

**AGENDA**  
**NORTH TEXAS TOLLWAY AUTHORITY**  
**BOARD OF DIRECTORS REGULAR MEETING**  
**BOARD ROOM, SUITE 200**  
**5900 WEST PLANO PARKWAY**  
**PLANO, TEXAS 75093**  
**NOVEMBER 16, 2022**  
**10:00 AM**

All items included on this agenda, including those listed for executive session, may be discussed and acted upon by the Board of Directors of the North Texas Tollway Authority (NTTA). Agenda item numbers are assigned for ease of reference and do not necessarily reflect the order of their consideration by the Board. The Board may discuss any agenda item in executive session whenever legally justified under the Texas Open Meetings Act.

1. Call to order and establishment of quorum
2. Pledge of Allegiance
3. Public comments not related to specific agenda items
4. Comments and announcements from the Chairman and Board Members
  - A. Asian American Contractors & Professionals Association Business Diversity Outstanding Partner of the Year award
5. Committee Chair reports
  - A. Regional Transportation Council
  - B. Customer Service, Projects, and Operations
  - C. Finance, Audit, and Administration
6. Approval of the minutes from October 2022 regular board meeting

**CONSENT ITEMS**

7. Request to advertise the following:
  - A. Design engineering services for Chisholm Trail Parkway southbound mainlanes
  - B. Construction services for Sam Rayburn Tollway bridge deck joint seal replacement
  - C. Construction services for Systemwide raised pavement markers replacement
  - D. Deicing materials
  - E. Construction services for Gleneagles 5910 roofing replacement project

8. Contract approval for the following:
  - A. Construction services for Sam Rayburn Tollway and Lewisville Lake Toll Bridge sign replacement
  - B. TollTag provider and 2023 purchase authorization
9. License subscription and end-of-life hardware replacement for the following:
  - A. Queue management software
  - B. Electronic file transfer software
  - C. Application performance monitoring software
  - D. File integrity management software
  - E. Network switches
10. Collection agencies:
  - A. Additional funds for collection agency contracts
  - B. Extension of contracts
  - C. 2023 work authorizations
11. FY2023-FY2027 Five-Year Capital Plan approval
12. Modification of bond counsel contract award
13. Employee and retiree benefits
  - A. 401(k) Plan amendment
  - B. Funding for retirement benefits
  - C. 2023 holidays

## **BRIEFING ITEMS**

14. Quarterly Investment Report 3rd Quarter 2022
15. Consolidated Monthly Performance Report
16. Executive Director Report
  - A. Contracts, supplements, and change orders not exceeding \$300,000.00 executed in October 2022
17. *Recess* – Safety Operations Center, 4280 Mapleshade Lane, Plano, Texas 75075
18. EXECUTIVE SESSION – Pursuant to Chapter 551, Subchapter D, Texas Government Code:

- A. Section 551.071, to receive advice from legal counsel about pending or contemplated litigation and/or settlement offers or other legal matters:
  - 1. Legislative session agenda
- B. Section 551.074(a)(1), to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:
  - 1. Executive Director and Internal Auditor – 2022 performance and 2023 goals

19. Adjourn

**NOTES**

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify NTTA as far in advance as possible, but no less than 2 days in advance, so that appropriate arrangements can be made. Contact Human Resources by telephone at 214-461-2079 or Relay Texas at 1-800-735-2989; by e-mail at ADA2@ntta.org; or in person at 5900 W. Plano Parkway, Plano, Texas 75093. Additional information about NTTA is available on the NTTA website at <http://www.ntta.org>.

Board members may participate in this meeting via telephone conference call in accordance with Section 366.262 of the Texas Transportation Code. Pursuant to Texas Penal Code Section 30.07, the open carrying of handguns will not be allowed at this meeting.

## **Notice of Engagement of Locke Lord LLP**

NTTA is pursuing the matter that is the subject of the Contracts with Locke Lord LLP for the purpose of issuing municipal securities or entering into contracts or agreements related to the financing, refinancing, or operation of NTTA's turnpike system, including any improvements, extensions, enlargements, or additions thereto, in compliance with all state and federal laws, including securities and tax laws. Locke Lord LLP is a well-qualified law firm with experience in the issuance of municipal securities and other related matters and have represented numerous municipal entities in matters relevant to the Contract. Locke Lord LLP has recognized standing and ability, specializing in the law pertaining to municipal securities and other related matters. NTTA has engaged Locke Lord LLP for previous matters similar to those in the Contract beginning in November 2005 for the lawyer at Locke Lord LLP that was previously at Bracewell LLP and Mahomes Bolden PC. NTTA cannot adequately perform the legal services with attorneys and supporting personnel of NTTA due to there being only two attorneys employed by NTTA as well as state law complexity and federal security and tax law intricacies of which NTTA attorneys and supporting personnel do not possess as an area of expertise. NTTA has found that the attorneys or law firms with experience in the matters relevant to the Contract do not perform their legal services solely on an hourly basis; rather, such attorneys and law firms are engaged and (related to a transaction) are only paid to the extent NTTA successfully issues municipal securities or otherwise completes the matters relevant to the Contracts. It is in the best interest of NTTA to engage Locke Lord LLP on a contingency basis because NTTA wishes to preserve its right to forego the issuance of municipal securities or other matters relevant to the Contracts for any reason (financial, political, or otherwise) without payment of the contingent fee under the Contract.