



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Members

FROM: Linda Thomas, Chair

DATE: Wednesday, April 27, 2016

SUBJECT: **Special Board Meeting**

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

DATE: Wednesday, April 27, 2016
TIME: 10:00 AM
PLACE: 909 ESE Loop 323, Suite 520
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 K'Lin Noble at 903.630.7447.

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS SPECIAL MEETING
909 ESE Loop 323, Suite 520
Tyler TX 75701
Smith County

PARTICIPATION BY TELEPHONE CONFERENCE CALL

One or more members of the NET RMA Board of Directors may participate in this meeting through a telephone conference call, as authorized by Sec. 370.262, Texas Transportation Code and Section 13 of the NET RMA Bylaws. 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 and will be tape-recorded. On conclusion of the meeting, the tape recording of the meeting will be made available to the public.

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, April 22, 2016.

Chair Thomas called the meeting to order at 10:20am.

2. OPEN PUBLIC FORUM/COMMENT PERIOD

Ralph Page addressed the board about the compensation offered for his parcel (ROW).

3. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO SELECT AN EXECUTIVE DIRECTOR OF THE NET RMA.

(RESOLUTION 16-39)

Action Item

Motion to approve comes from the Search Committee and was made by Keith Honey 2nd: Barham Fulmer
Unanimously approved.

4. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO ADD SEGMENT 4 TO THE TOLL 49 SYSTEM.
(RESOLUTION 16-40)

Action Item

Motion to approve: Barham Fulmer 2nd: Jack Traylor Unanimously approved.

5. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF TOLL ROAD REVENUE BONDS IN ONE OR MORE SERIES; APPROVING A TRUST INDENTURE AND ONE OR MORE SUPPLEMENTAL TRUST INDENTURES, APPOINTING AN AUTHORIZED OFFICER TO APPROVE CERTAIN TERMS AND PROVISIONS OF THE BONDS; APPROVING AND AUTHORIZING THE TERMS AND CONDITIONS OF ONE OR MORE BOND PURCHASE AGREEMENTS PERTAINING TO SUCH BONDS; APPROVING THE PREPARATION AND DELIVERY OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF ANY AND ALL DOCUMENTS RELATING TO THE BONDS, AND APPROVING OTHER MATTERS RELATING THERETO.

(RESOLUTION 16-41)

Action Item

Motion to approve: Walta Cooke 2nd: Jack Traylor Unanimously approved.

The board entered into executive session at 10:39am and came back into open session at 11:18am

6. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE ACQUISITION THROUGH CONDEMNATION OF SOME OR ALL OF THE FOLLOWING PARCELS OF PROPERTY IN SMITH COUNTY FOR TOLL 49 SEGMENT 4 (EXTENDING APPROXIMATELY 6.6 MILES FROM IH 20, SOUTHWEST OF THE CITY OF LINDALE, TEXAS TO US 69, NORTH OF LINDALE, TEXAS):

(RESOLUTION 16-42)

Action Item

- A.** Parcel 209, an 11.793 acre parcel of real estate owned by Mea Real Estate, L.P., situated in the William Gatlin Survey, Abstract No. 409, Smith County, Texas.

- B. Parcel 210, a 0.458 acre parcel of real estate owned by Stacy Bateman and wife, Carla Bateman, situated in the William Gatlin Survey, Abstract No. 409, Smith County, Texas.
- C. Parcel 213, a 39.133 acre parcel of real estate owned by Joseph C. Mea (a/k/a Joseph Clay Mea) and Mea Real Estate, L.P., a Texas Limited Partnership located in the William Gatlin Survey, Abstract 409, the Antonio Walsh Survey, A-1035, and the Robert O. Bean Survey, Abstract No. 136, Smith County, Texas.
- D. Parcel 215, a 36.644 acre parcel of real estate owned by Trollinger 2006 Descendants Trust, situated in the Martin V. Lout Survey, Abstract No. 556, and the Robert O. Bean Survey, Abstract No. 136, Smith County, Texas.
- E. Parcel 216, a 28.308 acre parcel of real estate owned by Kevin Andrew Freudiger and Kelyn Lea Freudiger, situated in the George Null Survey, Abstract No. 741 and the J.H. Sanders Survey, Abstract No. 869, Smith County, Texas.
- F. Parcel 230, a 3.216 acre parcel of real estate owned by Ronald E. Sater, Trustee of the Ronal E. Sater Living Trust, dated August 15, 1978; Alvrone Sater, Individually and as Trustee of the Alvrone Sater Trust U/W/O I Rudman, deceased and as Trustee of the Alvrone Sater Trust No. 3; M.B. Rudman, Individually and as Trustee of the M. B. (Mayer B.) Rudman Trust U/W/O I Rudman, deceased; The Rudman Partnership; The Rudman Trust, situated in the Isaac Norris Survey, Abstract No. 748, Smith County, Texas.
- G. Parcel 236, a 9.711 acre parcel of real estate owned by the Ralph L. Page and wife, Judith C. Page, situated in the James J. Knowles Survey, Abstract No. 537, Smith County, Texas.
- H. Parcel 238, a 22.657 acre parcel of real estate owned by William H. Liebbe and wife, Donna L. Liebbe, situated in the S.A.M.G.R.R. CO. Survey, Abstract 961, and the Stephen Coleman Survey, Abstract No. 217, Smith County, Texas.
- I. Parcel 239, a 1.042 acre parcel of real estate owned by William H. Liebbe and wife, Donna L. Liebbe, situated in the S.A.M.G.R.R. CO. Survey, Abstract 961, and the Stephen Coleman Survey, Abstract No. 217, Smith County, Texas.
- J. Parcel 240, a 13.388 acre parcel of real estate in two parts owned by James E. Etheridge, situated in the Stephen Coleman Survey, Abstract No. 217, Smith County, Texas.
- K. Parcel 247, a 0.073 acre parcel of real estate owned by James E. Etheridge, situated in the Stephen Coleman Survey, Abstract No. 217, Smith County, Texas.

Motion: Bob Murray: "I move that the North East Texas Regional Mobility Authority authorize the use of the power of eminent domain to acquire the parcels listed and described in Exhibit "A" attached to proposed Resolution 16-42, a copy of which has been provided to each Board member, for the construction, operation, and maintenance of Segment 4 of Toll 49, a turnpike project in Smith County, Texas, the southern terminus of which is located at the intersection of Interstate Highway 20 and the current northern terminus of Toll 49, and the northern terminus of which is located at the intersection of U.S. Highway 69 and Smith County Road 4148."

2nd: Robert Messer Unanimously approved.

7. ADJOURNMENT

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 2016-2017 Scheduled Board Meetings / Functions

FY 2016 Tentatively Scheduled Board Meetings:

Tuesday, May 10, 2016 Longview, TX Gregg County

Tuesday, June 14, 2016 Terrell, TX Kaufmann County

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

Texas Transportation Commission Meeting:

Thursday, April 28, 2016 – 125 E. 11th St., Austin, TX 78701

Thursday, May 26, 2016 – 125 E. 11th St., Austin, TX 78701

Thursday, June 30, 2016 – 125 E. 11th St., Austin, TX 78701

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