

MINUTES

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY (HCRMA)
BOARD OF DIRECTORS REGULAR MEETING
5:30 PM TUESDAY, March 23, 2010
HIDALGO COUNTY COMMISSIONERS COURT
100 E. CANO
EDINBURG, TEXAS
PRESIDING: DENNIS BURLESON, CHAIRMAN

Members Present:

Dennis Burleson, Chairman	Blakely Fernandez	Robert & Carol Pratt	Joyce Davis
Rick Perez, Vice Chair	Dan Rios, Legal Counsel	Richard & Mary Gummo	Don E. Winson
Ramiro E. Salazar, Secretary/Treasurer	Reza Badiozzamani	Del & Sue Schafer	Barton E. Croll
Joe Olivarez, Member	Richard Ramirez	Ruth Montgomery	Pat & Carol Baker
Ricardo Perez, Member	Erika Reyna	John & Joyce Curry	Eric Dietrich
Juan Maldonado, Member	Kerry Winkler	Arlin & Lorna Jacobsen	Carolyn Hein
Michael Cano, Member	Tracy Hill	Loyd & Betty Ashlund	Robert Macheska
Godfrey Garza, Consultant	Norma Garza	Glenn & Sharon Dewitz	
	Velma Garcia	Rodney & Linda Crouse	

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Chairman Burleson stated there was a quorum present and called the meeting to order at 5:38 pm.

2. PUBLIC COMMENTS

Mr. Patrick Baker and Mrs. Lorna Jacobsen signed up for public comment. Mr. Baker had general comments against the project. Mrs. Jacobsen's concern was regarding the Environmental Impact Study. Mrs. Jacobsen also inquired as to how soon the people being affected would be notified that they have to move.

3. GENERAL BUSINESS ITEMS:

- A. Consideration and Approval of Minutes February 23, 2010
Michael Cano made a motion to approve the minutes as presented, Rick Perez (vice chair) seconded the motion and upon a vote the motion carried unanimously.
- B. Consideration and Approval of Outstanding Invoices and Travel Requests
Flor E. Koll stated there were no changes to the Outstanding Invoices and travel requests. Joe Olivarez made a motion to approve the outstanding invoices and travel requests, Ramiro Salazar seconded the motion and upon a vote the motion carried unanimously.
- C. Consideration and Approval of Financial Reports – Cheryl Bellamy, SAS, LLP.
Cherly Bellamy gave a brief update on the financial report. Ramiro Salazar made a motion to approve the Financial Report as presented, Ricardo Perez seconded the motion and upon a vote the motion carried unanimously.
- D. Consideration and Approval of HCRB Invoice # 1494-007A - Resolution 2010-10
Godfrey Garza gave a brief explanation on the invoice and services provided by the Hidalgo County Roadbuilders. Rick Perez (vice chair) made a motion to approve HCRB Invoice #1494-007A, Ramiro Salazar seconded the motion and upon a vote the motion carried unanimously.

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4. PRESENTATION OF REPORTS: DISCUSSION, CONSIDERATION AND POSSIBLE ACTION

A. Administrative Report – **Godfrey Garza, Jr., Administrative and Management Consultant**

1. Discussion, consideration and action on Engagement letter from Salinas, Allen, and Schmitt for Annual Audit purpose. - Resolution 2010-13

Chairman Burleson stated that additional services were needed from our bookkeeping service to complete the required annual audit. *Ramiro Salazar made a motion to approve the amended engagement with Salinas, Allen and Schmitt, Rick Perez (vice chair) seconded the motion and upon a vote the motion carried unanimously.*

2. Discussion and action on selection of appraisals services from the Hidalgo County Pool
Resolution 2010-14

The board members, after reviewing qualifications from applicable firms, scored each firm and submitted scores to staff for calculation. Scores for the following firms were tallied by Flor E. Koll. Godfrey Garza read the results as follows 1st - Leonel Garza Jr. & Associates with 597 points, 2nd – Professional Appraisal Services with 533 points, 3rd - Adelaido Gonzalez with 485 points, 4th – HLH Appraisal Services with 472 Points and 4th - Deal Sikes & Associates with 472 points. *Juan Maldonado made a motion to approve the firms as follows Leonel Garza Jr. & Associates 1st, Professional Appraisal Services 2nd and Adelaido Gonzalez 3rd. Mr. Maldonado then withdrew his motion.*

Michael Cano made a motion to go into Executive Session to consult with attorneys regarding the process for scoring and selecting firms. Rick Perez (vice chair) seconded the motion and upon a vote the motion carried unanimously. Regular session was adjourned and the Board entered into Executive Session at 6:57 pm pursuant to chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney.

Regular session reconvened at 7:12 pm. No action was taken during Executive Session.

Juan Maldonado made a motion to approve the selection of Appraisal Firms as follows: Leonel Garza Jr. & Associates 1st, Professional Appraisal Services 2nd and Adelaido Gonzalez 3rd, Joe Olivarez seconded the motion and upon a vote the motion carried unanimously. Mr. Rick Perez (vice chair) was not present during this vote.

3. Discussion and action on selection of short list of Professional Engineering Services from the Hidalgo County Engineering Pool – Resolution 2010-15

The board members, after reviewing qualifications from applicable firms, scored each firm and submitted scores to staff for calculation. Flor E. Koll tallied the scores and Mr. Garza read them as follows: For the Donna Area: 1st L&G with 649 points, 2nd S&B Infrastructure with 644 points, 3rd JE Saenz & Associates with 586 points, 4th Dannenbaum with 575 points, 5th Tedsy Infrastructure with 557 points, 6th Los Logistics with 551 points, 7th R. Guiterrez Engineering Corporation with 511 points, 8th Halff Associates with 509 points, and 9th Barrera Torres Infrastructure with 501 points. For the

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Anzalduas Area: 1st L&G with 656 points, 2nd S&B with 616 points, 3rd JE Saenz and Associates with 564 points, 4th TEDSI with 560 points, 5th Dannenbaum with 558 points, 6th Dos Logistics with 539 points, 7th R. Guiterrez with 509 points, 8th Halff & Associates with 502 points, and 9th Barrera Torres with 494 points. Ramiro Salazar inquired as to selecting two firms, one for the Donna Area and one for the Analdua's Area. Dan Rios, Legal Counsel stated the resolution allows for the selection of more than one firm.

Ramiro Salazar made a motion to accept the selection for the Anzalduas Area as L&G – 1st, S&B – 2nd, and JESaenz – 3rd. Joe Olivarez seconded the motion and upon a vote the motion carried 6 to 1 with Juan Maldonado voting against.

Ramiro Salazar made a motion to select for the Donna Area: S&B – 1st, L&G – 2nd, and JESaenz – 3rd, the motion was not seconded; therefore no vote was taken.

Juan Maldonado made a motion for the selection for the Donna Area as JESaenz – 1st, S&B – 2nd, and Dannenbaum – 3rd, Rick Perez (Vice-Chair) seconded the motion and upon a vote the motion did not carry with 2 in favor (Juan Maldonado and Rick Perez, VC) and 5 against (Dennis Burleson, Ramiro Salazar, Michael Cano, Joe Olivarez and Ricardo Perez).

Ramiro Salazar restated his motion for the selection for the Donna Area as S&B – 1st, L&G – 2nd, and JESaenz – 3rd, Rick Perez (Vice-Chair) seconded the motion and upon a vote the motion carried 6 to 1 with Juan Maldonado voting against.

4. Discussion and action on submitted RFQs for Legal Services - Resolution 2010-16

Godfrey Garza reported two firms replied to the RMA's solicitation; Ramirez and Guerrero and The Law Office of Daniel Rios with Tuggey Rosenthal Pauerstein Sandoloski Agather (TRPSA). Ramirez and Guerrero could not be present to answer question or make a presentation. Daniel Rios gave the Board a brief summary on joint services proposed to be provide by The Law Office of Daniel Rios and TRPSA.

Rick Perez, Vice Chair, made a motion that the team of the Law Office of Daniel Rios and Tuggey Rosenthal Pauerstein Sandoloski Agather, LLP be selected to provide general counsel services to the RMA. If the RMA could not successfully negotiate an agreement with the selected team, then the RMA should enter into negotiations with the second firm, Ramirez and Guerro. Ricardo Perez seconded the motion and, upon a vote, the motion carried unanimously.

5. Discussion, consideration and approval of a resolution requesting the designation of the Hidalgo County Trade Corridor as a highway project on the State Highway System. - Resolution 2010-17

Godfrey Garza gave a brief explanation of the need to formally place the Corridor Connector on the State Highway System and the timeline for presenting this item for approval to the Texas Transportation Commission, Mrs. Blakely Fernandez explained

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the purpose of the letter and restated that the resolution was for the "Hidalgo County Trade Corridor Connector". *Ramiro Salazar made a motion to approve Resolution 2010-17, Michael Cano seconded the motion and upon a vote the motion carried unanimously.*

6. Update on Annual Report due March 31, 2010

Godfrey Garza updated the Board on the status of the Annual Report being prepared by L&G. No action taken.

7. Discussion, consideration, and action on GMP review period extension – Resolution 2010-18

Blakely Fernandez explained no firms to review GMP have been engaged, this is Amendment #5 to the PPDA with the Hidalgo County Roadbuilders, the extension would be for 30 days (May 13, 2010). Ramiro Salazar made a motion to approve the review period extension on the GMP, Michael Cano_ seconded the motion and upon a vote the motion carried unanimously.

8. Discussion, consideration, and action on extending the existing Legal Services Contract for a period of 30 days – Resolution 2010-19

Blakely Fernandez explained that a 30 day extension of the existing legal services contract would allow the board to pursue negotiations with the selected firm (and, if necessary) the second firm, while maintaining general counsel coverage. Joe Olivarez made a motion to approve extending the existing Legal Services Contract, Ramiro Salazar seconded the motion and upon a vote the motion carried unanimously.

C. Hidalgo County Roadbuilders – Reza Badiozzamani, P.E.

1. Project Update

Reza Badiozzamani updated the Board on the GMP, the resolution passed by the MPO regarding Category 7 funds, and on the upcoming Pass Through call for projects.

D. First Southwest – Richard Ramirez/Chris Vela

1. NADBank Meeting

Mr. Richard Ramirez gave a short briefing regarding the meeting with the NADBank and the Traffic and Revenue studying being conducted by C&M. Mr. Godfrey Garza elaborated on the meeting with NADBank.

E. PBS&J –Kerry Winkler

1. Update on Supplemental Environmental

Ms. Winkler stated the Supplemental Environmental Agreement had been signed. Ms. Winkler also reported on the status of the Right of Entries and the upcoming Public Meetings. Ms. Winkler explained the ROE process per Chairman Burleson's request.

F. Legal – Blakely Fernandez and Dan Rios

1. Training schedule – Ethics training
2. Personal Financial Statements

Ms. Blakely Fernandez informed the board that Flor E. Koll would be assisting in setting up an

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Ethics Training. Ms. Fernandez reminded the board financial statements are due by April 30, 2010. Mr. Juan Maldonado requested explanation regarding Executive Director versus Administrative and Managerial Consultant title for Godfrey Garza. Ms. Fernandez gave a detailed explanation on steps that have arrived to this point. Mr. Maldonado will receive a copy of the resolution restated the contract, which outlines the process.

H. Chairman's Report

Chairman Burleson reminded board members to submit their financial status reports.

5. EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE:

- A. Section 551.071. Consultation with Attorney
- B. Section 551.072. Deliberation Regarding Real Property
- C. Section 551.074. Personnel Matters

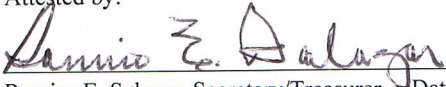
The Board entered into Executive Session at 6:57 pm pursuant to chapter 551, Texas Government Code, Section 551.071. Consultation with Attorney. No action was taken.

Agenda items may be considered, deliberated and/or acted upon in a different order than numbered above. The Board of Directors of the Hidalgo County Regional Mobility Authority (HCRMA) reserves the right to adjourn into Executive (Closed) Session at any time during the course of this meeting to discuss any of the items listed on this agenda as authorized by the Texas Open Meetings Act. No final action will be taken in Executive Session.

PUBLIC INPUT POLICY

Public Input Policy: "At the beginning of each HCRMA meeting, the HCRMA will allow for an open public forum/comment period. This comment period shall not exceed one-half (1/2) hour in length and each speaker will be allowed a maximum of three (3) minutes to speak. All individuals desiring to address the HCRMA must be signed up to do so, prior to the open comment period. The purpose of this comment period is to provide the public an opportunity to address issues or topics that are under the jurisdiction of the HCRMA. For issues or topics which are not otherwise part of the posted agenda for the meeting, HCRMA members may direct staff to investigate the issue or topic further. No action or discussion shall be taken on issues or topics which are not part of the posted agenda for the meeting. Members of the public may be recognized on posted agenda items deemed appropriate by the Chairman as these items are considered, and the same time limitations (3 minutes) applies."

Attested by:



Ramiro E. Salazar, Secretary/Treasurer Date