

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 14th day of August 2008, there was conducted a REGULAR Meeting of the Cameron County Regional Mobility Authority, at the 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

DIRECTOR

DIRECTOR

YOLANDA VILLALOBOS
DIRECTOR

MICHAEL SCAIEF
DIRECTOR

DAVID N. GARZA
DIRECTOR

VICTOR ALVAREZ
DIRECTOR

Mary Robles
Secretary

RUBEN GALLEGOS, JR
FRANK PARKER, JR.
ABSENT

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The meeting was called to order by Chairman David A. Allex at 1:30 P.M.

At this time, the Board considered the following matters as posted and filed for Record in the Office of the County Clerk on August 11, 2008, at 11:33 A.M.:

ACCEPTED FOR FILING
CAMERON COUNTY

2008 AUG 11 A 11:33

J. E. G. RIVERA
COUNTY CLERK

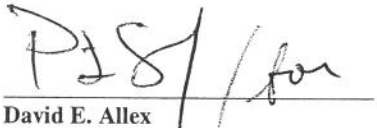
AGENDA
Regular Meeting of the Board of Directors
of the
Cameron County Regional Mobility Authority

Levis Building
1390 W. Expressway 77
San Benito, TX 78586

Thursday, August 14, 2008
1:30 PM

- I. Public Comments**
- II. Approval of Meeting Minutes for July 10, 2008 and July 14, 2008**
- III. Approval of GEC report for July 2008**
- IV. Approval of expenditure report for July 2008 and review of cash flow statement**
- V. Executive Session Items**
 - A. Consultation with Attorney- Consultation with, and advice from Legal Counsel concerning pending/contemplated litigation, settlement offers and negotiations, market valuation negotiations and related issues regarding the Cameron County Regional Mobility Authority's projects, specifically SH 550 and West Loop and other legal issues affecting the authority, Pursuant to V.T.C.A. Government Code, Section 551.071**
- VI. Action relative to Executive Session**
 - A. Possible Action**
- VIII. Adjourn**

Signed this 10th day of August 2008.


David E. Allex
Chairman

I. PUBLIC COMMENTS

None was presented.

**II. IN THE MATTER REGARDING APPROVAL OF
MINUTES FOR JUNE 12, 2008 (TABLED)**

Upon motion by Director Alvarez, seconded by Director Garza and carried unanimously, this Item was
TABLED.

**IV. APPROVAL OF EXPENDITURE REPORT FOR JULY
2008 AND REVIEW OF CASH FLOW STATEMENT**

Director Garza moved that the Expenditure Report for July 2008 and review of cash flow statement be
approved as presented.

The motion was seconded by Director Alvarez and carried unanimously.

The Report is as follows:

CAMERON COUNTY REGIONAL MOBILE AUTHORITY
AS OF 7/31/2008

ASSETS

		<u>2008</u>
<u>CURRENT ASSETS</u>		
	Cash and cash equivalents	611,439

TOTAL ASSETS	<u>\$ 611,439</u>
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TOTAL LIABILITIES AND NET ASSETS

NET ASSETS		
	Net Assets	<u>611,439</u>
	TOTAL NET ASSETS	<u><u>\$ 611,439</u></u>

CAMERON COUNTY REGIONAL MOBILE AUTHORITY
AS OF 7/31/2008

Statements of Revenues & Expenditures

		2008	
<u>OPERATING REVENUES</u>			
	RMA Fees	\$ 532,759	
	Interest Income	3,526	
TOTAL OPERATING REVENUES		<u>536,285</u>	536285
<u>OPERATING EXPENSES</u>			
	Office Supplies	160	
	Travel	10,918	
	Advertising	949	
	Education & Training	1,425	
	Contractual	13,483	
TOTAL OPERATING EXPENSES		<u>26,935</u>	
NET INCOME (LOSS) OPERATING EXPENSES		<u>509,350</u>	
<u>DEVELOPMENT PROGRAMS</u>			
	Strategic Plan Development		
	Revenues	-	
	Expenditures	1,353	(1,353)
	Public Involvement & Outreach		
	Revenues	-	
	Expenditures	1,490	(1,490)
	North Rail Relocation		
	Revenues	5,220	
	Expenditures	5,220	
	SPI 2nd. Causeway		
	Revenues	335,905	
	Expenditures	294,156	41,749
	West Loop Road		
	Revenues	245,498	
	Expenditures	275,808	(30,310)
	West Rail Relocation		
	Revenues	-	
	Expenditures	87,865	(87,865)
	East Loop Project		
	Revenues	212,798	
	Expenditures	95,473	117,325
	TOTAL CAPITAL REVENUES		799,422
	TOTAL CAPITAL EXPENSES		761,366
	NET INCOME (LOSS)		<u>38,056</u>
TOTAL INTERLOCAL REVENUES			532,759
REVENUE FROM PARTICIPATING AGENCIES			799,422
TOTAL EXPENSES			761,366
TOTAL NON OPERATING EXPENSES			26,935
NON OPERATING INTEREST INCOME			3,526
CHANGE IN NET ASSETS			547,406
FUND BALANCE AT 10/1/07			<u>64,033</u>
FUND BALANCE AS OF 7/31/2008			<u>611,439</u>

EXECUTIVE SESSION

(V) EXECUTIVE SESSION

Upon motion by Director Scaief, seconded by Director Garza and carried unanimously, the Board met in Executive Session at 1:32 P. M. to discuss the following matters:

- A. Consultation with Attorney-Consultation with, and advice from Legal Counsel concerning pending/contemplated litigation, settlement offer and negotiations, market valuation negotiations and related issues regarding the Cameron County Regional Mobility Authority's projects, specifically SH 550 and West Loop and other legal issues affecting the authority, pursuant to o Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071.

Upon motion by Director Scaief, seconded by Director Garza and carried unanimously, the Board reconvened in Regular Session at 1:32 P. M.

(VI) ACTION RELATIVE TO EXECUTIVE SESSION:

- A. **In the matter regarding Consultation with Attorney-Consultation with, and advice from Legal Counsel concerning pending /contemplated litigation, settlement offer and negotiations, market valuation negotiations and related issues regarding the Cameron County Regional Mobility Authority's projects, specifically SH 550 and West Loop and other legal issues affecting the authority, pursuant to o Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071. (NO ACTION TAKEN)**

III. APPROVAL OF GEC REPORT FOR JULY 2008

At this time Mr. Bobby Balli, HNTB, presented and highlighted the July 2008 GEC Report. He reported that a public meeting pertaining to the Second Causeway Project was scheduled for October 2 in South Padre Island.

Director Scaief moved that the July 2008 GEC Report be approved

The motion was seconded by Director Alvarez and carried unanimously.

The Report is as follows:

Pete Sepulveda Jr.
CCRMA Coordinator
Cameron County Regional Mobility Authority
1100 East Monroe Street
Brownsville, TX 78520

HNTB

August 4, 2008

Dear Mr. Sepulveda,

The following is a summary of our progress on the subject projects for the month of July, 2008.

Project Management:

General GEC

- Prepared contract correspondence and monthly GEC progress report.
- Prepared & submitted CCRMA GEC Invoice No. 25 for work performed on Work Authorization Nos. 5, 7, 8, 12, 14 and 15.
- Updated and submitted July 2008 GEC work authorization status report.

North Rail Relocation Project (Work Authorization No. 4)

North Rail Relocation Project relocates the exiting and operating freight rail lines away from incorporated and unincorporated areas of Cameron County, Texas, in particular in and around Harlingen, Texas. An effective relocation of the existing freight rail facility will not only improve freight rail operations to and from the US/Mexico border, but may aid in the enhancement of air quality for the area, improve the safety of the traveling public with regard to the freight rail/passenger interface, improve the response time of emergency vehicles, minimize if not eliminate the transport of hazardous material via freight rail through towns, improve traffic congestion, and ultimately enhance the economic development of the region.

- HNTB staff continued discussions with Union Pacific representatives.
- A draft MOU was submitted to CCRMA staff for review and comment.
- Conceptual Estimates and layouts for a Switchyard North of Harlingen were provided to CCRMA Staff for review and comment.

FM 509 Project (Work Authorization No. 5)

The FM 509 project is a relief route around the north and east areas of the City of Harlingen that would construct FM 509, in Cameron County, from US 77 to the Intersection with FM 508. The proposed facility would consist of a four-lane roadway with directions of travel separated by a center median. Dependent upon traffic projections, an interim facility with fewer lanes may initially be constructed. Interchanges or grade separations would be constructed at major thoroughfares. As proposed, the right-of-way would be 300-feet (usual) wide and sufficient to accommodate future transportation needs; however, any future improvements would be subject to environmental review. This could include bicycle and pedestrian facilities, general purpose lanes, truck lanes, or some combination of these modes.

- Project coordination.
- Minimal activity this month. HNTB awaiting TxDOT ENV comments on re-submitted Draft EA

West Loop Project (Work Authorization No. 7):

The proposed West Loop Road is a new location facility and will provide a four-lane controlled access expressway with interchanges and connections at strategic locations and grade separation structures for several crossing streets in Brownsville. The majority of the project alignment falls within or in the vicinity of the existing Union Pacific Railroad right-of-way. Negotiations are underway to relocate the railroad and donate the right-of-way to the county for the project.

- HNTB coordinated approvals on all correspondence and resource material with TxDOT and CCRMA staff.
- HNTB completed the development of travel demand model and toll diverted traffic numbers for internal review.
- HNTB continued efforts on microsimulation model.
- HNTB responded to numerous telephone calls and drop in office visits from members of the General Public requesting information on the project.
- HNTB began work on the Public Meeting Summary Report, which including summarizing the meeting, scanning sign in sheets and comments received before the comment deadline and responding to comments.
- HNTB conducted field visits on July 8–10, 2008 to perform noise and wetland delineation activities.

West Rail Relocation Project (Work Authorization No. 8):

This Work Authorization provides appropriate subconsultant(s) for staff coordination with the Mexican agencies to monitor and determine project schedules, permit requirements, funding technical agreements and design for the West Rail Relocation around Brownsville, Texas. The project plans will require approval by Secretaría de Comunicaciones y Transportes (SCT), Comisión Internacional de Límites Y Aguas (CILA) and Kansas City Southern Mexico (KCSM).

- Juan Jose Erazo Garcia, Intermodal and Frontier Projects Director from the Communications and Transports Secretariat held a meeting on July 9, 2008 to discuss the translation, metric conversion and SCT standardization of the international bridge design. Dr. de las Fuentes was in attendance.
- Dr. de las Fuentes and Teresa Marquez Martinez, General Director from the National Centre for the Preservation of the Cultural Railroad Patrimony of the National Counsel for Culture and Arts, Architect Enrique Camacho Chacon, Administration and Attention Director from Kansas City Southern Mexico and Engineer Erick Silva Santos, Municipal President of Matamoros visited the passenger station where the museum will be installed..
- In regards to the railway right-of-way acquisition, negotiations continued between Municipal Government of Matamoros and the State Government of Tamaulipas with the property owners.
- The 18th Reunion of the Technical Group for the Railway Project Brownsville Matamoros Western Alternative which was originally scheduled to take place on July 9, 2008 in the City of Brownsville, Texas was rescheduled to take place on August 8, 2008.
- Dr. de las Fuentes held numerous telephone conversations and meetings with representatives from Felipe Ochoa and Associates in an effort to obtain a proposal from

FOA to perform the necessary translation, metric conversion and SCT standardization of the international bridge design

South Padre Island Second Access (Work Authorization No. 12):

This work authorization provides engineering and environmental services associated with the development and advancement of the National Environmental Policy Act (NEPA) process for the proposed South Padre Island (SPI) 2nd Access Project. The tasks associated with the project will include the development of the necessary environmental documentation, corridor alternatives assessments and related public involvement activities.

- HNTB conducted a Preliminary Alternatives Workshop to present the draft preliminary alternatives to FHWA, TxDOT ENV, TxDOT Pharr District and CCRMA on July 10th.
- HNTB developed a set of draft evaluation criteria to narrow the preliminary alternatives to a set of reasonable alternatives.
- HNTB developed a draft preliminary alternative evaluation report documenting the implementation of the preliminary alternative evaluation process.
- HNTB continued data collection and the drafting of the need and purpose section of the DEIS.
- HNTB continued drafting the soils, geology, waters, hazardous materials, wildlife, vegetation, threatened and endangered species, air quality and socioeconomic portions of the existing conditions section of the DEIS.
- HNTB submitted a draft letter to the Native American tribes requesting Section 106 consultation to CCRMA for review.
- HNTB submitted draft letters addressed to the NEPA TWG representatives regarding the August NEPA TWG meeting to FHWA, TxDOT and CCRMA.
- HNTB drafted and submitted a draft summary of the agency scoping meeting held on May 22, 2008 including a summary of responses to agency comments.
- HNTB edited the Draft Need and Purpose and Coordination Plan to incorporate comments received as a result of the agency scoping and public scoping meeting held on May 22, 2008.
- HNTB drafted, designed and sent invitations to the CSS workshops.
- HNTB made facility arrangements and prepared an agenda for the CSS workshops.
- HNTB drafted and sent for approval the public meeting ad (English).
- HNTB drafted the outline for meeting materials, meeting plan and PowerPoint outline. These documents have gone through internal QC review.
- HTNB drafted the report for the 2nd PITWG meeting (going through internal review)
- HNTB has written draft responses to all comments and questions received as of June 2, 2008.
- HNTB has written a draft public involvement report (in environmental review) – report has gone through internal Quality Control review.
- HNTB updated the environmental schedule.
- HNTB managed the location arrangements for the second public meeting.
- Finalized study area and constraints maps for PITWG and future public meetings.
- HNTB cancelled facility arrangements and prepared and submitted postponement notices for the CSS workshops due to Hurricane Dolly.

Request for Statements of Interest (Work Authorization No. 14):

This work authorization provides professional technical services associated with the development of request for statements of interest (RFI) and qualifications from firms to provide strategic partnership/investor opportunities for the proposed CCRMA projects

located in Cameron County, Texas; as well as, provide recommendations for the selection of projects that the CCRMA could pursue through a separate CDA procurement process.

- HNTB coordinated with local and national contractors and consultants interested in the CCRMA projects.
- HNTB has been facilitating and participating in discussions with TxDOT officials in an effort to coordinate activities of this project and the activities of TxDOT and their associated concession projects.
- HNTB received an RFI from approximately 39 respondents on July 7, 2008 and initiated the review/evaluation process.
- Supplemental Work Authorization No. 1 to Work Authorization No. 14 for RFI publication was executed on July 10, 2008.

SH 550 Re-Evaluation (Work Authorization No. 15):

This work authorization provides professional services and deliverables in support of the CCRMA's development of the SH 550 (Port Spur) toll project from FM 511 at Old Port Isabel Road to State Highway 48 and the proposed entrance to the Port of Brownsville. The focus of the re-evaluation will be on the effects of tolling the project.

- HNTB submitted draft wetland delineation report to CCRMA on June 26, 2008.
- HNTB began work on the Open House Summary Report, which includes summarizing the meeting, scanning sign in sheets and comments received before the comment deadline and responding to comments.
- HNTB submitted a draft Environmental Assessment Re-evaluation report to CCRMA on July 29, 2008.

Consultant Management:

- Continued ongoing coordination with all subconsultants.
- Provided project information to subconsultants in an effort to educate the firms on the projects to be developed within the next few months (RFI, Re-evaluation, CDA, etc).
- Developed spreadsheet that demonstrates percentage of fees authorized to HNTB and to HNTB GEC partners.

Agency Coordination:

- Conducted ongoing discussions with CCRMA staff, TxDOT staff, TTA staff and subconsultants for preparation of SPI 2nd Access Project, West Loop Project and West Rail Project.
- Conducted ongoing discussions with TxDOT staff and Officials for the preparation of the SH 550 CDA program.

For Discussion:

- Upcoming work authorizations:
 - FM 511 (Spur 550) CDA program.
 - Supplemental Work Authorization No. 2 to Work Authorization No. 7 for informed consent/Public Involvement effort and other items.
 - Supplemental Work Authorization No. 2 to Work Authorization No. 14 for legal services.
 - West Rail Relocation Project Additional Services.

Best regards,

Lamberto "Bobby" Balli, P.E.
Associate Vice President

cc: David Garcia
Robert Slimp, P.E.
Richard Ridings, P.E.

VIII. There being no further business to come before the Board and upon motion by Director Alvarez, seconded by Director Villalobos the meeting was **ADJOURNED** at 1:56 P.M.

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APPROVED this 17th day of September 2008.

CHAIRMAN DAVID E. ALLEX

ATTESTED:

SECRETARY MICHAEL SCAIEF