

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

RESOLUTION NO. 21-13

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 Chapter 370 of the Transportation Code (the “RMA Act”) 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, Titus, Van Zandt, Wood, Kaufman, Camp, and Cass joined the Authority and are represented on the Board of Directors; and

WHEREAS, the North Texas Tollway Authority (“NTTA”) is a regional tollway authority governed by the Regional Tollway Authority Act (the “RTA Act”), set forth in Chapter 366 of the Texas Transportation Code; and

WHEREAS, Chapter 791 of the Texas Government Code provides that any one or more public agencies may contract with each other for the performance of governmental functions or services in which the contracting parties are mutually interested; and

WHEREAS, Section 370.033 of the RMA Act provides that regional mobility authorities may enter into interlocal agreements with other governmental entities; and

WHEREAS, Section 366.038 of the RTA Act provides that regional tollway authorities may provide tolling services for operators of toll projects; and

WHEREAS, the NET RMA staff and consultants believe that the NET RMA will benefit from the provision of tolling services related to pay-by-mail transactions, transponder distribution and customer service, and violation enforcement by the NTTA and have prepared a term sheet (the “Term Sheet”) setting forth general terms to be included in an agreement for such services, a copy of which is attached hereto as Attachment “A”; and

WHEREAS, the Executive Committee has evaluated the Term Sheet and recommends that NET RMA pursue negotiations for a definitive agreement with NTTA for the provision of such services, consistent with the terms set forth therein.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors authorizes the Executive Director to negotiate an agreement for tolling services between the NET RMA and NTTA, consistent with the terms set forth in the Term Sheet attached hereto as Attachment “A”; and

BE IT FURTHER RESOLVED, that any agreement for tolling services between the NET RMA and NTTA is subject to approval by the Board of Directors.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 13th day of July, 2021.

Submitted and reviewed by:

Approved:

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

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Gary Halbrooks
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Gary Halbrooks
Vice Chair, Board of Directors
Date Passed: 07/13/21
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