

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE NORTH EAST TEXAS
REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 16-108

WHEREAS, the North East Texas Regional Mobility Authority ("NET RMA") was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the "RMA Rules"); and

WHEREAS, the Board of Directors of the NET RMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Panola, Wood, Van Zandt, Titus, and Kaufman joined the Authority and are represented on the Board of Directors; and

WHEREAS, the 85th biennial session of the Texas Legislature (the "85th Legislature") will convene on January 10, 2017; and

WHEREAS, the 85th Legislature may consider the adoption of legislation relating to regional mobility authorities, transportation financing, tolling, and other areas of potential interest to the NET RMA; and

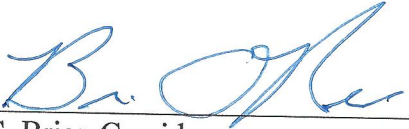
WHEREAS, NET RMA consultants have developed a list of proposed legislative priorities, attached hereto as Attachment "A", reflecting the interests and priorities of the NET RMA with regard to various legislative issues that may be considered by the 85th Legislature; and

WHEREAS, the Board of Directors of the NET RMA believes that the proposed legislative priorities are in the best interest of the NET RMA and the residents of North East Texas.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby approves the list of proposed legislative priorities, attached hereto as Attachment "A".

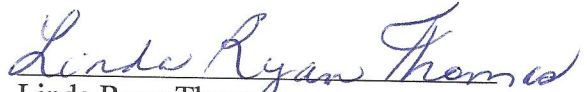
Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 15th day of December, 2016.

Submitted and reviewed by:



C. Brian Cassidy
General Counsel for the North East
Texas Regional Mobility Authority

Approved:



Linda Ryan Thomas
Chair, Board of Directors
Date Passed: 12/15/16

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Attachment "A"

NET RMA Legislative Priorities 85th Texas Legislative Session

The following is a list of priorities for the 85th Texas Legislative Session:

1. **Preserve Existing Procurement and Financing Tools:** Current statutory authority for regional mobility authorities ("RMAs") provides tools which facilitate the efficient and economic development, financing, and operation of transportation projects under local control. Any effort to restrict or remove those tools will undermine the ability of RMAs to deliver critical infrastructure projects. The NET RMA will work to assure that such tools are preserved.
2. **Transportation Reinvestment Zones:** Transportation Reinvestment Zones ("TRZs") are an important tool for generating local funding for projects without raising taxes. Current law allows a city or county to assign TRZ revenues to an RMA to support the funding and development of an RMA project. However, recent Attorney General opinions and certain constitutional language have created issues related to a county's use of a TRZ to generate and leverage potential project funding. The NET RMA supports efforts to enhance the use of TRZs by counties, and will support legislation, including a constitutional amendment, if necessary, to clarify the ability of counties to form a TRZ and to pledge TRZ revenues (or allow an RMA to pledge TRZ revenues) to secure bonds to pay the cost of a transportation project.
3. **Eliminate Requirement for RMA's to Seek TxDOT Approval to Apply for Federal Funds:** Current law precludes an RMA from applying for federal highway or rail funds without the approval of TxDOT. Recent actions to increase funding (Prop 1 and Prop 7) have included restrictions on the use of state-controlled funds for toll projects, thus making reliance on federal funding more important. With the possibility of increased federal funding for infrastructure from a new administration (coupled with increased restrictions on use of state funds for toll projects), the NET RMA should be allowed to pursue funds from federal sources without requiring the consent of TxDOT. The statutory requirement for consent should be removed.
4. **CDA Authority:** Comprehensive development agreements ("CDAs") are a method to fund and deliver projects as the use of state funding to support toll projects is becoming increasingly restricted. A public-private partnership (through a CDA) may be the most feasible way to finance and develop certain projects. Loop 49, Segments 6 and 7, currently have CDA authorization, but that will expire on August 31, 2017. The NET RMA supports extending the CDA authority for Loop 49, and further supports allowing metropolitan planning organizations ("MPOs") to approve the use of CDAs for projects in their region (rather than requiring specific legislative authorization).