

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 24th day of January 2012, there was conducted a Special Meeting of the Cameron County Regional Mobility Authority, at the Dancy Courthouse thereof, in Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE BOARD MET AT:

12:00 Noon

PRESENT:

DAVID E. ALEX
CHAIRPERSON

MICHAEL SCAIEF
DIRECTOR

DAVID N. GARZA
DIRECTOR

DIRECTOR

RUBEN GALLEGOS, JR.
DIRECTOR

JOHN WOOD
DIRECTOR

MARK ESPARZA
DIRECTOR

Secretary

YOLANDA VILLALOBOS
ABSENT

ABSENT

ABSENT

The meeting was called to order by Chairman David E. Alex at 12:00 Noon. At this time, the Board considered the following matters as posted and filed for Record in the Office of the County Clerk on this January 20, 2012 at 2:18 P.M.

AGENDA

Special Meeting of the Board of Directors
of the
Cameron County Regional Mobility Authority

Dancy Courthouse
1100 E. Monroe Street
Brownsville, TX 78520

Tuesday, January 24, 2012

12:00 Noon

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Jan 20, 2012 at 02:18P

Joe G Rivera
County Clerk
By
Massie Pena, Deputy
Cameron County

I. Public Comments

CONSENT ITEMS:

II. Consideration and Approval of the Minutes for:

January 10, 2012 Special Meeting

III. Consideration and Approval of Rio Grande Valley Mobility Task Force 2012 Annual Dues in the amount of \$7,500.00.

ITEMS FOR DISCUSSION AND ACTION:

IV. Approval of Claims

V. Discussion and Possible Action regarding the West Parkway Project

VI. Discussion and Possible Action regarding the services from Vinson & Elkins and Bracewell & Giuliani

VII. Discussion and Possible Action regarding the appointment of a member(s) to the SH 550 Development Committee to be Created by the Cameron County Commissioners Court

VIII. Consideration and Approval of Change Order No. 10 for the SH 550 Project

IX. Discussion and Possible Action regarding Funding Options for the SH 550 Direct Connector Project

EXECUTIVE SESSION ITEMS

X. Executive Session

A. Deliberation regarding real property concerning Acquisition of Parcel 2, for the West Rail Project, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072

XI. Action Relative to Executive Session

A. Possible Action

XII. Adjournment

Signed this 20th day of January 2012



David E. Allex
Chairman

PUBLIC COMMENTS

I. PUBLIC COMMENTS

None were presented.

CONSENT ITEMS

ALL ITEM(S) UNDER THE CONSENT RMA AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED AND APPROPRIATE ACTION TAKEN SEPARATELY

Secretary Gallegos made a motion to approve Consent Items II and III as presented. The motion was seconded by Vice-Chairman Wood and carried as follows:

II. Consideration and Approval of the Minutes for:

January 10, 2012 Special Meeting

III. Consideration and Approval of Rio Grande Valley Mobility Task Force 2012 Annual Dues in the amount of \$7,500.00

ACTION ITEMS

IV. Approval of Claims

The attached claims were presented to the Board of Directors for approval.

Mr. Pete Sepulveda, Jr., RMA Coordinator advised the Board of the Claims being presented.

Secretary Gallegos made a motion to approve the Claims. The motion was seconded by Director Scaief and carried unanimously.

The Claims are as follows:

V. Discussion and Possible Action regarding the West Parkway Project

Mr. Sepulveda, RMA Coordinator introduced the item and went over a draft letter with the Board. The Board made changes to the draft letter presented by Mr. Sepulveda. Secretary Gallegos mentioned for the record that the Cameron County Regional Mobility Authority had listened to and had made a huge effort in accommodating and considering all the suggestions and requests that had been made by the different groups.

Director Scaief made a motion to authorize the Chairman to send the letter to Mayor Tony Martinez regarding the West Parkway Project. The motion was seconded by Vice-Chairman Wood and carried unanimously.

The Letter is as follows:

VI. Discussion and Possible Action regarding the services from Vinson & Elkins and Bracewell & Giuliani

Mr. Sepulveda, RMA Coordinator introduced the item and advised the Board that three years ago the Cameron County Regional Mobility Authority had gone through the RFQ process and selected Vinson & Elkins as the Bond Counsel. Mr. Sepulveda went on to state that the entire Public Finance Group from Vinson & Elkins switched to Bracewall & Giuliani. Mr. Sepulveda mentioned that Brian Cassidy, Cameron County Regional Mobility Authority Attorney had looked at the Agreement and in it was Mr. Cassidy's opinion that the Agreement was assignable to Bracewall & Giuliani.

Vice-Chairman Wood made a motion to assign the Agreement to Bracewall & Giuliani. The motion was seconded by Director Garza and carried unanimously.

The Agreement is as follows:

VII. Discussion and Possible Action regarding the appointment of a member(s) to the SH 550 Development Committee to be Created by the Cameron County Commissioners Court

Mr. Pete Sepulveda, Jr., RMA Coordinator introduced the item and stated that the Commissioners Court was going to create a Technical Advisory Committee to look at the development along the SH 550 Corridor. Mr. Sepulveda mentioned that perhaps the Court would ask for two representatives from each the City of Brownsville, Brownsville PUB, Port of Brownsville, Cameron County Regional Mobility Authority, Brownsville Chamber of Commerce, Brownsville Economic Development Council and someone from the City of Matamoros.

Secretary Gallegos made a motion to appoint Vice-Chairman John Wood and Director Mark Esparza to serve on the SH 550 Development Committee. The motion was seconded by Director Garza and carried unanimously.

VIII. Consideration and Approval of Change Order No. 10 for the SH 550 Project

Mr. Pete Sepulveda, Jr., RMA Coordinator asked that this item be **TABLED**.

Director Garza made a motion to **TABLE** this item. The motion was seconded by Secretary Gallegos and carried unanimously.

IX. Discussion and Possible Action regarding funding Options for the SH 550 Direct Connector Project

Mr. Pete Sepulveda, Jr., RMA Coordinator asked that this item be **TABLED**.

Director Garza made a motion to **TABLE** this item. The motion was seconded by Secretary Gallegos and carried unanimously.

EXECUTIVE SESSION ITEMS

Secretary Gallegos moved to go into Executive Session; the motion was seconded by Director Scaief and carried unanimously, the Board met in Executive Session at 12:19 P.M. to discuss the following matter(s):

X. Executive Session:

- A. Deliberation regarding real property concerning Acquisition of Parcel 2, for the West Rail Relocation Project, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072**

Upon motion by Director Garza seconded by Vice-Chairman Wood and carried unanimously, the Board reconvened into Regular Session at 12:27 P.M.

XI. ACTION RELATIVE TO EXECUTIVE SESSION:

- A. Deliberation regarding real property concerning Acquisition of Parcel 2, for the West Rail Relocation Project, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.072**

Vice-Chairman Wood made a motion to authorize the Auditor to prepare a check payable to Edwards Abstract in the amount not to exceed \$45,498.62 for the acquisition of Parcel 2 for the West Rail Relocation Project. The motion was seconded by Secretary Gallegos and carried unanimously.

XII. ADJOURNMENT

There being no further business to come before the Board and upon motion by Secretary Gallegos seconded by Director Esparza and carried unanimously the meeting was **ADJOURNED** at 12:29 P.M.

APPROVED this 31st day of January 2012.

ATTESTED:


SECRETARY RUBEN GALLEGOS, JR.


CHAIRMAN DAVID E. ALLEX

IV. APPROVAL OF CLAIMS



Cameron County Regional Mobility Authority
Daily Check Register 01/23/2012

FY 2012

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<u>Check No.</u>	<u>Vendor Name</u>	<u>Fund</u>	<u>Dept.</u>	<u>Purpose</u>	<u>PO#</u>	<u>Amount</u>
00001129	AVINA,VERONICA	110	110	CONTRACT FOR SERVICES FROM	P169762	200.00
				Check No. 00001129	Total	200.00
00001130	BETANCOURT,BLANCA	110	110	CONTRACT FOR SERVICES FROM	P169761	700.00
				Check No. 00001130	Total	700.00
00001131	DEHOYOS, SYLVIA	110	110	CONTRACT FOR SERVICES FROM	P169790	400.00
				Check No. 00001131	Total	400.00
00001132	GALARZA,MARTHA	110	110	CONTRACT FOR SERVICES FROM	P169760	800.00
				Check No. 00001132	Total	800.00
00001133	GARCIA,DAVID	110	110	CONTRACT FOR SERVICES FROM	P169788	6,250.00
				Check No. 00001133	Total	6,250.00
00001134	PENA,JESUS MARTIN	110	110	CONTRACT FOR SERVICES FROM	P169763	200.00
				Check No. 00001134	Total	200.00
00001135	QUELLHORST,HENDRICK	110	110	CONTRACT FOR SERVICES FROM	P169765	250.00
				Check No. 00001135	Total	250.00
00001136	ROBLES,MARIA A	110	110	CONTRACT FOR SERVICES FROM	P169764	450.00
				Check No. 00001136	Total	450.00
00001137	SAN MIGUEL,FRANCISCO	110	110	CONTRACT FOR SERVICES FROM	P169771	300.00
				Check No. 00001137	Total	300.00
00001138	SEPULVEDA,PEDRO	110	110	CONTRACT SERVICES FROM	P169758	6,250.00
				Check No. 00001138	Total	6,250.00
00001139	TEXAS DEPARTMENT OF TRANSPORTA	111	1121	INTERLOCAL AGREEMENT WITH	P165112	1,844.00
				Check No. 00001139	Total	1,844.00
00001140	VEGA,DYLBIA JEFFERIES	110	110	CONTRACT FOR SERVICES FROM	P169779	1,100.00
				Check No. 00001140	Total	1,100.00
00001141	WOOD,JOHN	110	110	TRAVEL REIMB. 12/1-2 J.WOOD		316.80
				Check No. 00001141	Total	316.80

Print Date: 01/23/2012 Print By: HENDRICK

Total for All Checks: 19,060.80

**V. DISCUSSION AND POSSIBLE ACTION REGARDING THE WEST
PARKWAY PROJECT**



January 24, 2011

The Honorable Tony Martinez, Mayor
City of Brownsville
1001 E. Elizabeth Street
Brownsville, Texas 78520

RE: West Parkway Project

Dear Mayor Martinez:

The Cameron County Regional Mobility Authority (CCRMA) has had a good working relationship with the City of Brownsville since we were created in September 2004. Our System Map includes many projects in the Brownsville area that will greatly enhance the quality of life in Brownsville. However, I realize that we have differences on the West Parkway Project. Thus, the CCRMA would like to offer the following proposal as it relates to the West Parkway Project:

- The CCRMA would agree to conduct a detailed analysis of the Levee Route Option (or Alternate Options)
- The CCRMA would request that TxDOT contract an independent Engineering Firm to conduct the detailed analysis of the Levee Route Option (or Alternate Options)
- The CCRMA, the City of Brownsville, Cameron County and TxDOT would meet and discuss the results of the analysis of the Levee Route Option (or Alternate Options) when they are available
- While a detailed analysis is conducted on the Levee Route Option (or Alternate Options), the West Parkway Project would remain in the MTP and the CCRMA would stop any current work on the West Parkway Project

I look forward to hear from you. If you have any questions, let me know.

Sincerely,


David E. Allex
Chairman

VI. DISCUSSION AND POSSIBLE ACTION REGARDING THE SERVICES FROM VINSON & ELKINS AND BRACEWELL & GIULIANI

Scott Wulfe swulfe@velaw.com
Tel +1.713.758.2750 Fax +1.713.615.5396

January 9, 2012

Via Regular Mail and Email

Pete Sepulveda, Jr.
County Administrator
Cameron County Regional Mobility Authority
1100 E. Monroe Street
Brownsville, Texas 78520
psepulveda@co.cameron.tx.us

Dear Mr. Sepulveda:

As you may be aware, the Public Finance partners of Vinson & Elkins LLP (inclusive of related tax and securities partners), announced that they were joining Bracewell & Giuliani LLP (“Bracewell”) effective on or about January 17, 2012. The departing attorneys include Charles Almond, Cristy Edwards, Jonathan Frels, Steve Gerdes, Todd Greenwalt, Barron Wallace of the Houston office, Glenn Opel, Victoria Ozimek, Elizabeth Bowes of the Austin office, Ben Brooks, Robert Collins, Jonathan Leatherberry and George Rodriguez of the Dallas office, and Paul Maco of the District of Columbia office.

Bracewell, like Vinson & Elkins (“V&E”), is a full service firm with offices in Houston, Dallas, Austin, San Antonio, District of Columbia, New York and other national and international locations. Our Public Finance lawyers are nationally recognized and bring extensive municipal finance, project finance, urban development, and related securities and tax experience to Bracewell’s existing platform, and will compliment Bracewell’s existing practices.

This is a parting of respected colleagues and friends, and, while V&E regrets losing the Public Finance group as colleagues, we believe, as they do, that Bracewell will be an excellent platform and will enable them to continue to provide the highest quality of legal services in this area as well as the opportunity to expand their practices. For those clients who desire to continue their relationships with these lawyers, the Firm will make every effort to ensure that the transition to Bracewell is as seamless as possible. You also, of course, may transfer your public finance work to a firm other than Bracewell, and if you so choose we will assist in that transition as well. After this transition, V&E will no longer be engaged in practice in the public finance area, so we would appreciate your letting us know your preference as to future representation in such matters as soon as you can.

Client Files

As your lawyers, V&E maintains various files on your behalf consistent with our current engagement letter. In order to ensure that your current and future legal matters and



related files are handled without interruption, we are providing this letter to allow you to transfer your public finance related files to Bracewell. If you wish your public finance matters to continue to be handled by the lawyers who will be moving to Bracewell, the contents of your files (hard copy and electronic) held by us will be transferred to Bracewell as they are needed. Files not requested by Bracewell will be retained by V&E for such periods as provided for in the Firm's retention policies. Your consent to this arrangement will apply to requests by Bracewell for additional materials within two years of the date of this letter without any further action on your part. However, retention of any of your files, including original documents, will not imply that you continue to be an active client of V&E (except, of course, with respect to active representations other than those previously handled by our Public Finance lawyers).

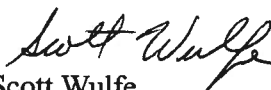
Fees

Any amounts owed with respect to invoices sent to you by V&E for work done by our departing lawyers should be paid to V&E in the usual way. Any invoices received by you in the future from Bracewell should be paid to Bracewell. If you have any questions regarding your arrangements for current and future representation, please contact Barron Wallace at 713.221.1219 or Carl Jordan at 713.758.2258. If you have any questions regarding the transfer of files, please contact Shawn Knight at 713.758.2767.

If you consent to these arrangements for future representation by Bracewell as to your public finance matters, please sign and return the enclosed copy of this letter in the envelope provided. If you do not consent, you will need to instruct us as to where you desire your files to be transferred so that we may undertake the necessary communications with those attorneys.

I would like to take this opportunity to reiterate that Vinson & Elkins values and has valued your relationship with the firm, and we thank you for your past and continued support. V&E, of course, remains ready to assist you with your legal needs outside the public finance area.

Best regards,


Scott Wulfe
Managing Partner

cc: Barron Wallace

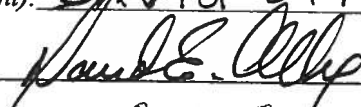


- With respect to all matters currently or previously handled by Vinson & Elkins, LLP Public Finance attorneys, I / we consent to the transfer of files and my/our future representation to Bracewell & Giuliani*

- With respect to all matters currently or previously handled by Vinson & Elkins, LLP Public Finance attorneys, I/we elect to transfer my/our future representation to:*

_____ and you are requested to communicate with that firm regarding the circumstances of the transfer of my/our representation and my/our files.

Name (in print): David E. Alley

Signature: 

Phone number(s): 956-982-5414

Please return the above form to Shawn Knight at Vinson & Elkins LLP in the enclosed stamped pre-addressed return envelope. In addition to returning the original of this form via regular U.S. mail, and in order to expedite transfer of your files, we also request that you either fax or scan and email a copy of this form to W. Carl Jordan at Vinson & Elkins LLP at 713-615-5334 or cjordan@velaw.com.