



## MEETING NOTICE

TO: North East Texas Regional Mobility Authority Members

FROM: Linda Thomas, Chair

DATE: Tuesday, May 10, 2016

SUBJECT: May Board Meeting

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

**DATE:** Tuesday, May 10, 2016  
**TIME:** 1:30 PM  
**PLACE:** Maude Cobb Convention Center  
100 Grande Blvd.  
Longview, TX 75604  
Gregg 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 REGULAR MEETING  
Maude Cobb Convention Center  
100 Grand Blvd.  
Longview, TX 75604  
Gregg County

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**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, May 6, 2016.* Meeting called to order at 1:30pm by Chair Thomas

**2. INVOCATION**

Mike Thomas offered the invocation.

**3. WELCOME & INTRODUCTION OF BOARD MEMBERS**

Board Members

Chair Thomas introduced Karen Owen, MPO Director of Gregg, Upshur and Harrison Counties, and County Judge Stoudt.

**4. SWEARING IN OF BOARD MEMBERS**

Judge Bill Stoudt

Judge Stoudt swore in new board member Dan Droege and welcomed the Board to Longview/Gregg County.

**5. OPEN PUBLIC FORUM/COMMENT PERIOD**

There were no open public comments.

**6. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE APRIL 12 REGULAR BOARD MEETING AND THE APRIL 27 SPECIAL CALLED BOARD MEETING.**

Action Item

Request was made to amend the minutes to the April 27 minutes, pg 13 #3 Motion/2<sup>nd</sup> details. Minutes were unanimously approved as amended.

**7. CHAIR'S REPORT**

Linda Thomas

Chair Thomas introduced Dan Droege to the board and read his bio.

**8. TREASURER'S REPORT**

Tom Fitzgerald

Motion to approve: Dr. Harris 2<sup>nd</sup>: Mike Thomas Unanimously approved.

**9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AWARD A CONTRACT FOR SLOPE AND DRAINAGE CHANNEL REPAIRS AND IMPROVEMENTS ON SEGMENT 3B OF TOLL 49.**

(RESOLUTION 16-43)

Action Item

This is needed to repair 2 areas on 3B: Black Fork Creek, Healing Place, and Peveto Creek. Bid includes: Stabilizing erosion, reconstruct ditches and an alternative bid with offset items. Motion to approve: Jack Traylor 2<sup>nd</sup>: Keith Honey Unanimously approved.

**10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 8 WITH SCHNEIDER ELECTRIC FOR CAMERA REPLACEMENT ON SEGMENTS 1, 2, AND 5 OF TOLL 49.**

(RESOLUTION 16-44)

Action Item

This is to update the other half of the cameras. Motion to approve: Barham Fulmer 2<sup>nd</sup>: Bob Moore Unanimously approved.

11. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION NO. 3 WITH CDM SMITH FOR CONTINUED DATA COLLECTION SUPPORT FOR TOLL 49.**  
**(RESOLUTION 16-45)** **Action Item**  
This is a renewal of our T&R Contract, required by Bond Market. Motion to approve: John Cloutier, 2<sup>nd</sup>: Jim Bunch Unanimously approved.
12. **PRESENTATION ON TOLL 49 SAFETY IMPROVEMENTS.** **Kate Wilder**  
Kate Wilder of RS&H made a presentation on updating/improving passing lanes on each segment for improved safety on Toll 49.  
Keith Jackson of Atkins Global made a presentation on new paving, restriping and adding rumble strips and raised/reflective pavement markers on the center and shoulders. Segments 2/3A/5 need restriping. This can all be done via a Design/Bid/Build contract or a CO to an existing contract.
13. **PRESENTATION ON INVESTMENT OF BOND PROCEEDS.** **Richard Ramirez**  
John Bannon of Hilltop Securities made a presentation on investment of bond proceeds. He proposed a strategy that automatically collateralizes all un-invested balances at the end of each day, called Flex-Repurchase Agreement.
14. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENTS TO THE TOLLING POLICY REGARDING ESCALATION RATES, HABITUAL VIOLATORS, AND DESIGNATION OF TOLL RATES FOR 2017 AND 2018.**  
**(RESOLUTION 16-46)** **Action Item**  
Toll rate escalation set for 2.5% annually, applied every other year (5% at application). Motion to approve: Dave Spurrier 2<sup>nd</sup>: Keith Honey Unanimously approved.
15. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE A PROJECT DEVELOPMENT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR SEGMENT 4 OF TOLL 49.**  
**(RESOLUTION 16-47)** **Action Item**  
Motion to approve: John Cloutier 2<sup>nd</sup>: Mike Thomas Unanimously approved.
16. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH SMITH COUNTY, CITY OF TYLER, TROUP COMMUNITY DEVELOPMENT CORPORATION, AND TYLER ECONOMIC DEVELOPMENT COUNCIL REGARDING LOCAL MATCHING FUNDS FOR THE PURCHASE OF ABANDONED RIGHT-OF-WAY.**  
**(RESOLUTION 16-48)** **Action Item**  
TxDOT will re-survey ROW before they award \$400k. This is to extend the date to allow that to happen. Motion to approve: Dr. Harris 2<sup>nd</sup>: Dave Spurrier Unanimously approved.
17. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING ROLE OF NET RMA PROJECT DIRECTOR.**  
**(RESOLUTION 16-49)** **Action Item**  
Motion to approve: Dave Spurrier 2<sup>nd</sup>: Mike Thomas Unanimously approved.
- The board was placed in Executive Session at 3:02pm, and re-emerged into open session at 3:32pm.
18. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF OFFERS TO LANDOWNERS IN CONNECTION WITH THE ACQUISITION OF OPTIONS TO PURCHASE INTERESTS IN PROPERTY FOR SEGMENT 4 OF TOLL 49.**  
**(RESOLUTION 16-50)** **Action Item**  
Motion to approve: Mike Thomas 2<sup>nd</sup>: Bob Moore Unanimously approved.

## 19. EXECUTIVE DIRECTOR'S REPORT

Everett Owen

- A. Update on Toll 49
  - Report on Tolling Transactions and Revenue – These #'s were up 10% in April.
- B. Update on Segment 6 of Toll 49
- C. Information to the Public Concerning Lane Closures Caused by Overlay Project – the upcoming projects at 3B and the SH64 under-drains will be very disruptive.
- D. Report on Interim Loan Closing and Payoff of TxDOT Loans
- E. Report on Status of Ratings and Bond Issue

## 20. ADJOURNMENT

Meeting Adjourned at 3:42pm

### 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 Tentatively Scheduled Board Meetings:

Tuesday, June 14, 2016 Terrell, TX Kaufmann County

Tuesday, July 12, 2016 Quitman, TX Wood County – Budget Workshop

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

Texas Transportation Commission Meeting:

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

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

### 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.