



MEETING NOTICE

TO: North East Texas Regional Mobility Authority Board Members
FROM: Linda Thomas, Chair
DATE: Tuesday, June 14, 2016
SUBJECT: June Board Meeting

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

DATE: Tuesday, June 14, 2016
TIME: 1:30 PM
PLACE: Terrell City Council Chambers
201 S Nash St.
Terrell, TX 75160
Kaufman 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
Terrell City Council Chambers
201 S Nash St.
Terrell, TX 75160
Kaufman County

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, June 10, 2016.

Chair Thomas declared a quorum and the meeting was called to order at 1:30pm.

2. INVOCATION

Bob Moore offered the invocation.

3. WELCOME & INTRODUCTION OF BOARD MEMBERS

Board Members

Bob Messer introduced County Judge Bruce Wood, who welcomed the board to Kaufman County. He introduced Mike Sims, the assistant city manager of Terrell Tx. Also in attendance was Joe Hernandez of Costello Engineering.

4. OPEN PUBLIC FORUM/COMMENT PERIOD

There were no public forum discussions or comments.

5. DISCUSSION, CONSIDERATION AND APPROVAL OF THE MINUTES FOR THE MAY 10 REGULAR BOARD MEETING.

Action Item

Motion to approve: Barham Fulmer 2nd: Bob Moore. Unanimously approved.

6. CHAIR'S REPORT

Linda Thomas

A. Appointment of Investment Committee

Chair Thomas appointed Treasurer Bob Messer as the Chair of the Investment Committee, with Jason Ray, Jim Bunch, Dan Droege and Barham Fulmer to serve along with him.

7. TREASURER'S REPORT

Tom Fitzgerald

Motion to approve: Mike Thomas, 2nd: Jason Ray Unanimously approved.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON AN HONORARY RESOLUTION FOR FORMER BOARD MEMBER JACK TRAYLOR.

Motion to approve: John Cloutier, 2nd: Gary Halbrooks Unanimously approved.

9. PRESENTATION AND DISCUSSION ON PROCESS FOR DEVELOPMENT OF ANNUAL NET RMA BUDGET.

Budget workshop was set for July 19, 2016 at 9am TBD in Longview or Tyler.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE AWARD OF A PRIORITY PROJECT GRANT.

(RESOLUTION 16-51)

Action Item

Recommendation for approval was made from Committee by John Cloutier

Motion to approve amended with award amount in the resolution language: Barham Fulmer 2nd: Gary Halbrooks

Unanimously approved.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE HIRING A REAL ESTATE BROKER TO ASSIST WITH LOCATING OFFICE SPACE FOR THE NET RMA.

(RESOLUTION 16-52)

Action Item

Motion to approve: Bob Messer 2nd: Walta Cooke Unanimously approved.

12. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SOLICITATION OF AN ASSOCIATE ENGINEER POSITION.**
(RESOLUTION 16-53) Action Item
Discussion included needing Job Description, Budget information, and the formation of a HR committee. Linda recommends reorganizing the board.
Motion to table: Bob Messer 2nd Cloutier Unanimously approved to table this item.
13. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AMEND THE NET RMA PROJECT DIRECTOR AGREEMENT.**
(RESOLUTION 16-54) Action Item
Everett's agreement expired in May, this is to extend to 6/1/19.
Motion to approve: Dave Spurrier 2nd: Gary Halbrooks Unanimously approved.
14. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT.**
(RESOLUTION 16-55) Action Item
This is to allocate more funds for Chris Miller's relocation allowance, from \$10k to \$15k. Dave Spurrier recommends reviewing the entire Personnel Policy once Chris gets acclimated.
Motion to approve: Walta Cooke, 2nd: Dan Droege Unanimously approved.
15. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE ISSUANCE OF A BUSINESS CREDIT CARD TO THE EXECUTIVE DIRECTOR.**
(RESOLUTION 16-56) Action Item
Amount of card limit was \$5k. Discussion led to increase it to \$7500. Motion to approve: Hudson Old, 2nd: Dr. James Harris Unanimously approved.
16. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH UNION PACIFIC RAILROAD FOR THE PURCHASE OF ABANDONED RIGHT-OF-WAY.**
(RESOLUTION 16-57) Action Item
Motion to approve: Barham Fulmer 2nd: Hudson Old Unanimously approved.
17. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE SUPPLEMENTAL WORK AUTHORIZATION NO. 12.1 WITH ATKINS FOR ADDITIONAL ENGINEERING CONSULTANT SERVICES.**
(RESOLUTION 16-58) Action Item
Motion to approve: John Cloutier 2nd: Bob Moore Unanimously approved.
18. **REPORT ON SEGMENT 3B OVERLAY ACTIVITY.** Kate Wilder
RS&H took over inspections. Kate explained lane closures and detours in the weeks ahead.

Gary Halbrooks left the meeting at 3:22pm.
19. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 2 TO THE CONTRACT FOR TOLL 49 PAVEMENT REPAIRS AND IMPROVEMENTS WITH REYNOLDS & KAY, LTD. FOR A MILL-INLAY-OVERLAY PROJECT ON SEGMENT 3B OF TOLL 49.**
(RESOLUTION 16-59) Action Item
Motion to approve: Walta Cooke 2nd: Barham Fulmer Unanimously approved.
20. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT FOR SLOPE AND DRAINAGE CHANNEL REPAIRS AND IMPROVEMENTS WITH REYNOLDS & KAY, LTD. FOR CONCRETE DRAINAGE CHANNELS.**
(RESOLUTION 16-60) Action Item

Motion to approve: Barham Fulmer 2nd: Hudson Old Unanimously approved.

21. REPORT ON STATUS OF THE SEGMENT 4 PROJECT.

Kate Wilder

Segment 4 PDA on June 30th Texas Transportation Commission agenda. Construction notice to proceed July 1. Change order #2 will add rumble strips and reflectors for safety.

22. REPORT ON SEGMENT 4 FINANCING.

Richard Ramirez

Richard Ramirez reported a successful bond sale and offered his thanks to the Chair, the board, Everett, Kate, CDM Smith, SNP, Staff, Locke Lord, Bank of America, Merrill Lynch, and everyone he might have missed who contributed to the success of the bond sale.

**23. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE A PROJECT DEVELOPMENT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR SEGMENT 4 OF TOLL 49.
(RESOLUTION 16-61)**

Action Item

Motion to approve: John Cloutier 2nd: Barham Fulmer Unanimously approved.

**24. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 10 WITH KAPSCH TRAFFICOM TRANSPORTATION, NORTH AMERICA FOR TOLL SYSTEMS IMPLEMENTATION SUPPORT ON SEGMENT 4 OF TOLL 49.
(RESOLUTION 16-62)**

Action Item

This is for the tolling equipment for Segment 4 from Kapsch. Motion to approve: Walta Cooke, 2nd: Dr. James Harris Unanimously approved.

**25. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH WEBBER, LLC FOR CONSTRUCTION OF SEGMENT 4 OF TOLL 49 TO REVISE RIGHT-OF-WAY ACQUISITION DATES.
(RESOLUTION 16-63)**

Action Item

Motion to approve: Barham Fulmer 2nd: Bob Messer Unanimously approved.

**26. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT WITH WILDWOOD ENVIRONMENTAL CREDIT COMPANY, LLC. REGARDING MITIGATION REQUIREMENTS FOR SEGMENT 4 OF TOLL 49.
(RESOLUTION 16-64)**

Action Item

Final mitigation credits for \$755k. Motion to approve: Mike Thomas 2nd: Dave Spurrier Unanimously approved.

**27. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO ACQUIRE WATERLINE EASEMENTS FOR SEGMENT 4 OF TOLL 49.
(RESOLUTION 16-65)**

Action Item

This is for 60% of overall value. Motion to approve: Bob Messer 2nd: Dan Droege Unanimously approved.

28. DISCUSSION OF PENDING ACQUISITIONS THROUGH CONDEMNATION OF PARCELS FOR SEGMENT 4 OF TOLL 49.

Before going into Executive Session, Everett Owen was wished a happy birthday by the board.

Chair Thomas called the board into Executive Session at 3:56pm.

Reconvened in open session at 4:36pm

**29. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO PURCHASE THE FOLLOWING DESCRIBED PARCELS FOR SEGMENT 4 OF TOLL 49:
(RESOLUTION 16-66)**

Action Item

- A. Parcel 205, a 0.515 acre parcel of real estate owned by Bernice Cooper, 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 230, a 3.216 acre parcel of real estate owned by the Rudman Family Trust, MER Energy Ltd., The Rudman Partnership, Sater Family Partnership, Alvrone Sater Trust U/W/O I. Rudman, and Alvrone Sater Trust #3, situated in the Isaac Norris Survey, Abstract No. 748, Smith County, Texas.
 - D. Parcel 236, a 9.711 acre parcel of real estate owned by the Ralph L. Page and wife, Judith C. Page, and Ralph Loren Page situated in the James J. Knowles Survey, Abstract No. 537, Smith County, Texas.
- Motion to approve: John Cloutier 2nd: Mike Thomas. Before the vote, Hudson Old requested that on agenda item 10, that it be documented in the minutes that he emailed about a grant presentation and never received the presentation in reply. The purchase of the above parcels was unanimously approved.

30. EXECUTIVE DIRECTOR'S REPORT

Everett Owen

- A. Update on Toll 49
 - Report on Tolling Transactions and Revenue
- B. Update on NET RMA Website Development

Mention was made that NET RMA was offering health and dental insurance thru Blue Cross Blue Shield to its employees beginning July 1.

31. ADJOURNMENT

Meeting was adjourned at 4:43pm.

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, July 19, 2016 Mineola, TX Wood County

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

Texas Transportation Commission Meeting:

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