



AGENDA

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

Dancy Courthouse
1100 E. Monroe
Brownsville, Texas 78520

Friday, August 23, 2013

12:00 Noon

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Aug 20, 2013 at 11:43A

Joe G Rivera
County Clerk
By
Lamar Cantu, Deputy
Cameron County

PUBLIC COMMENTS:

1. Public Comments

CONSENT ITEMS:

2. 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

- A. Consideration and Approval of the Minutes for:

August 14, 2013 – Special Meeting

ITEMS FOR DISCUSSION AND ACTION:

3. Action Items

- A. Approval of Claims

- B. Consideration and Approval of an Interlocal Agreement between Cameron County, the Cameron County Regional Mobility Authority and the Brownsville Navigation District

- C. Discussion and Possible Action regarding the Cameron County Regional Mobility's Financial, Accounting and Reporting Software System

- D. Consideration and Approval of Supplemental Work Authorization No. 2 to Work Authorization No. 33 with HNTB for the West Rail Relocation Project

EXECUTIVE SESSION ITEM(S):

4. Executive Session

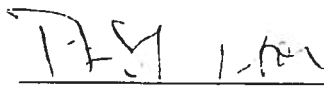
- A. Confer with Legal Counsel concerning Cameron County Regional Mobility Authority vs. Ballenger Construction Company and Liberty Mutual Insurance Company in the Brownsville Federal Court Cause No. 1:13-CV-00027, Pursuant to V.T.C.A. Government Code, Section 551.071(1)(A)

5. Action Relative to Executive Session

- A. Possible Action

ADJOURNMENT:

Signed this 20th day of August 2013



David E. Alex
Chairman

PUBLIC COMMENTS

1 PUBLIC COMMENTS

Mr. Steve Perez made a comment about commercial traffic and the development of the Port Bridge.

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 moved to approve Consent Item 2-A. The motion was seconded by Director Esparza and carried unanimously.

2-A Consideration and Approval of the Minutes for:

August 14, 2013 – Special Meeting

ACTION ITEMS

3-A Approval of Claims

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

Mr. Pete Sepulveda, Jr., RMA Executive Director introduced the Claims into the record.

Director Garza moved to approve the Claims. The motion was seconded by Director Scaief and carried unanimously.

The Claims are as follows:

3-B Consideration and Approval of an Interlocal Agreement between Cameron County, the Cameron County Regional Mobility Authority and the Brownsville Navigation District

Mr. Pete Sepulveda, Jr., RMA Executive Director introduced the item and the purpose of the Interlocal Agreement between the three governmental entities. Mr. Sepulveda recommended approval of the Interlocal Agreement stating that this will allow the planning phase to move forward with the Republic of Mexico.

Secretary Gallegos moved to approve the Interlocal Agreement between Cameron County, the Cameron County Regional Mobility Authority and the Brownsville Navigation District. The motion was seconded by Director Garza and carried unanimously.

The Agreement is as follows:

3-C Discussion and Possible Action regarding the Cameron County Regional Mobility's Financial, Accounting and Reporting Software System

Mr. Pete Sepulveda, Jr., RMA Executive Director gave a status of the Cameron County Regional Mobility's Financial Accounting and Reporting Software System.

Director Esparza moved to acknowledge update of the Cameron County Regional Mobility's Financial, Accounting and Reporting Software System. The motion was seconded by Secretary Gallegos and carried unanimously.

3-D Consideration and Approval of Supplemental Work Authorization No. 2 to Work Authorization No. 33 with HNTB for the West Rail Relocation Project

Mr. Pete Sepulveda, Jr., RMA Executive Director introduced the item and Mr. Richard Ridings with HNTB advised the Board of the purpose and need of this Supplemental Work Authorization. The Supplemental Work Authorization will close out the construction of the West Rail Project as well as the mitigation plans with the United States Fish and Wildlife Service, the Texas Department of Parks and Wildlife and the Corps of Engineers. The Permit with the Corps of Engineers requires a five year monitoring of the plants and their success rates. Mr. Sepulveda also mentioned that the Texas Department of Transportation (TxDOT) had reviewed the scope and man hours as well as fees. Mr. Sepulveda recommended that the Supplemental Work Authorization be approved subject to a final approval by TxDOT.

Director Garza moved to approve Supplemental Work Authorization No. 2 to Work Authorization No. 33 with HNTB for the West Rail Relocation Project subject to final approval by the Texas Department of Transportation. The motion was seconded by Secretary Gallegos and carried unanimously.

The Supplemental Work Authorization is as follows:

EXECUTIVE SESSION ITEMS

Secretary Gallegos moved to go into Executive Session at 12:22 P.M. The motion was seconded by Director Esparza and carried unanimously.

EXECUTIVE SESSION:

- 4-A Confer with Legal Counsel concerning Cameron County Regional Mobility Authority vs. Ballenger Construction Company and Liberty Mutual Insurance Company in the Brownsville Federal Court Cause No. 1:13-CV-00027, Pursuant to V.T.C.A. Government Code, Section 551.071(1)(A)

Upon motion by Director Scaief seconded by Secretary Gallegos carried unanimously, the Board reconvened into Regular Session at 12:29 P.M.

NOTE: Chairman David E. Alex did not participate in Item 4-A

ACTION RELATIVE TO EXECUTIVE SESSION:

- 5-A Confer with Legal Counsel concerning Cameron County Regional Mobility Authority vs. Ballenger Construction Company and Liberty Mutual Insurance Company in the Brownsville Federal Court Cause No. 1:13-CV-00027, Pursuant to V.T.C.A. Government Code, Section 551.071(1)(A)

Director Scaief moved to proceed along the terms and conditions as discussed in Executive Session. The motion was seconded by Secretary Gallegos and carried unanimously. Chairman Alex abstained from voting.

ADJOURNMENT

There being no further business to come before the Board and upon motion by Secretary Gallegos seconded by Director Garza and carried unanimously the meeting was **ADJOURNED** at 12:30 P.M.

APPROVED this 13th day of September 2013.

ATTESTED: 
SECRETARY RUBEN GALLEGOS, JR.


CHAIRMAN DAVID E. ALEX

3-A APPROVAL OF CLAIMS



MEMORANDUM

TO: CCRMA Board of Directors

FROM: Pete Sepulveda, Jr., Executive Director PJS

DATE: August 23, 2013

SUBJ: Claims – Item 3A

Attached are the claims being presented for consideration and payment. The claims include utility bills, monthly contracts, engineering services, and claims for financial software.

attachments: as noted



Cameron County Regional Mobility Authority
Daily Check Register 08/22/2013

FY 2013

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Check No.	Vendor Name	Fund	Dept.	Purpose	PO#	Amount
00001687	AVINA,VERONICA	110	110	CONTRACT SERVICES FROM	P182628	200.00
				Check No. 00001687	Total	200.00
00001688	BETANCOURT,BLANCA	110	110	CONTRACT SERVICES FROM	P182620	1,000.00
				Check No. 00001688	Total	1,000.00
00001689	DEHOYOS, SYLVIA	110	110	CONTRACT SERVICES FROM	P182843	335.52
				Check No. 00001689	Total	335.52
00001690	GALARZA,MARTHA	110	110	CONTRACT SERVICES FROM	P182658	1,100.00
				Check No. 00001690	Total	1,100.00
00001691	GARCIA,DAVID	110	110	CONTRACT SERVICES FROM	P182624	6,250.00
				Check No. 00001691	Total	6,250.00
00001692	GENERAL FUND	110	110	07/25/13		3,142.86
			110	07/11/13		3,142.86
				Check No. 00001692	Total	6,285.72
00001693	HNTB CORP	110	1108	SUPPLEMENTAL WORK	P195211	20,127.79
		111	1101	WORK AUTHORIZATION NO. 49 FOR	P171413	27,393.13
			1101	SUPPLEMENTAL WORK	P180553	2,733.62
			1102	WORK AUTHORIZATION NO. 49 FOR	P171413	32,015.09
			1102	SUPPLEMENTAL WORK	P180553	3,194.86
				Check No. 00001693	Total	85,464.49
00001694	PENA,JESUS MARTIN	110	110	CONTRACT SERVICES FROM	P182623	200.00
				Check No. 00001694	Total	200.00
00001695	PUBLIC UTILITIES BOARD	110	110	Contractual Expense		238.81
				Check No. 00001695	Total	238.81
00001696	QUELLHORST,HENDRICK	110	110	CONTRACT SERVICES FROM	P182625	250.00
				Check No. 00001696	Total	250.00
00001697	ROAD & BRIDGE FUND	110	110	INTER 2011C09300 JULY-SEPT'13		17,500.00
				Check No. 00001697	Total	17,500.00
00001698	ROBLES,MARIA A	110	110	CONTRACT SERVICES FROM	P182622	450.00
				Check No. 00001698	Total	450.00
00001699	SAN MIGUEL,FRANCISCO	110	110	CONTRACT SERVICES FROM	P182626	300.00



Cameron County Regional Mobility Authority
Daily Check Register 08/22/2013

FY 2013

Page 2

<u>Check No.</u>	<u>Vendor Name</u>	<u>Fund</u>	<u>Dept.</u>	<u>Purpose</u>	<u>PO#</u>	<u>Amount</u>
					Check No. 00001699	Total 300.00
00001700	SEPULVEDA,PEDRO	110	110	CONTRACT SERVICES FROM	P182621	6,250.00
					Check No. 00001700	Total 6,250.00
00001701	VEGA,DYLBIA JEFFERIES	110	110	CONTRACT SERVICES FROM	P182627	1,100.00
					Check No. 00001701	Total 1,100.00
Print Date: 08/22/2013 Print By: HENDRICK					Total for All Checks:	126,924.54



Cameron County Regional Mobility Authority
Wire Transfer Register
AUGUST 22, 2013

<u>Wire No.</u>	<u>Vendor Name</u>	<u>Fund</u>	<u>Dept.</u>	<u>Purpose</u>	<u>PO#</u>	<u>Amount</u>
00000013	BANK OF NEW YORK MELLON	111	0000	2012 BOND PROCEEDS	N/A	5,671,590.00
				WIRE NO. 00000013	TOTAL	5,671,590.00
00000014	ZEIGNER TECHNOLOGIES, INC.	110	1100	FINANCIAL SOFTWARE	N/A	18,354.87
				WIRE NO. 00000014	TOTAL	18,354.87
				TOTAL ALL WIRES		5,689,944.87

3-B CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY, THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY AND THE BROWNSVILLE NAVIGATION DISTRICT

STATE OF TEXAS)
)
CAMERON COUNTY)

BROWNSVILLE NAVIGATION DISTRICT
CONTRACT NO. 3958


INTERLOCAL COOPERATION AGREEMENT

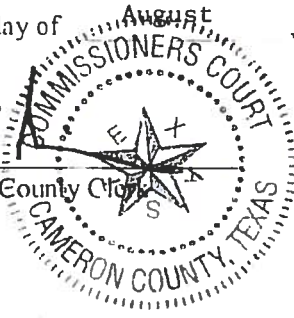
THIS AGREEMENT is entered into and between the COUNTY OF CAMERON, TEXAS, hereinafter referred to as "COUNTY" the CAMERON COUNTY REGIONAL MOBILITY AUTHORITY, hereinafter referred to as "CCRMA" and the BROWNSVILLE NAVIGATION DISTRICT, hereinafter referred to as "PORT", pursuant to V.T.C.A., Government Code, and Chapter 791, whereby:


1. PURPOSE OF INTERLOCAL Cooperative Agreement: To advance the Port Bridge Project, hereinafter referred to as the "Project", concept plan to a Memorandum of Agreement with the following Parties: Cameron County, Cameron County Regional Mobility Authority, and the Brownsville Navigation District and the Texas Department of Transportation.
2. PROJECT TO BE COMPLETED: To develop a plan to implement the Port Bridge Project. The beginning of the Project would be at the junction of the PORT and continuing south to a new bridge location at the Rio Grande River.
3. COUNTY and CCRMA HEREBY AGREE:
 - a. To serve as the Project Sponsor;
 - b. To coordinate with Mexico for the exchange of U.S. Department of State and Mexico Diplomatic notes and to define through an International Agreement the Project Scope and time or sequence of milestones;
 - c. To coordinate with the Texas Department of Transportation and the PORT on activities necessary to advance the Port Bridge Project plan to a Memorandum of Agreement for the implementation of the Project;
 - d. To meet monthly with representative of the Port to discuss project activities or provide monthly progress reports of activities; and
 - e. To develop project cost estimates and a schedule for the Project and provide updates of each monthly.
 - f. To coordinate and provide for a presentation to the Texas Department of Transportation Commission for the inclusion of the Project into plan for transportation funding for those items eligible under the present highway guidelines.
 - g. To provide for early consultations with the environmental agencies.
4. CCRMA AND PORT HEREBY AGREE:
 - a. To develop with COUNTY documentation requesting Federal Funding for the plan; and
 - b. To provide assistance for meetings in Washington, D.C. related to a request for Federal Highway Demonstration Funding.
5. COUNTY, CCRMA AND PORT HEREBY AGREE:
 - a. To support the PORT in its efforts to secure a permit from Mexico for a commercial bridge at the Port; and
 - b. To share the cost equally for the planning phase of the Port Bridge Project.

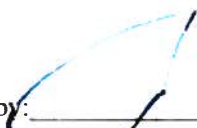
6. It is specifically understood and agreed that in the event insufficient funds are appropriated and/or budgeted concerning the obligations under this Interlocal Agreement on behalf of either of the Parties, then the Party with the insufficient funds shall notify the other Parties and this Interlocal Agreement shall thereafter terminate and be null and void on the last day of the fiscal period for which appropriations were made without penalty, liability or expense to the Party.
7. This Interlocal Agreement constitutes a one-time Agreement between the Parties and does not constitute a continuing Agreement for the COUNTY, CCRMA or PORT. Any payments to be paid will be made from current revenues of the paying party.
8. COUNTY, CCRMA AND PORT will assign representatives to negotiate an operational agreement within 180 days of execution of this agreement.
9. The Rules, Regulations and Orders of COUNTY shall govern this Interlocal Agreement and the Parties agree that County shall supervise the performance of this Interlocal Agreement.
10. This Interlocal Agreement shall have no legal force or effect until such time as it is properly Adopted and Approved by the CAMERON COUNTY COMMISSIONERS COURT, the CAMERON COUNTY REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS, and the BOARD OF THE BROWNSVILLE NAVIGATION DISTRICT.

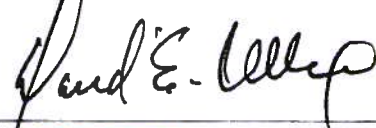
Executed on this 21 day of August, 2013.

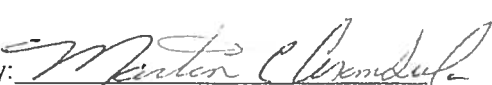
Attested by: 
 Joe C. Rivera, County Clerk

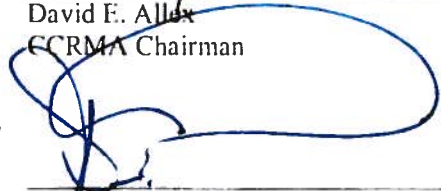



 Carlos H. Cascos, CPA
 County Judge, Cameron County

Attested by: 
 Ruben Gallegos, Jr.
 CCRMA Secretary


 David E. Allen
 CCRMA Chairman

Attested by: 
 Martin C. Arambula, Secretary
 Brownsville Navigation District


 Sergio "Tito" Lopez, Chairman
 Brownsville Navigation District

**3-D CONSIDERATION AND APPROVAL OF SUPPLEMENTAL WORK
AUTHORIZATION NO. 2 TO WORK AUTHORIZATION NO. 33 WITH
HNTB FOR THE WEST RAIL RELOCATION PROJECT**

Supplemental Work Authorization No. 2
Work Authorization No. 33

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY
General Engineering Consultant Services

SUPPLEMENTAL WORK AUTHORIZATION NO. 2
WORK AUTHORIZATION NO. 33
West Rail Bypass Construction and Inspection Services

This Supplemental Work Authorization No. 2 to Work Authorization No. 33 is made pursuant to the terms and conditions of the Base Contract, effective February 16, 2006, hereinafter identified as the "Agreement", entered into by and between Cameron County Regional Mobility Authority (the "AUTHORITY"), and HNTB Corporation (the "CONSULTANT").

Part 1. The responsibilities of the CONSULTANT are amended to include the efforts detailed in Exhibit B.

Part 2. Without modification, the amount payable for services performed under this Lump Sum Supplemental Work Authorization No. 2 to Work Authorization No. 33 is hereby increased **\$358,021.00**, or from **\$1,255,920.00** to **\$1,613,941.00**. Exhibit D, providing details supporting the increased amount, is attached and hereby made part of Work Authorization No. 33.

Part 3. Payment to the CONSULTANT for the services established under this Supplemental Work Authorization No. 2 to Work Authorization No. 33 shall be made in accordance with the Agreement.

Part 4. This Supplemental Work Authorization No. 2 to Work Authorization No. 33 makes no change to the current termination date of February 26, 2017, unless extended by a Supplemental Work Authorization.

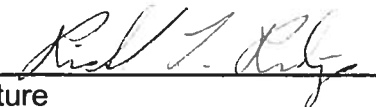
Part 5. This Supplemental Work Authorization No. 2 does not waive the parties' responsibilities and obligations provided under the Agreement.


Supplemental Work Authorization No. 2
Work Authorization No. 33

Part 6. This Supplemental Work Authorization No. 2 to Work Authorization No. 33 is hereby accepted and acknowledged below.

CONSULTANT:
HNTB Corporation

AUTHORITY:
Cameron County Regional Mobility Authority

By: 
Signature

By: 
Signature

Richard L. Ridings, P.E.
Printed Name

David E. Allex
Printed Name

Vice President
Title

Chairman
Title

8/23/2013
Date

8-23-13
Date

LIST OF EXHIBITS

- Exhibit B - Services to be Provided by the Consultant
- Exhibit C - Schedule
- Exhibit D - Fee Schedule