

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 24th day of NOVEMBER 2008, there was conducted a SPECIAL Meeting of the Cameron County Regional Mobility Authority, at the Levis 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:

12:00 P.M.

PRESENT:

DAVID E. ALLEX
CHAIRPERSON

RUBEN GALLEGOS, JR.
DIRECTOR

FRANK PARKER, JR.
DIRECTOR

DIRECTOR

MICHAEL SCAIEF
DIRECTOR

DAVID N. GARZA
DIRECTOR

DIRECTOR

Mary Robles
Secretary

VICTOR ALVAREZ
YOLANDA VILLALOBOS
ABSENT

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The meeting was called to order by Chairman David A. Allex at 12:06 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 November 20, 2008, at 8:25 A.M.:

AGENDA

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

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

Monday, November 24, 2008

12:00 Noon

ACCEPTED FOR FILING
CAMERON COUNTY

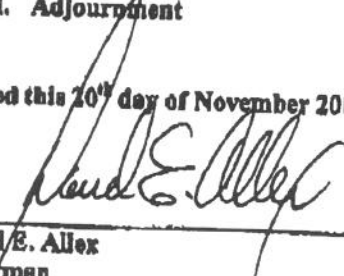
2008 NOV 20 A 8:25

J. E. RIVERA
COUNTY CLERK

- I. Public Comments
- II. Approval of minutes of the October 16, 2008 and November 10, 2008
- III. Consideration and approval of GEC report for October 2008
- IV. Consideration and approval of Revenue and Expenditure Report for October 2008
- V. Consideration and approval of travel for Board and Staff to attend the Texas Transportation Forum in Austin, Texas from January 5 to 7, 2009
- VI. 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
 - b. Deliberation regarding real property concerning acquisition of parcel 6, for right of way for the West Rail Project, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072
- VII. Action relative to Executive Session
 - a. Possible Action
 - b. Possible Action

VIII. Adjournment

Signed this 20th day of November 2008


David E. Allen
Chairman

I. PUBLIC COMMENTS

None was presented at this time.

**II. APPROVAL OF MINUTES OF THE OCTOBER 16, 2008
AND NOVEMBER 10, 2008**

Upon motion by Director Gallegos, seconded by Director Scaief and carried unanimously, the Minutes of the October 16, 2008 and the November 10, 2008 Meetings were approved.

**III. CONSIDERATION AND APPROVAL OF THE GEC
REPORT FOR OCTOBER 2008**

Mr. Bobby Balli, HNTB, presented and highlighted the GEC Report for October 2008.

Mr. Pete Sepulveda, RMA Coordinator, informed that a counter proposal that would reduce cost to the RMA on the North Rail Project was presented to Union Pacific for review.

Director Gallegos moved that the GEC Report for October 2008 be acknowledged.

The motion was seconded by Director Garza and carried unanimously.

The Report is as follows:

October Status Report

HNTB

Project North Rail Relocation

Work Authorization ☒ 4 Route Studies and Environmental

Supplemental ☒ 1 UPRR MOU Support

Supplemental ☐ _____

WA Cost: \$ 522,045.00

SA Cost: \$ 23,883.00

SA Cost: _____

Total Cost: \$ 545,928.00

Description: The North Rail Relocation project relocates the existing 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 in not eliminate the transport of hazardous material via freight rail through towns, improve traffic congestion and ultimately enhance the economic development of the region.

Scope: Develop Route and Environmental Studies for the Cameron County Regional Mobility Authority

Deliverables: A report that summarizes the assumptions, evaluation criteria and methodology, alternative analysis, and order of magnitude capital and construction costs. Conceptual Layout alternatives

Project Activity

Environmental Status: Complete

Design Status: Complete

Other: MOU Support

Status: Complete

Recent Activity: HNTB staff has been assisting CCRMA staff in reviewing UPRR estimates and proposals for The Harlingen Switchyard relocation. Additional fascilitation of meetings with UPRR have also

Upcoming Activity: -

Outstanding Issues: -

Task	Status	% Complete
North Rail Data Assembly and Review	Complete	100%
Switch Relocation Analysis	Complete	100%
Conceptual Route Geometrics	Complete	100%
Funding Analysis	Complete	100%
Notice to Proceed	Complete	100%
Data Collection	Complete	100%
Alternative Analysis	Complete	100%
Field Investigations	Complete	100%
Constraints Map	Complete	100%
Social/Economic Investigations	Complete	100%
Natural Environment Investigation	Complete	100%
Cultural Resources	Complete	100%
Public Involvement	Complete	100%
Supp No. 1: Relocation of Rail Switching Operations	Complete	100%
WA Amount: \$ 545,928.00	Outstanding Invoice Number	Days Old
Billed To Date: \$ 545,928.00	22-40619-PL-004	210
Paid To Date: \$ 522,045.00	23-40619-PL-004	182
Unpaid Balance: \$ 23,883.00	28-40619-PL-004	63
Funding Source: City of Harlingen		
Total: \$		23,883.00

October Status Report

HNTB

Project		FM 509
Work Authorization	5	Route Studies and Environmental
Supplemental	1	ICI Analysis
Supplemental	2	Development of Reasonable Alternatives

WA Cost: \$	656,210.00
SA Cost: \$	40,358.00
SA Cost: \$	10,826.00
Total Cost: \$	707,394.00

Description: 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.

Scope: Develop Route and Environmental Studies for the Cameron County Regional Mobility Authority.

Deliverables: Drawing of the Conceptual Corridor Alternatives. Line Diagrammatic Schematic Drawings. Environmental Assessment Document required for obtaining a Finding of No Significant Impact (FONSI)

Project Activity

Environmental

Status:	Environmental Assessment – under revision by HNTB
Recent Activity:	Public Meeting Report – prepared/in QC process
Upcoming Activity:	Submittal of revised EA, reflective of District comments
Outstanding Issues:	None

Design Status: Complete

Task	Status	% Complete
FM 509 Data Assembly and Review	Complete	100%
FM 509 Route Alternative Studies	Complete	100%
FM 509 Development of Reasonable Alter.	Complete	100%
FM 509 Evaluation and Viable Alter.	Complete	100%
Notice to Proceed	Complete	100%
Data Collection	Complete	100%
Need and Purpose	Complete	100%
Alternatives Analysis	Complete	100%
Field Investigations	Complete	100%
Resource Agency Mtgs.	Complete	100%
Constraints map	Ongoing	50%
Social/Economic Investigations	Complete	100%
Natural Environment Investigations	Complete	100%
Cultural Resources	Complete	100%
Report Preparation	Under agency review	80%
Public Involvement	Addressing district comments	90%
	Public hearing forthcoming	60%
Supp 1: Envir. Assessment Doc. Prepar.	Complete	100%
Supp 1: Indirect Impacts	Complete	100%
Supp 1: Cumulative Impacts	Complete	100%
Supp 1: Surveying/Mapping	Complete	100%
Supp 1: Light Detection and Ranging	Complete	100%
Supp 2: Deve. Reasonable Alternatives	Complete	100%

WA Amount: \$	707,394.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date: \$	636,654.60			
Paid To Date: \$	636,654.60			
Unpaid Balance: \$	-			
Funding Source:	Cameron County			
Total: \$				-

October Status Report

HNTB

Project		West Loop		
Work Authorization	☒	7	Route Studies and Environmental	WA Cost: \$ 1,471,763.00
Supplemental	☒	1	Public Involvement and ENV	SA Cost: \$ 98,862.00
Supplemental	☐			SA Cost: \$
				Total Cost: \$ 1,570,625.00

Description: The West Loop Road project is a new location facility and will provide and 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

Scope: Develop Route and Environmental Studies for the Cameron County Regional Mobility Authority

Deliverable: Develop Route and Environmental Studies for the Cameron County Regional Mobility Authority. Conceptual typical sections Summary of preliminary conceptual design criteria. Overlay of identified major utilities onto conceptual layouts. Overlay of conceptual ROW requirements onto conceptual layouts. Final Traffic Technical Memorandum. Draft and Final Intermediate Level (Level 2) Toll Feasibility Report (Level 2 funding matrix. Environmental Assessment Document required for obtaining a Finding of No Significant Impact (FONSI)

Project Activity				
Environmental				
Status:	Continued efforts on the draft EA			
Recent Activity:	EA – prepared/in QC process. Public Meeting report – prepared/in QC process			
Upcoming Activity:	EA submission – TBD, contingent upon possible additional public involvement Public Meeting Report submission			
Outstanding Issues:	*At the request of Pete Sepulveda, HNTB Team is developing scope and fee for additional Public Involvement			
Design				
Status:	Continued efforts on the preferred alternatives			
Recent Activity:	Reasonable alternatives are complete			
Upcoming Activity:	Selection of preferred alternative			
Outstanding Issues:	-			
Other: Traffic				
Status:	Continued efforts on the microsimulation model			
Recent Activity:	Development of the travel demand model and toll diverted traffic numbers are complete			
Upcoming Activity:	-			
Outstanding Issues:	-			
Task	Status	% Complete		
Conceptual Design	Complete	100%		
Intermediate-level (level 2) Toll Feasibility	Under review	80%		
Innovative Financing Support	On hold	10%		
Traffic Analysis and Microsimulation	Existing facilities complete	80%		
Geometric Schematic	Ongoing	60%		
Environmental Assessment Report	Ongoing	80%		
West Loop Public Involvement Activities	Public hearing forthcoming	70%		
Surveying and Aerial Mapping	Complete	100%		
Surveying	Complete	100%		
Aerial Mapping	Complete	100%		
Right of Entry	Complete	100%		
Supp 1: Inter.Level Toll Feasibility Study	Methodology complete	40%		
Supp 1: Environmental Assessment	Ongoing	80%		
Supp 1: Public Involvement	Pending additional meetings	80%		
WA Amount:	\$ 1,570,625.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$ 1,340,387.57	23-40619-PL-007	182	\$ 48,668.14
Paid To Date:	\$ 1,192,647.13	24-40619-PL-007	154	\$ 53,914.22
Unpaid Balance:	\$ 147,740.44	29-40619-PL-007	28	\$ 45,158.08
Funding Source:	TxDOT Toll Equity Funding			
Total: \$ 147,740.44				

October Status Report



Project	West Rail Relocation			
Work Authorization	8	International Advisor Services	WA Cost: \$	186,579.00
Supplemental	1	International Advisor Services	SA Cost: \$	67,264.00
Supplemental	2	International Advisor Services	SA Cost: \$	67,163.00
			Total Cost: \$	321,006.00

Description: The West Rail Relocation project 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. This subconsultant is Arturo de las Fuentes of Caminos Y Puentes Internacionales. The project plans will require approval by Secretaria de Comunicaciones y Transportes (SCT), Comision Internacional de Limits Y Aguas (CILA) and Kansas City Southern Mexico (KCSM).

Scope: Provide professional services and deliverables required for project administration and coordination for the Cameron County Regional Mobility Authority

Deliverable: Monthly Project Progress Reports and meeting minutes that details activities performed by task (Spanish and English versions will be provided). Monthly invoice/billings with list of tasks performed and products delivered per invoice billing cycle (English version will be provided). Project schedule and timeline for agency approval (Spanish and English version will be provided).

Project Activity					
Agency Coordination					
Status:	A technical review Committee meeting was held October 3rd				
Recent Activity:	Discussions with the State of Tamaulipas and the City of Matamoros pertaining to ROW acquisition, the West Matamoros Master Plan and the Rail Museum continued				
Upcoming Activity:	A technical review Committee meeting is scheduled for November 7th				
Outstanding Issues:	-				
Permitting					
Status:	Ongoing				
Recent Activity:	Dr. de las Fuentes met with SCT and CILA to discuss the Rail bridge requirements				
Upcoming Activity:	A meeting is being scheduled with SCT and project engineers to discuss the SCT requirements for the International Rail Bridge approval				
Outstanding Issues:	Translation and metric conversion of the Conceptual plans for the Rail bridge will be provided to SCT in November				
Other: Project Administration					
Status:	Continued efforts on project administration and coordination				
Recent Activity:	Attendance at the October Technical Committee Review meeting				
Upcoming Activity:	November 7th Technical Review Committee meeting				
Outstanding Issues:	-				
Task			Status		% Complete
International Services			Pending additional coordination		80
WA Amount:	\$	321,006.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$	321,006.00	29-40619-PL-008	28	\$ 11,556.22
Paid To Date:	\$	300,140.61	30-40619-PL-008	1	\$ 9,309.17
Unpaid Balance:	\$	20,865.39			
Funding Source:	Cameron County				
Total: \$					20,865.39

October Status Report

HNTB

Project	South Padre Island Second Access			
Work Authorization	☒ 12	Route Studies and Environmental	WA Cost: \$	1,211,320.00
Supplemental	☒ 1	Economic Study	SA Cost: \$	339,518.00
Supplemental	☐		SA Cost:	
			Total Cost: \$	1,550,838.00

Description: The South Padre Island Second Access project provides engineering and environmental services associated with the development and advancement of the National Environmental Policy Act (NEPA) process. The tasks associated with the project will include the development of the necessary environmental documentation, corridor alternatives assessments and related public involvement activities.

Scope: Develop Route and Design, Environmental, Public Involvement, Field Surveying and Photogrammetry studies.

Deliverable: Effort involved in conducting three Public Meetings and associated TWG meetings listed in Project Development Plan and as approved in Phase 2. Preliminary Study Methodology Memorandum. Draft and final preliminary alternative layouts. Draft and final conceptual typical sections and layouts of the reasonable corridor alternatives. Draft technical memorandum. Existing Conditions Assessment summary document. Data Collection Summary Document. Writing of initial Chapters of the NEPA Document.

Project Activity

Environmental

Status:	Phase 2 under way
Recent Activity:	DEIS Chapters 1, 2 (partial) and 3 – prepared/in QC process, Public Meeting #2 –November 6th at the Port Isabel High School Auditorium, CSS meetings, NEPA meeting
Upcoming Activity:	3rd PI TWG (January) and Econ Deve TWG – Date TBD
Outstanding Issues:	

Design

Status:	Continued efforts to develop reasonable alternatives
Recent Activity:	Public Meeting #2
Upcoming Activity:	Assessment of preliminary alternatives based evaluation criteria; Conceptual layouts for reasonable alternatives.
Outstanding Issues:	-

Economic Study

Status:	Under review by CCRMA staff
Recent Activity:	The draft Regional Economic Study has been prepared and was submitted to CCRMA staff on the week of October 13th
Upcoming Activity:	
Outstanding Issues:	-

Task	Status	% Complete
Data Collection/Existing Condition Assessment	Pending condition assess. report	98
Corridor Alter. Assessment & Documentation	Pending reasonable alternatives	60
Preliminary Engineering Services	Phase III scope	0
Geometric Layout Development	Phase III scope	0
Intermediate-Level Toll Feasibility Study	Methodology complete	0
Innovative Financing Support	Phase III scope	0
Traffic Operational Analysis and Microsimulation	Phase III scope	0
Economic Study	Draft complete	80
Engineering Assessment	Phase III scope	0
Environmental Impact Statement (EIS)	Pending alternatives developmen	40
Affected Environmental	Draft complete	75
Environmental Consequences	Pending reasonable alternatives	0
Public Involvement and CSS	Pending additional meetings	50
Field Surveying and Photogrammetry	Complete	100

		Complete		100	
WA Amount:	\$	1,550,838.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$	1,030,038.77	22-40619-PL-012	210	\$ 57,347.55
Paid To Date:	\$	790,376.11	23-40619-PL-012	182	\$ 73,567.49
Unpaid Balance:	\$	239,662.66	29-40619-PL-012	28	\$ 49,164.63
			30-40619-PL-012	1	\$ 59,582.99
Funding Source:	TxDOT Toll Equity Funding				
Total:				\$	239,662.66

October Status Report

HNTB

Project	Request for Statements of Interest			
Work Authorization	☒ 14	Professional Technical Services	WA Cost: \$	299,496.00
Supplemental	☒ 1	Coordination and Publication	SA Cost: \$	18,446.00
Supplemental	☐		SA Cost:	
			Total Cost: \$	317,942.00

Description: The Request for Statements of Interest project 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.

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

Deliverable: Program development schedule. Recommendations for the selection of projects that the AUTHORITY could pursue through a separate CDA procurement process.

Project Activity			
Environmental			
Status:	-		
Recent Activity:	-		
Upcoming Activity:	-		
Outstanding Issues:	-		
Design			
Status:	-		
Recent Activity:	-		
Upcoming Activity:	-		
Outstanding Issues:	-		
Other: Project Administration			
Status:	Continued efforts on the draft summary fact sheets		
Recent Activity:	The GEC team continues to finalize the Fact sheets necessary for the next phase of the CDA procurement process. The fact sheets being developed include Project Descriptions, Status, Schedule, Cost Estimates and possible Typical Sections of All CCRMA System projects.Coordination with TxDOT on traffic data and analysis; analysis of feasibility and timing of System projects; refinement of Program Schedule; development of conceptual toll revenue plan;development of strategy for procuring a developer through a concession or pre-development agreement for the entire Program; revision of estimates for East Loop to reflect pass-through procurement		
Upcoming Activity:	-		
Outstanding Issues:	-		
Task		Status	% Complete
Notice to Proceed		Complete	100
Project Admin., Coordination & Seminar		Complete	100
RFI Letter		Complete	100
Prepare Map and List of Authority Projects		Complete	100
Inquiries/Responses		Complete	100
CDA Constructor Opportunity Workshop		Complete	100
Review/Evaluations/Deliverables		Ongoing	25
Deliverables:		None	
WA Amount:	\$ 317,942.00	Outstanding Invoice Number	Invoice Amount
Billed To Date:	\$ 291,971.22	29-40619-PL-014	\$ 42,045.47
Paid To Date:	\$ 203,613.83	30-40619-PL-014	\$ 46,311.92
Unpaid Balance:	\$ 88,357.39		
Funding Source:	County License Plate Fees		
Total: \$		88,357.39	

HNTB

WA Cost:	\$	402,102.00
SA Cost:		
SA Cost:		
Total Cost:	\$	402,102.00

Deliverable: Environmental Acitivity necessary for obtaining Re-evaluation clearance for a tolled roadway

Environmental

Outstanding Issues:

Status:	
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Upcoming Activity:

Outstanding Issues:

Status:	-
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Recent Activity: -

Upcoming Activity: -

Outstanding Issues:

Task			Status	% Complete
Environmental Assessment Doc. Preparation			Addressing district comments	75
Wetland Delineation, Permitting and Mitigation			Addressing district comments	60
Public Involvement			Open house report under review	95

WA Amount:	\$	402,102.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$	294,338.66			
Paid To Date:	\$	294,338.66			
Unpaid Balance:	\$	-			
Funding Source:	County License Plate Fees				
			Total:	\$	-

**IV. CONSIDERATION AND APPROVAL OF REVENUE
AND EXPENDITURE REPORT FOR OCTOBER 2008**

Upon motion by Director Parker, seconded by Director Gallegos and carried unanimously, the Revenue and Expenditure Report for October 2008 was approved.

The Reports are as follow:

<u>Fund Dept</u>	<u>LnItem</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
REGIONAL MOBILITY AL									
110 110	6082	0000154776	BETANCOURT,BLANCA	00208878	10/23/2008	10/23/2008			
								Fund Total	6,530,851.65
110 110	6082	0000089010	GALARZA,MARTHA	00208924	10/23/2008	10/23/2008			
								Check Total	200.00
110 110	6082	0000119900	ROBLES,MARIA A	00209003	10/23/2008	10/23/2008			
								Check Total	200.00
110 110	6082	0000163539	ROBLES,MARICRUZ	00209004	10/23/2008	10/23/2008			
								Check Total	300.00
110 110	6082	0000166843	SAENZ,PERLA J	00209008	10/23/2008	10/23/2008			
								Check Total	300.00
								Line Item Total	416.67
								Check Total	416.67
								Check Total	200.00
								Check Total	200.00
								Line Item Total	1,616.67
								Dept. Total	1,616.67

V. CONSIDERATION AND APPROVAL OF TRAVEL FOR BOARD AND STAFF TO ATTEND THE TEXAS TRANSPORTATION FORUM IN AUSTIN, TEXAS FROM JANUARY 5 TO 7, 2009

Director Garza moved that the travel for Board and staff to attend the Texas Transportation Forum in Austin, Texas from January 5 to 7, 2009 be approved.

The motion was seconded by Director Parker and carried unanimously.

EXECUTIVE SESSION

(VII) EXECUTIVE SESSION

Upon motion by Director Parker, seconded by Director Garza and carried unanimously, the Board met in Executive Session at 12:35 P.M. to discuss the following matters:

- 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 Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071.**
- B. Deliberation regarding real property concerning acquisition of parcel 6, for right of way for the West Rail Project, Pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.**

Upon motion by Director Gallegos, seconded by Director Garza and carried unanimously, the Board reconvened into Regular Session at 1:30 P. M.

(VIII) ACTION RELATIVE TO EXECUTIVE SESSION:

- 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 Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071.**

Director Gallegos moved that the report presented by staff and legal counsel be acknowledged, and that staff be authorized to proceed as directed in Executive Session.

The motion was seconded by Director Garza and carried unanimously.

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- B. Deliberation regarding real property concerning acquisition of parcel 6, for right of way for the West Rail Project, Pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072.**

Upon motion by Director Garza, seconded by Director Parker and carried unanimously, the Report was acknowledged.

- VII. There being no further business to come before the Board and upon motion by Director Parker, seconded by Director Gallegos the meeting was **ADJOURNED** at 1:32 P.M.

APPROVED this 11th day of **December 2008**.

CHAIRMAN DAVID E. ALLEX

ATTESTED:

SECRETARY MICHAEL SCAIEF