

County lawsuit. Recent judges' action has likely resulted in another Executive Board meeting called to address Transportation Department fiscal agent needs. The FIFA items are the most critical. We will know these results by our meeting date.

Performance Measure(s) Addressed: Administrative

1:20 – 1:30 4. **\$5 Million Emergency Funding Using Regional Transportation Council Local Funding: Regional Transportation Council Ratification**

Action Possible Action Information Minutes: 10

Presenters: Michael Morris, NCTCOG

Item Summary: The Regional Transportation Council (RTC) has delegated to the Transportation Director approval to request emergency funds. The funds would be for unforeseen needs resulting from recent legal action that has impacted the Metropolitan Planning Organization status and the fiscal agency. The Transportation Director has received approval from the Chair and endorsement from the RTC is required.

Background: [Electronic Item 4](#) contains a copy of the current Emergency Policy. "The purpose of this policy is to protect both North Central Texas Council of Governments staff and the RTC for any anticipated misunderstandings." There are no specific items of need at this time. All unused funds will be returned to the original RTC local funding program. Disbursements, if any, will be reported monthly to the RTC. These funds are not needed for legal matters.

Performance Measure(s) Addressed: Administrative

1:30 – 1:40 5. **Texas Department of Transportation Three-Party Agreement**

Action Possible Action Information Minutes: 10

Presenter: Michael Morris, NCTCOG

Item Summary: The Texas Department of Transportation (TxDOT) is communicating that the current TxDOT agreement does not comply with the code of federal regulations. TxDOT has requested to meet to begin developing the new agreement. The current agreement is between TxDOT, the Regional Transportation Council (RTC), and the North Central Texas Council of Governments Executive Board. The first meeting is scheduled for April 28, 2026.

Background: [Electronic Item 5.1](#) contains letters communicating the current status of government agency responsibilities. Recently approved Federal Certification Review presents findings that the RTC is the Metropolitan Planning Organization (MPO). Please see [Electronic Item 5.2](#). It is anticipated that TxDOT will suggest that [Electronic Item 5.3](#) contains TxDOT communications on a new agreement going back to March 7, 2025. The enclosed agreement proposes the RTC is the MPO. I would

assume this agreement is close to what we will see later this month. We will know these results by our meeting date.

Performance Measure(s) Addressed: Administrative

- 1:40 – 2:10** 6. **Executive Session**
 Action Possible Action Information Minutes: 30
Presenter: Rick Bailey, RTC Chair
Item Summary: Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the Regional Transportation Council may convene in executive session to deliberate regarding the following matters:
Background: § 551.071. Consultation with Attorney. The Regional Transportation Council may convene in executive session to conduct a private consultation with the Council Attorney on any legally posted agenda item, when the Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items: County of Denton v. Johnson et. al., cause no. 26-3611-431.
- 2:10 – 2:20** 7. **Consideration of Items Discussed during Executive Session**
 Action Possible Action Information Minutes: 10
Presenter: Rick Bailey, RTC Chair
Item Summary: The Regional Transportation Council will consider whether to take any action related to items pursuant to Section 551.071 of the Open Meetings Act discussed during Executive Session.
8. **Next Meeting:** The next meeting of the Regional Transportation Council will be held at **1:00 pm, Thursday, May 14, 2026.**