBER TIM VAUGHN.

Motion: Dr. Harris 2nd: Walta Cooke
Resolution passed

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENTS TO THE NET RMA BYLAWS.

(RESOLUTION 15-41)

Action Item

Motion: Walta Cooke 2nd: Jack Traylor
Resolution passed.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO DESIGNATE AUTHORIZED SIGNATORIES FOR NET RMA BANK ACCOUNTS.

(RESOLUTION 15-42)

Action Item

Motion: Barham Fulmer 2nd: Jack Traylor
Resolution passed.

10. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO EXERCISE AN OPTION TO PURCHASE AN INTEREST IN A 1.441 ACRE PROPERTY LOCATED IN SMITH COUNTY FOR SEGMENT 4 OF TOLL 49. (RESOLUTION 15-43)** Action Item
Everett Owen clarified that this is the final payment for the Talley Tract.
Motion: Jack Traylor 2nd: Barham Fulmer
Resolution passed.
11. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATED TO DISPOSITION OF SURPLUS REAL PROPERTY. (RESOLUTION 15-44)** Action Item
This is a clean-up of who the property was offered to.
Motion: Barham Fulmer 2nd: Dr. Harris
Resolution passed.
12. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SOLICITATION OF AN EXECUTIVE DIRECTOR POSITION. (RESOLUTION 15-45)** Action Item
Motion: Robert Murray 2nd: Walta Cooke
Resolution passed.
13. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT WITH BANK OF AMERICA, N.A.; AUTHORIZING THE ISSUANCE AND DELIVERY OF A PROMISSORY NOTE IN CONNECTION WITH SUCH LOAN AGREEMENT; APPROVING AN AMENDED AND RESTATED TRUST AGREEMENT; AND APPROVING OTHER MATTERS RELATED THERETO. (RESOLUTION 15-46)** Action Item
With Debra Fleming of TxDOT on the phone, Everett specified that TxDOT has signed off on the loan. There are 2 scenarios: 1) loan goes away with the bond sale 2) if bonds don't happen, payment plan begins in 2016.
Motion: Jack Traylor 2nd Bob Moore
Resolution passed.
14. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION AUTHORIZING REIMBURSEMENT OF CAPITAL EXPENDITURES FOR SEGMENT 4 OF TOLL 49, AND APPROVING OTHER MATTERS RELATED THERETO. (RESOLUTION 15-47)** Action Item
This is to reimburse ourselves for the ROW purchases from the bond sales.
Motion: Walta Cooke 2nd: Barham Fulmer
Resolution passed.
15. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE ACTIONS RELATED TO A TIFIA LOAN FOR SEGMENT 4 OF TOLL 49. (RESOLUTION 15-48)** Action Item
Barham Fulmer requested analysis projections with and without TIFIA
Jack Traylor noted that we don't want to be tied down with TIFIA
Everett Owen warns against moving forward at this meeting.
Advantage: cheaper rates. Disadvantage: very stringent restrictions on what we can do in expansions of systems moving forward (segment 6 or any other projects).
Motion to table until next meeting: Jack Traylor 2nd: Dr. James Harris
Resolution tabled until next meeting.

16. EXECUTIVE DIRECTOR'S REPORT

Everett Owen

- A. Toll 49 update
 - Report on Tolling Transactions and Revenue
 - Traffic and Revenue Report Update
- B. UP ROW developments – gets added to TxDOT 5 yr plan. Should close by EOY or shortly thereafter.
- C. Update on County Input on Strategic Plan
 - Bid opening: Jan 2016
 - Bond sale: March 2016
 - Construction start: May 2016
 - Construction end: April 2018
- D. Update on County Judges Letter Campaign

17. TREASURER'S REPORT

Tom Fitzgerald

Motion to accept: Dr. James Harris, 2nd: Jack Traylor
Report approved.

18. UPDATE ON REGULATION OF OUTDOOR ADVERTISING

C. Brian Cassidy

Brian Cassidy gave his report on outdoor advertising:

- Billboards:
 - RMA controls ROW
 - TxDOT/City/County all have some say on what goes up outside of ROW
 - TxDOT can restrict in areas connected to ROW
- Toll 49 is rural, so TxDOT might can help us restrict the installation of billboards.

19. ADJOURNMENT

Motion to adjourn: Dr. Harris,
2nd: Dr. James Harris
Meeting was adjourned at 2:55

BOARD BOOK APPENDIX - COMPLIANCE AND OVERSIGHT

- A. OPEN RECORDS SPREADSHEET
- B. SURETY BOND SPREADSHEET
- C. CONFLICT OF INTEREST SPREADSHEET
- D. TERM EXPIRATION SPREADSHEET
- E. TEC FILING SPREADSHEET

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.

FY 2015 Scheduled Board Meetings / Functions

FY 2015 Tentatively Scheduled Board Meetings:

Tuesday, November 10, 2015 – Henderson, TX (Rusk County)

Tuesday, December 8, 2015 – Marshall, TX (Harrison County)

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

Team Texas, (dates pending), Austin, Texas.

Texas Transportation Commission Meeting:

Thursday, October 29th at 9AM at 125 E. 11th Street Austin, TX

Thursday, November 19th at 9AM at 125 E. 11th Street Austin, TX

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 NETRMA at 903.594.4834 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 NETRMA at 903.594.4834 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 NETRMA at 903.594.4834 at least two working days prior to the meeting so that appropriate arrangements can be made