

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

NOTICE OF AND AGENDA FOR A SPECIAL MEETING

TO BE HELD BY THE BOARD OF DIRECTORS

DATE: TUESDAY, FEBRUARY 8, 2022
TIME: 5:30 PM
PLACE: HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY
TELECONFERENCE MEETING

PRESIDING: S. DAVID DEANDA, JR, CHAIRMAN

MEMBERS OF THE PUBLIC ARE WELCOMED TO PARTICIPATE REMOTELY BY TELEPHONE

DIAL-IN NUMBER: +1 956-413-7950
CONFERENCE ID: 500 596 141#
WEB LINK: [Click here to join the meeting](#)

An electronic copy of the agenda packet can be obtained at www.hcrma.net

PLEDGE OF ALLEGIANCE

INVOCATION

CALL TO ORDER AND ESTABLISHMENT OF A QUORUM FOR SPECIAL MEETING

PUBLIC COMMENT

1. REGULAR AGENDA

- A. Resolution 2022-08 - Consideration and Approval of right of way acquisition for the 365 Tollway Project, including ratification of a Purchase Agreement, Joint Use Agreement, and additional parcel agreement with Hidalgo County Irrigation District No. 2.

2. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION OF REAL PROPERTY), AND SECTION 551.074 (PERSONNEL MATTERS)

- B. Consultation with Attorney on right of way acquisition for the 365 Tollway Project, including ratification of a Purchase Agreement, Joint Use Agreement, and additional parcel agreement with Hidalgo County Irrigation District No. 2. (Section 551.071 T.G.C.)

ADJOURNMENT OF SPECIAL MEETING

CERTIFICATION

I, the Undersigned Authority, do hereby certify that the attached agenda of the Hidalgo County Regional Mobility Authority Board of Directors is a true and correct copy and that I posted a true and correct copy of said notice on the Hidalgo County Regional Mobility Authority Web Page (www.hcrma.net) and the bulletin board in the Hidalgo County Court House (100 North Closner, Edinburg, Texas 78539), a place convenient and readily accessible to the general public at all times, and said Notice was posted on the 4th day of **February 2022** at **5:00 pm** and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Maria E. Alaniz
Administrative Assistant

Note: If you require special accommodations under the Americans with Disabilities Act, please contact Maria E. Alaniz at 956-402-4762 at least 96 hours before the meeting.

PUBLIC COMMENT POLICY

Public Comment 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. Speakers addressing the Board through a translator will be allowed a maximum of six (6) minutes.

All individuals desiring to address the HCRMA must be signed up to do so, prior to the open comment period. For meetings being held by telephonic or videoconference, individuals may contact Maria. E. Alaniz at (956) 402-4762 before 5:00 pm day of the meeting.

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 applies."

Note: Participation by Telephone/Video Conference Call – One or more member of the HCRMA Board of Directors may participate in this meeting through a telephone/video conference call, as authorized by Sec. 370.262, Texas Transportation Code.

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HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

AGENDA RECOMMENDATION FORM

BOARD OF DIRECTORS	<u> X </u>	AGENDA ITEM	<u> 1A </u>
PLANNING COMMITTEE	<u> </u>	DATE SUBMITTED	<u> 02/04/22 </u>
FINANCE COMMITTEE	<u> </u>	MEETING DATE	<u> 02/08/22 </u>
TECHNICAL COMMITTEE	<u> </u>		

1. Agenda Item: **RESOLUTION 2022-08 -- CONSIDERATION AND APPROVAL OF RIGHT OF WAY ACQUISITION FOR THE 365 TOLLWAY PROJECT, INCLUDING RATIFICATION OF A PURCHASE AGREEMENT, JOINT USE AGREEMENT, AND ADDITIONAL PARCEL AGREEMENT WITH HIDALGO COUNTY IRRIGATION DISTRICT NO. 2**

2. Nature of Request: (Brief Overview) Attachments: Yes No

Approving Resolution 2022-08 -- Consideration and Approval of right of way acquisition for the 365 Tollway Project, including ratification of a Purchase Agreement, Joint Use Agreement, and additional parcel agreement with Hidalgo County Irrigation District No. 2.

3. Policy Implication: Board Policy, Local Government Code, Texas Government Code, Texas Transportation Code, TxDOT Policy

4. Budgeted: Yes No N/A

5. Staff Recommendation: **Motion to approve Resolution 2022-08 -- Consideration and Approval of right of way acquisition for the 365 Tollway Project, including ratification of a Purchase Agreement, Joint Use Agreement, and additional parcel agreement with Hidalgo County Irrigation District No. 2, as presented.**

6. Program Manager's Recommendation: Approved Disapproved None

7. Planning Committee's Recommendation: Approved Disapproved None

8. Board Attorney's Recommendation: Approved Disapproved None

9. Chief Auditor's Recommendation: Approved Disapproved None

10. Chief Financial Officer's Recommendation: Approved Disapproved None

11. Chief Development Engineer's Recommendation: Approved Disapproved None

12. Chief Construction Engineer's Recommendation: Approved Disapproved None

13. Executive Director's Recommendation: Approved Disapproved None

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY
BOARD RESOLUTION No. 2022-08

CONSIDERATION AND APPROVAL OF RIGHT OF WAY ACQUISITION FOR
THE 365 TOLLWAY PROJECT, INCLUDING RATIFICATION OF A PURCHASE
AGREEMENT, JOINT USE AGREEMENT, AND ADDITIONAL PARCEL
AGREEMENT WITH HIDALGO COUNTY IRRIGATION DISTRICT NO. 2

THIS RESOLUTION is adopted this 8th day of February, 2022, by the Board of Directors of the Hidalgo County Regional Mobility Authority.

WHEREAS, the Hidalgo County Regional Mobility Authority (the “Authority”), acting through its Board of Directors (the “Board”), is a regional mobility authority created pursuant to Chapter 370, Texas Transportation Code, as amended (the “Act”); and

WHEREAS, on November 17, 2005, the Texas Transportation Commission (the “Commission”) created the Authority pursuant to (i) the Act; (ii) Title 43, Texas Administrative Code; (iii) a petition of the Hidalgo County Commissioners Court (the “County”); and (iv) findings by the Commission that the creation of the Authority would result in certain direct benefits to the State of Texas (the “State”), local governments, and the traveling public and would improve the State’s transportation system; and

WHEREAS, the Board has authorized the Authority to proceed with the development of the 365 Tollway Project, including right of way acquisition; and

WHEREAS, the Authority has negotiated with the Hidalgo County Irrigation District Number 2 (HCID2) for the acquisition of the necessary right of way and/or easements for the 365 Tollway Project; and

WHEREAS, the Executive Director has entered into a purchase agreement, joint use agreement and additional parcel agreement with HCID2 to finalize the acquisition of the necessary parcels to construct the 365 Tollway Project; and

WHEREAS, the Board finds it necessary to ratify and approve the purchase agreement, joint use agreement and additional parcel agreement with HCID2;

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Hidalgo County Regional Mobility Authority that:

Section 1. The recital clauses are incorporated in the text of this Resolution as if fully restated.

Section 2. The Board hereby ratifies and approves the purchase agreement, joint use agreement and additional parcel agreement with HCID2 executed by the Executive Director for the 365 Tollway Project hereto attached as Exhibit A, B & C.

PASSED AND APPROVED AS TO BE EFFECTIVE IMMEDIATELY BY THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY AT A SPECIAL MEETING on the 8th day of February, 2022, at which meeting a quorum was present.

S. David Deanda, Jr., Chairman

Attest:

Ezequiel Reyna, Jr., Secretary/Treasurer

EXHIBIT A
CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY AGREEMENT
WITH
HIDALGO COUNTY IRRIGATION DISTRICT NUMBER 2
FOR
RIGHT OF WAY & EASEMENTS FOR THE 365 TOLLWAY PROJECT

EXHIBIT B
JOINT USE AGREEMENT
FOR
RIGHT OF WAY AND EASEMENTS
BETWEEN
HIDALGO COUNTY IRRIGATION DISTRICT NUMBER 2
AND
HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

EXHIBIT C
X PARCEL AGREEMENT
FOR
RIGHT OF WAY AND EASEMENTS
BETWEEN
HIDALGO COUNTY IRRIGATION DISTRICT NUMBER 2
AND
HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY