



MINUTES
NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY (NET RMA)
BOARD OF DIRECTORS SPECIAL MEETING
9:00 A.M., TUESDAY, JUNE 29, 2010
PBS&J TYLER
909 ESE LOOP 323, SUITE 520
TYLER, TEXAS 75701
PRESIDING: JEFF AUSTIN, III, CHAIRMAN

1. CALL TO ORDER AND DECLARATION OF QUORUM

Notice of this meeting was posted with the Secretary of State's Office, with the County Clerk in Smith County, on the NET RMA website, and in the offices of PBS&J on June 25, 2010.

Board Members present: Chairman Jeff Austin III, Linda Thomas, Tab Beall, Gary Halbrooks, Dave Spurrier, Keith Honey, David Stevenson, Bill Rowton, Celia Boswell, Ed Smith, Bill Runnels, Andy Vinson, and Mike Thomas

Board Members absent: Robert Murray, Barry Hughes, Walta Cooke, Hudson Old and Rodney Gilstrap

Chairman Austin called to order the meeting at approximately 9:01 a.m.

2. REPORT ON TRANSPORTATION COMMISSION ACTION ON PASS-THROUGH FUNDING APPLICATION

A. TxDOT Projects Approved for Negotiation for 2010 Toll Pass-Through Program

Everett Owen spoke provided a report on the pass through application. He advised the NET RMA did receive the list for the pass-through projects that were approved for TxDOT funding. The NET RMA's Toll 49 Segment 3B project is not on the list. There are four projects on a waiting list and the NET RMA's project is not one of those, either.

3. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON SUBMISSION OF APPLICATIONS FOR FINANCIAL ASSISTANCE FROM THE STATE INFRASTRUCTURE BANK AND/OR OTHER APPROPRIATE SOURCES OF FINANCIAL ASSISTANCE (RESOLUTION 10-07)

Chairman Austin entertained a motion to approve the Submission of Applications for Financial Assistance from the State Infrastructure Bank (SIB) and/or Other Appropriate Sources of Financial Assistance.

Everett Owen advised he is asking the Board to provide authority for the NET RMA to ask for the total amount of gap funding needed through submittal of a SIB Loan Application. There is some indication to consider total funding from the SIB. The NET RMA may submit one application or a couple of applications with various dollar amounts.

Brian Cassidy advised the submission of the application doesn't commit the Board to anything. The terms still must be negotiated and approved by the Board.

Chairman Austin asked if the NET RMA is successful with the SIB what will the time frame be?

Brian Cassidy advised it depends on the size of the loan. TxDOT is in the process of granting a second phase of funding to the SIB Loan Program, so it depends on which source the NET RMA is able to tap into.

Chairman Austin stated the NET RMA shouldn't invite the rating agencies to Tyler to review the Toll 49 project until the SIB application is approved.

Brian Cassidy advised that there is no need for the rating agency visit if the SIB loan is approved for the full amount.

Tab Beall commented – If we do the SIB loan with partial funding, then the SIB Loan will be subordinate to the bond.

Chairman Austin advised this is like a TX TIFIA loan.

Chairman Austin – I want to entertain a motion to approve the resolution.

Brian – Resolution 10-07 is the Board authorizing the NET RMA to submit the application for the SIB loan. The terms are still subject to approval of the Board.

Role call was taken by Mike Battles.

Board Member Ed Smith moved approval; Board Member Tab Beall seconded the motion. The motion carried and Resolution 10-07 was approved.

4. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON SUBMISSION OF APPLICATION(S) FOR THE FHWA TIGER II PROGRAM (RESOLUTION 10-08)

Everett Owen advised the TIGER II grant program appropriated \$600 million which is available through September 30, 2012.

Chairman Austin advised the rail spur would be a nice fit for that program.

Brain Cassidy advised the NET RMA will need to amend the resolution to reflect other RMA projects.

Mike Thomas said a total of \$140 million in funding is reserved for rural areas. Does the NET RMA qualify only for grants from the rural funding portion, or can the agency qualify for funding from the entire pool of money?

Everett Owen advised that the NET RMA would qualify for a grant from the entire pool of money; however the NET RMA's rural nature would make its projects very eligible for funding from the "rural" pot of money. We will investigate this further.

Chairman Austin – Can you please investigate into the status of the environmental studies on the proposed Jacksonville loop? Would this project qualify for TIGER II grant funding?

Everett Owen advised he will look into this.

Chairman Austin entertained a motion to approve the Submission of Applications for the TIGER II Program. Board Member Ed Smith moved approval; Board Member Mike Thomas seconded the motion. The motion carried and Resolution 10-08 was approved.

5. ADJOURNMENT

There being no further business, Chairman Austin adjourned the meeting at approximately 9:17 am.

**EXECUTIVE SESSION PURSUANT TO GOVERNMENT CODE,
CHAPTER 551, IF ANY**

There was no Executive Session at this time.



Jeff Austin, III, Chairman



Dave Spurrier, Secretary



Colleen Colby