

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 14th day of April 2005, there was conducted a Regular Meeting of the Regional Mobility Authority of Cameron County, Texas, at the Old Levi Building thereof, in the City of San Benito, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE BOARD MET AT:

1:30 P.M.

PRESENT:

DAVID E. ALLEX
CHAIRPERSON

LAURA BETANCOURT
MEMBER

SCOTT CAMPBELL
MEMBER

RAY RAMON
MEMBER

VICTOR ALVAREZ
MEMBER

MICHAEL SCAIEF
MEMBER

DAVID N. GARZA
MEMBER

Mary Robles
Secretary

ABSENT:

The meeting was called to order by Mr. David Allex, Chairperson, at 1:30 P.M. He asked Mr. Victor Alvarez for the invocation, and the Board then considered the following matters posted and filed for Record in the Office of the County Clerk on April 8, 2005 at 3:52 P.M.:

Accepted for Filing in:
Cameron County

On: Apr 08, 2005 at 03:52P

**Regular Meeting of the Board of Directors
of the
Cameron County Regional Mobility Authority**

By,
Liliana Pizana

**Old Levis Building
1390 Scott Brown Blvd.
San Benito, Texas 78586**

**Thursday April 14, 2005
1:30 P.M.**

- I. Welcome and Opening Remarks
- II. Discussion and possible adoption of amended by-laws, Section 15. Committees
- III. Review and possible action to adopt Cameron County procurement policy
- IV. Approval of Minutes (March 10, 2005)
- V. Discussion on report of Ciudad Victoria Trip
- V. Chairman's Report
- VI. Consideration and action to authorize interim executive director to negotiate with the Texas Department of Transportation regarding the use of funds for technical and/or feasibility studies for the second causeway project

VII. Public Comments

Executive Session

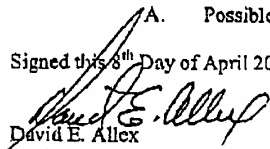
VIII. Executive Session

(A). Deliberate the appointment of an Interim Executive Director, pursuant to Vernon Texas Code Annotated (V.T.C.A.) Government Code, Section 551.074

IX. Action relative to executive session

A. Possible Action

Signed this 8th Day of April 2005.


David E. Allex
Chairman

This meeting is accessible to disabled persons. Reserved parking spaces are located in the large parking lot where immediate ramp access is provided to the front door of the building.

EXECUTIVE SESSION

At this time, Board met in Executive Session at 1:31 P.M. to discuss the following matters:

(VIII) EXECUTIVE SESSION:

- (A) Deliberate the appointment of an Interim Executive Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074.

The Board then reconvened into Regular Session at 1:40 P.M., to discuss the following matters:

(IX) ACTION RELATIVE TO EXECUTIVE SESSION:

- (A) Deliberate the appointment of an Interim Executive Director.

Upon motion by Mr. Ramon, seconded by Mr. Alvarez and carried unanimously, the appointment of Mr. Pete Sepulveda as Interim Executive Director was approved.

TENTATIVE AGENDA ITEMS

I. WELCOME AND OPENING REMARKS

II. DISCUSSION AND POSSIBLE ADOPTION OF AMENDED BY-LAWS, SECTION 15. COMMITTEES

Upon motion by Mr. Garza, seconded by Mr. Alvarez and carried unanimously, the Amendment to the By-laws, Section 15. Committees, was adopted.

The amendment is as follows:

Draft

Subject to the notice requirements of the Texas Open Meetings Act, the Board may participate in and hold meetings by means of conference telephone or similar communications equipment by which all persons participating in the meeting can hear each other and at which public participation is permitted by a speaker telephone at a conference room of the Authority or other facility in Cameron County that is accessible to the public. Participation in a meeting pursuant to the § 13 constitutes being present in person at such meeting, Except that a Director will not be considered in attendance when the Director appears at such a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened as generally provided under § 16 these bylaws. Each part of the telephone conference call meeting that by law must be open to the public shall be audible to the public at the location specified in the notice and shall be tape-recorded, preserved by other methods, or documented by written minutes. On conclusion of the meeting, the tape recording or the written minutes of the meeting shall be made available to the public.

§ 14. Procedure

All meetings of the Board and its committees shall be conducted in accordance with Robert's Rules of Order pursuant to statutorily proper notice of meeting posted as provided by law. The Chairman at any time may change the order of items to be considered from that set forth in the notice of meeting, provided that all agenda items that require a vote by the Board shall be considered at the meeting for which they have been posted. To the extent procedures prescribed by applicable statutes, the RMA Rules, or the bylaws conflict with Robert's Rules of Order, the Statutes, the RMA Rules, or these bylaws shall govern.

§ 15. Committees

The Board may appoint committees, however it is the specific intent of the Board to retain all decision making authority and for any committees to be considered in an advisory capacity only.

§ 16. Notice of Directors

Notice of each meeting of the Board shall be sent by mail, electronic mail, or facsimile to all Directors entitled to vote at such meeting. At least 72 hours advanced notice must be provided prior to Board meetings. If sent by mail, such notice will be deemed delivered when it is deposited in the United States mail with sufficient postage prepaid. If sent by electronic mail or facsimile, the notice will be deemed delivered when transmitted properly to the correct e-mail address or number. Such notice of meetings also may be given by telephone, provided that any of the Chairman, Executive Director, Secretary, or their designee speaks personally to the applicable Director to give such notice.

§ 17. Waiver of Notice

**III. REVIEW AND POSSIBLE ACTION TO ADOPT
CAMERON COUNTY PROCUREMENT POLICY**

Mr. Ramon moved that the Cameron County Procurement Procedures Policy be adopted.

The motion was seconded by Mr. Garza and carried unanimously.

The Policy is as follows:

IV. APPROVAL OF MINUTES (MARCH 10, 2005)

Upon motion by Mr. David Garza, seconded by Commissioner Mr. Victor Alvarez and carried unanimously, the Minutes of the Regular Meeting held March 10, 2005, were approved.

V. CHAIRMAN'S REPORT

Mr. Victor Alvarez presented the following report:



AGENDA DE TRABAJO PARA LA VISITA DE LAS AUTORIDADES DE OBRAS PUBLICAS DEL
CONDADO DE CAMERON TEXAS.

FECHA: 7 DE ABRIL 2005 A LAS 11:00 DE LA MAÑANA.

LUGAR: SALA DE JUNTAS DE LA SEDEEM TORRE DE GOBIERNO PISO 10 CD. VICTORIA

ORDEN DEL DIA

- 1.- PRESENTACIÓN DE LOS ASISTENTES.
- 2.- PRESENTACIÓN POR LA SOPDUE TAMAULIPAS DE LOS PROYECTOS CARRETEROS QUE IMPACTAN A LA ZONA FRONTERIZA.
- 3.- PRESENTACIÓN POR PARTE DE LA SEDEEM DE LOS PROYECTOS DE PUERTOS, PUENTES Y AEROPUERTOS QUE IMPACTAN A LA ZONA FRONTERIZA.
- 4.- PRESENTACIÓN DE LAS FACULTADES DE LA CAMERON COUNTY REGIONAL MOBILITY AUTHORITY.
- 5.- PRESENTACIÓN DE LOS PROYECTOS DE LA CARRETERA INTERESTATE 37 POR EL CONDADO DE CAMERON.
- 6.- REUBICACIÓN DE TRANSPORTE FERROVIARIO DEL CONDADO DE CAMERON.
- 7.- PROYECTOS POTENCIALES DE LOS AEROPUERTOS DE BROWNSVILLE Y HARLINGEN.
- 8.- PROYECTOS POTENCIALES PARA EL PUERTO DE BROWNSVILLE.

ASISTENTES:

CONDADO DE CAMERON

DAVID ALLEX CHAIRMAN OF THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY
PETE SEPÚLVEDA, DIRECTOR CAMERON COUNTY DEPARTMENT OF TRANSPORTATION
DAVID GARCIA, ASSITANT TO THE DIRECTOR

SOPDUE

ING. ALBERTO BERLANGA B., SECRETARIO SOPDUE

SEDEEM

C.P. ALFREDO GONZALEZ FERNÁNDEZ, SECRETARIO SEDEEM
LIC. AQUILES GARZA BARRIOS, DIR. GENERAL DE COMERCIO EXTERIOR



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Mr. David E. Alex, Chairperson, reported that Board Member Victor Alvarez, Mr. Pete Sepulveda, Interim Executive Director, and David Garcia Management met with four of the main staff of the Governor of the State of Tamaulipas, Mexico.

Mr. Sepulveda stated that the four gentlemen are key employees to the governor with regards to transportation & economic issues and that they would be in charge of carrying out the transportation and other infrastructure plans laid out by the governor, noting the importance to have continuous dialogue with these representatives. He reported that a presentation was given with regards to the projects to be done in Cameron County and how they could interconnect with the projects of the State of Tamaulipas to possibly develop a bi-national plan for Cameron County and the northern State of Tamaulipas. He suggested that traveling to Ciudad Victoria, Tamaulipas, once every four weeks would be very educational and beneficial to RMA Members.

NOTE: Mr. Scott Campbell and Mrs. Laura Betancourt arrived at this time.

Mr. Alex requested that members wishing to attend the Team Texas Meeting in San Antonio on April 21, 2005, inform Mr. Sepulveda in order for travel arrangements to be made.

VI. CONSIDERATION AND ACTION TO AUTHORIZE INTERIM EXECUTIVE DIRECTOR TO NEGOTIATE WITH THE TEXAS DEPARTMENT OF TRANSPORTATION REGARDING THE USE OF FUNDS FOR TECHNICAL AND/OR FEASIBILITY STUDIES FOR THE SECOND CAUSEWAY PROJECT

Mr. Alex recommended that Mr. Sepulveda be authorized to: (1) do a presentation regarding the Cameron County West Railroad Relocation Project, (2) present a status report concerning the West Loop, and (3) present a report concerning the funding capabilities for a second causeway.

Mr. Ramon stated his understanding to be that funding was already available through TXDOT for a second causeway.

Mr. Sepulveda explained that TXDOT was waiting on the RMA to adopt its By-laws and Procurement Procedures Policy and that now that the Board has taken action on both matters, it could proceed to the next step.

Mr. Mario Jorge, TXDOT District Engineer, clarified that a specific dollar amount was not allocated for the second causeway at this time because funding for projects comes from their operating budget. He agreed to meet with Mr. Sepulveda to "re-energize" these projects.

Mr. Sepulveda suggested that a workshop be scheduled to do a detailed briefing regarding the West Railroad Relocation Project and the West Loop, the initial project submitted in the RMA application prepared by

Cameron County.

Mr. Sepulveda asked if the RMA could tap into the ever green contract through traffic and revenue analyzes for the West Loop Project.

Mr. Jorge explained that TXDOT did the preliminary toll feasibility study and a valued engineering workshop where the project was scrutinized and fine tuned, resulting in a much better project in terms of cost effectiveness. He added that there was an opportunity to work on doing a tier two toll feasibility study since the schematics were a bit more defined. Mr. Jorge explained that the investment grade study was normally done by the entity, yet these issues could be negotiated through project agreements.

Mr. Garza questioned the timeline needed.

Mr. Jorge responded that it was just of matter of meeting, and noted that all projects were moving and that this was probably just of matter of planning the new direction.

VII. PUBLIC COMMENTS

Mr. Clint Winters, State Comptroller's Office, reported that the State Comptroller released a report concerning the Central Texas RMA, where she says that there are two things that matter to the future economy of Texas: a sound education system and a sound transportation system. He requested that they be contacted with regards to suggestions and/or questions regarding the RMAs.

Mr. Ramon requested that Mr. Winters describe the form of oversight that the State Comptroller has on an entity.

Mr. Winters stated that as per constitution and statute, the State Comptroller has authority to view the expenditures and revenues relating to (Public Monies) State and transportation funding.

Mrs. Betancourt asked what should be some of the Board's concerns.

Mr. Winters explained that the Board's main concerns pertain mainly to having public accountability to public money and open procurement process, and that he sees that the Board was already addressing these concerns by adopting By-laws, Procurement Procedures Policy, and a travel policy in the near future.

Mr. Doug Wright, Legal Counsel, introduced Mrs. Dylbia Jeffries, Contract Attorney, and informed that her services were available to RMA until they have their own counsel.

There being no further business to come before the Court, upon motion by Mr. Ramon, seconded by Mr. Alvarez and carried unanimously, the meeting was **ADJOURNED** at 2:15 P.M.

APPROVED this 12th day of May 2005.

MR. DAVID E. ALEX, CHAIRPERSON

PREPARED BY:
MARICRUZ ROBLES