

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

NOTICE OF AND AGENDA FOR A WORKSHOP AND REGULAR MEETING TO BE HELD BY THE BOARD OF DIRECTORS

DATE: TUESDAY, SEPTEMBER 24, 2019
TIME: 5:30 PM
PLACE: PHARR CITY HALL
2nd FLOOR CITY COMMISSION CHAMBERS
118 SOUTH CAGE, BLVD.
PHARR, TEXAS 78577

PRESIDING: S. DAVID DEANDA, JR, CHAIRMAN

PLEDGE OF ALLEGIANCE

INVOCATION

CALL TO ORDER OF A WORKSHOP

1. Hidalgo County Regional Mobility Authority Board of Directors Annual Ethics and Compliance Training.

ADJOURNMENT OF WORKSHOP

CALL TO ORDER AND ESTABLISHMENT OF A QUORUM FOR A REGULAR MEETING

PUBLIC COMMENT

1. REPORTS

- A. Report on Program Manager Activity for 365 Tollway Project and IBTC Environmental Clearance Document – Eric Davila, HCRMA.
2. **CONSENT AGENDA** (*All matters listed under Consent Agenda are considered to be routine by the Governing Body and will be enacted by one motion. There will be no separate discussion of these items; however, if discussion is desired, that item(s) will be removed from the Consent Agenda and will be considered separately. The Governing Body may also elect to go into Executive Session on any item on this agenda, whether or not such item(s) are posted as an Executive Session Item, at any time during the meeting when authorized by provisions of the Open Public Meeting Act.*)
 - A. Approval of Minutes for the Regular Meeting held August 27, 2019.
 - B. Approval of Project & General Expense Report for the period from August 10, 2019 to September 6, 2019.
 - C. Approval of Financial Reports for August 2019.
 - D. Resolution 2019-33 – Approval of updates to the Internal Ethics & Compliance Manual for the Hidalgo County Regional Mobility Authority.

3. REGULAR AGENDA

- A. None.

4. CHAIRMAN'S REPORT

- B. None.

5. TABLED ITEMS

- A. None.

6. 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)

- A. Consultation with Attorney on legal issues pertaining to the Texas Department of Transportation State Infrastructure Bank Loan for the 365 Tollway Project (Section 551.071 T.G.C.)
- B. Consultation with Attorney on legal issues pertaining to Professional Service Agreements for Engineering, Surveying and Environmental Services (Section 551.071 T.G.C.).
- C. Consultation with Attorney on legal issues pertaining to the voluntary acquisition of real property for various parcels for the 365 Tollway Project and International Bridge Trade Corridor Project (Sections 551.071 and 551.072 T.G.C.).
- D. Consultation with Attorney on legal issues pertaining to the acquisition, including the use of Eminent Domain, for property required to complete the project alignments of the 365 Tollway Project (Sections 551.071 and 551.072 T.G.C.).
- E. Consultation with Attorney on legal issues pertaining to the Environmental Clearance Document for the International Bridge Trade Corridor Project (Section 551.071 T.G.C.).
- F. Consultation with Attorney on legal issues pertaining to the issuance of one or more Series of Hidalgo County Regional Mobility Authority bonds and related agreements and provisions relating to the subject (Section 551.071 T.G.C.).
- G. Consultation with Attorney on legal issues pertaining to the Toll System Installation, Integration and Maintenance Contract for the 365 Tollway Project (Section 551.071 T.G.C.).
- H. Consultation with Attorney on legal issues pertaining to a rescope and re-bid of the 365 Tollway Project (Section 551.071 T.G.C.).

ADJOURNMENT OF REGULAR 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 18th day of September 2019 at 12:00 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 24 hours before the meeting.

PUBLIC COMMENT POLICY

Public Comment Policy: "At the end 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. 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."

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Workshop

Item 1

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

AGENDA RECOMMENDATION FORM

BOARD OF DIRECTORS	<u>X</u>	AGENDA ITEM	<u>1</u>
PLANNING COMMITTEE	<u> </u>	DATE SUBMITTED	<u>07/12/19</u>
FINANCE COMMITTEE	<u> </u>	MEETING DATE	<u>09/24/19</u>
TECHNICAL COMMITTEE	<u> </u>		

1. Agenda Item: WORKSHOP ITEM 1 – PRESENTATION OF HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS ANNUAL ETHICS AND COMPLIANCE TRAINING
2. Nature of Request: (Brief Overview) Attachments: X Yes No
Presentation by Blakely Fernandez, Bracewell LLP, on Hidalgo County Regional Mobility Authority Board of Directors Annual Ethics and Compliance Training
3. Policy Implication: Board Policy, Local Government Code, Texas Government Code, Texas Transportation Code, TxDOT Policy
4. Budgeted: Yes No X N/A
5. Staff Recommendation: Presentation only.
6. Program Manager's Recommendation: Approved Disapproved X None
7. Planning Committee's Recommendation: Approved Disapproved X None
8. Board Attorney's Recommendation: Approved Disapproved X None
9. Chief Auditor's Recommendation: Approved Disapproved X None
10. Chief Financial Officer's Recommendation: Approved Disapproved X None
11. Chief Development Engineer's Recommendation: Approved Disapproved X None
12. Chief Construction Engineer's Recommendation: Approved Disapproved X None
13. Executive Director's Recommendation: Approved Disapproved X None

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**HIDALGO COUNTY
REGIONAL MOBILITY AUTHORITY**

Ethics & Compliance Training

September 24, 2019



INTERNAL ETHICS & COMPLIANCE

RMAs required to **adopt** and **enforce** an internal ethics and compliance program

- Detect and prevent violations of the law, regulations and ethical standards
- Enforce compliance with program
- Institute monitoring and auditing systems
- Provide periodic training for Board Members and Employees

OVERVIEW OF DISCUSSION

7 KEY AREAS:

1. Conflict of Interest
2. Bribery & Gifts / Honoraria
3. Use of Government Property
4. Nepotism
5. Open Government
6. Public Information & Records Retention
7. Compliance Requirements

STATE LAW | TXDOT RULES | HCRMA POLICIES



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1. CONFLICT OF INTEREST

1. CONFLICT OF INTEREST

Under State law:

No participation in a vote on a matter involving a **business entity** or **property** in which an official has a **substantial business or property interest** and would receive **economic benefit**

Local Government Code, Chapter 171; violation is Class A misdemeanor

RESPONSIBILITY OF OFFICIAL

- 1. Don't vote or deliberate**
- 2. Disclose**

Thresholds are low:

Substantial Business Interest =
10% voting shares / 10% of total income /
\$15,000 in FMV

Substantial Property Interest =
value of \$2,500 or more

1. CONFLICT OF INTEREST

RMA RULES

- No acceptance or solicitation of any gift, favor or service that *might* influence official duties
- No employment, business or professional activity that *might* require/induce the disclosure of RMA's confidential information
- No employment or compensation that *could* impair independence of judgement
- No personal investments (including spouse) that *could* create a conflict with the RMA
- No solicitation or acceptance of any benefit for the exercise of official duties
- No performance of official duties in favor of another
- No personal interest in RMA agreement

RESPONSIBILITY OF OFFICIAL

- No lunches, dinners, trips that would be *perceived* to influence decisions
- No sharing HCRMA confidential information – information not yet public
- No purchase of land in or near projected ROW
- No interest in RMA contracts

1. CONFLICT OF INTEREST

RMA RULES

CONSEQUENCE FOR CONFLICTS IS

INELIGIBILITY FOR SERVICE

- A person is ineligible to serve on the RMA Board or as Executive Director if that person or his spouse:
 - Is employed by, manages, or owns (directly or indirectly more than 10%) a business entity or other organization that is regulated by or receives funds from TxDOT, the RMA, or the County
 - Uses or receives a substantial amount of tangible goods, services or funds from TxDOT, the RMA, or the County
 - Is required to register as a lobbyist

RESPONSIBILITY OF OFFICIAL

- Disclose potential conflicts
- If a conflict exists, resign from position

1. CONFLICT OF INTEREST

HCRMA Disclosure Requirements

- Board Ethics and Compliance Certificate
 - Annually
- Conflicts Disclosure Statement - Contracting
 - File within 7 days of becoming aware of interest
 - Applies to immediate family
 - Interest includes employment or business relations with an HCRMA vendor resulting in taxable income
 - Triggered by a contract

Similar certificate for consultants and contractors

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT		FORM CIS
(Instructions for completing and filing this form are provided on the next page.)		
This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session. This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.		
<input type="text"/> 1 Name of Local Government Officer <input type="text"/> 2 Office Held <input type="text"/> 3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code <input type="text"/> 4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.		OFFICE USE ONLY Date Received
<input type="text"/> 5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).		
Date Gift Accepted _____ Description of Gift _____ Date Gift Accepted _____ Description of Gift _____ Date Gift Accepted _____ Description of Gift _____		
(attach additional forms as necessary)		
6 AFFIDAVIT I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.		
Signature of Local Government Officer		
AFFIX NOTARY STAMP / SEAL ABOVE Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.		
Signature of officer administering oath		Printed name of officer administering oath
Title of officer administering oath		

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2. BRIBERY & GIFTS

2. BRIBERY & GIFTS

Under State law:

Bribery is intentionally or knowingly soliciting, offering, or accepting a benefit in exchange for a decision, opinion, recommendation, vote, or other exercise of official discretion.

Violation is a 2nd Degree Felony

2. Bribery & Gifts

Exceptions to the Bribery Statute

with TxDOT clarifications

Note:

State law exceptions are to criminal liability. Consider other applicable rules and appearance of impropriety.

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3. USE OF GOVERNMENT PROPERTY

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- Computers and software (including **email systems**, phones, fax and copy machines, and other equipment owned or leased by HCRMA or provided for HCRMA use should be used only for official HCRMA business)
- Lost or stolen property must be reported immediately

Note:

Applies to Information

- Using official information to acquire or assist another acquire a pecuniary interest in any property, transaction, or enterprise.
- Speculating or aiding another to speculate on the basis of official information.
- Disclosing or using the information to obtain a benefit or to harm another.

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4. NEPOTISM

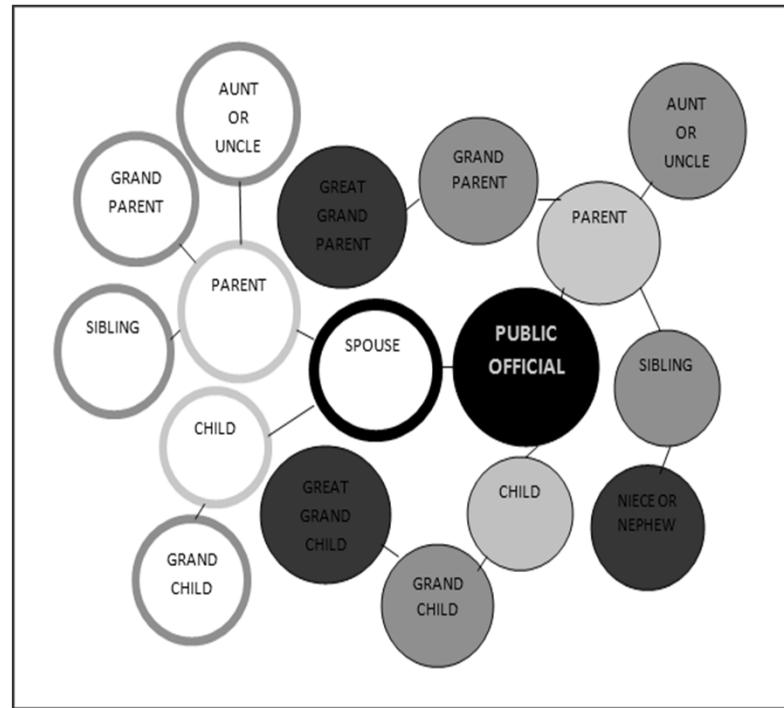
4. NEPOTISM

State Law

- May not appoint or vote for the appointment of an individual to a paid position if the individual is related to the public official within the:
 - 3rd degree of consanguinity (filled circles)
 - 2nd degree of affinity (outlined circles)
- Prohibition applies to all members of the board (unlike conflict of interest where the affected member abstains)

RESPONSIBILITY OF OFFICIAL

- Do not hire a relative as Executive Director



CIRCLES:

- Solid = by blood/consanguinity;
- Open = by marriage/affinity

COLOR:

- Yellow = 1st; Blue = 2nd; Red = 3rd

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OPEN GOVERNMENT

5. OPEN GOVERNMENT

OPEN MEETINGS ACT

- Applicability of the Act
- Notice Requirements
- How to Conduct Open Meetings
- When Closed Sessions are Permissible
- Conducting Meetings by Teleconference or Video Conference
- Penalties and Remedies under the Act

5. OPEN GOVERNMENT

OPEN MEETINGS

- All meetings of **governmental bodies** are open
 - Unless the law provides an exception (Executive Session)
 - Meetings may be regular, special, or called meetings
 - Open = Accessible to the Public
 - Within the boundaries of Hidalgo County
 - Accessible to individuals with disabilities
 - Provide for public comment
 - Internet broadcasting of meetings
- All meetings **require public notice**
 - Date, time, place, and subject posting
 - Note: Subject requires enough specificity to be actual notice to the public
 - 72 hours notice required
 - Emergency situations require 1 hour notice (notify media directly)
 - Notice provided on website and physically
- Records of meetings must be maintained
- **It is the Board Members' duty to comply with the Open Meetings Act and failure may be a criminal offense**

What if there is a failure to provide proper meeting notice or other violation of the Act?

- Actions taken are voidable (any such actions must be ratified at a subsequent meeting)
- Individuals may sue to prevent threatened actions in violation of the Act

HB 2840 (86R) requires extra time for public comment for a member of the public who addresses the Board with a translator

5. OPEN GOVERNMENT

PUBLIC MEETING

- Quorum (4 board members) + Discussion of HCRMA Business
 - Public Hearing
 - County Workshop
 - Emails / Text Messages
 - Walking Quorums
 - Multiple conversations
 - “Polling” Board Members
- Violation = action is voidable
 - In some circumstances, criminal fine and or jail time

NOT A PUBLIC MEETING

- Social Setting / Holiday Event / Dinner
- Convention / Symposium
- Ceremonial event
- Press Conference
- Committee Meetings of less than a quorum (and no final action)
- Candidates Forum or Debate

PROVIDED:

- No Discussion of RMA Business*
- No formal action is taken*

5. OPEN GOVERNMENT

WALKING QUORUMS

- Open Meetings Act makes it illegal for members of government body to “**knowingly conspire to circumvent [the Act] by meeting in numbers less than a quorum for purposes of secret deliberations in violation of [the Act].**”
- In 2018, Texas Court of Criminal Appeals found “more clarity is required of a criminal law when that law implicates First Amendment freedoms”, basically striking down this provision of the Act. (*The State of Texas v. Craig Doyal*)

SB 1640 (86R) addresses Doyle:

A Board Member commits an offence if he:

- (a) **Knowingly** engages in at least one communication among a series of communications that each occur outside of a meeting and that concern an issue within the jurisdiction of the Authority in which the Members engaging in the individual communications constitute fewer than a quorum of the Members, but the sum of all the Members engaging in the series of communications constitute a quorum of the Members, and
- (b) **Knew at the time** the Member engaged in the communication that the series of communications (i) **involved or would involve a quorum**; and (ii) **would constitute a “deliberation”** once a quorum of members engaged in the series of communications.

Effective September 1, 2019

5. OPEN GOVERNMENT

Exceptions to Open Meetings: Closed Session

Exceptions to the Open Meetings Requirement

- Consultation with attorney
 - Seek advice on legal matters, like pending litigation or settlement matters or contract negotiations, or in compliance with the Texas Disciplinary Rules of Professional Conduct
 - No discussion of non-legal issues
 - No discussion of policy matters
 - No discussion of merits of a contract
- Real Property
 - To deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party
- Security Devices
- Personnel
 - To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
 - To hear a complaint or charge against an officer or employee
- Security Devices or Audits (network security information)

← Who attends a Closed Meeting?

- All members of the RMA board are permitted
- Attorney, if attorney consultation is exception
- Board's discretion
 - Officers, employees/consultants if necessary to further discussion
 - NOT arm's length parties
- Do not begin until quorum is present

← Must give public notice of Exception

- Post on Agenda
- Identify in the Open Meeting the legal provision authorizing the Closed Session

← Must keep a Record

- Certified Agenda
 - Record of presiding officer announcing date and time at both beginning and end of Closed Meeting
 - Includes subjects of all deliberations
 - Certification that the agenda is a true correct record of the Closed meeting
 - Confidential document that must be retained for 2 years
- If closed for Attorney Client Privilege, attorney maintains meeting notes.

← FINAL ACTION must take place in an open meeting

5. OPEN GOVERNMENT

Responsibility of Official

- It is misdemeanor offense to:
 - Knowingly conspire to circumvent the Act by deliberately meeting with less than a quorum for the purpose of a secret meeting;
 - Participate in a closed session knowing there is no agenda of topics or record taken of the meeting;
 - Knowingly make public the results of a legally held closed meeting

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6. PUBLIC INFORMATION

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- Public Information
 - Information collected, assembled, maintained by or for the HCRMA (any format; any device)
 - Information on HCRMA business belongs to the HCRMA, regardless of whether it's on a personal device
 - Certain exceptions apply
 - Agency Memoranda
 - Drafts
 - Attorney Client Communication
 - Third Party Proprietary Information
 - Security / Technology / Network Information

The PIA does not distinguish between personal or government issued devices, rather, focuses on the nature of the communication or document.

6. PUBLIC INFORMATION

- Temporary Custodian (SB 944 (86R))
 - Any employee who, in the transaction of official business, creates or receives public information
 - Public information maintained on a personal device must be forwarded to the HCRMA's server for preservation

- Director's Responsibility

- Complete Open Records Training
- Avoid using personal devices and email accounts when conducting HCRMA business
- Forward communications received on a personal account to HCRMA server
- Assume any communication regarding the HCRMA is public
- Notify HCRMA staff immediately of requests for public information
- Do not delete or destroy records
 - Pending PIA request
 - Litigation hold

Public Information Act Inquiries and Requests should be directed to the HCRMA Public Information Act Officer or General Counsel

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7. COMPLIANCE PROGRAM

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INTERNAL ETHICS & COMPLIANCE PROGRAM

RMAs required to **adopt** and **enforce** an internal ethics and compliance program

- Detect and prevent violations of the law, regulations and ethical standards
- Enforce compliance with program
- Institute monitoring and auditing systems
- Provide periodic training for Board Members and Employees

7. COMPLIANCE PROGRAM

Compliance Program Elements:

- Record retention
- Fraud
- Equal Opportunity
- Employment
- Sexual Harassment and Sexual Misconduct
- Personal use of HCRMA property
- Gifts and Honoraria

A suspected violation of HCRMA policies, a violation of law, or a breach of fiduciary duty must be immediately reported to the Executive Director or Chairman

Anonymous website reporting:

Fraud Reporting

The HCRMA has a responsibility to Hidalgo County and the public to maintain the highest ethical standard when conducting business. To that end, we have adopted a formal fraud reporting program which enables employees, vendors, and citizens to anonymously report any suspected fraudulent, unethical or illegal activity. Click here to make an anonymous report: reportfraud@hcrma.net.

7. Compliance Program

HCRMA Annual Certifications to TxDOT

- Ethics and Compliance Program adopted
- Program is designed to detect and prevent violations of law, regulations, and ethic standards
- HCRMA enforces compliance
- Program satisfies these requirements:
 - Written manual and employee code of conduct
 - Record retention, fraud, equal opportunity employment, sexual harassment and sexual misconduct, conflicts of interest, person use of HCRMA property, and gifts and honoraria.
 - High-level personnel are responsible for oversight
 - Compliance standards are communicated to employees and board
 - Compliance standards are communicated to HCRMA's agents
 - Compliance standards are achieved through
 - Monitoring and auditing systems
 - Providing and publicizing a mechanism for reporting without fear of retaliation
 - Consistent enforcement through appropriate disciplinary mechanisms
 - Reasonable measures to respond to offenses and prevent future offenses

7. COMPLIANCE PROGRAM

Training Evidence:

- Open Meetings Training Certificates
- Public Information Act Training Certificates
- HCRMA Compliance Certificates
- Public Investment Act Training Certificates
- Staff Project / Billing Training Evidence

Reports:

- Strategic Plan
- Annual Report
- Financial Reports/Audit
- Investment Reports
- Project Reports
- Toll Entity Financial Report
- Notice of Debt
- Compliance Report
- Disclosure / Gift / Interests
- Post-Issue Compliance Records
- Comptroller Tax / Fee / Debt Report
- Board: Annual Personal Financial Statement

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ETHICS AND COMPLIANCE HANDBOOK

ELECTRONIC ETHICS & COMPLIANCE HANDBOOK

Section A. Law Governing Regional Mobility Authorities	
1.	Chapter 370, Texas Transportation Code
2.	Title 43, Chapter 26, Texas Administrative Code
Section B. Conflict of Interest	
1.	TML's Conflict of Interest/Disclosure Laws
2.	See Title 43, Chapter 26, Rule 26.51 (Section A-2)
Section C. Open Government	
1.	Texas Attorney General Handbook – Open Meetings
2.	Texas Attorney General Handbook – Public Information Act
Section D. Ethics for Officials	
	Texas Ethics Commission Handbook
Section E. HCRMA Operations	
1.	Bylaws
2.	Current Strategic Plan
3.	Current Budget
4.	2018 Audit
5.	TxDOT Audit Results
6.	Travel and Reimbursement Policy
7.	Ethics and Compliance Manual
8.	Ethics and Compliance Training Presentation (2019)
9.	Board Certificate (2019)

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY
BOARD OF DIRECTORS
2019 CERTIFICATE

Chapter 370, Texas Transportation Code and Title 43, Rule 26.51 of the Texas Administrative Code establish certain requirements for Hidalgo County Regional Mobility Authority Board Members. Accordingly, I, the undersigned, hereby certify as follows:

1. At the time of my appointment, I did not own an interest in any real property that was known to be necessary for any project included in the Hidalgo County Loop System and subject to potential acquisition by the Authority.
2. Neither my spouse nor I:
 - (a) is employed by or participates in the management of a business entity or other organization, other than a political subdivision, that is regulated by or receives funds from the Texas Department of Transportation ("TxDOT"), the Hidalgo County Regional Mobility Authority (the "Authority"), or Hidalgo County;
 - (b) directly or indirectly owns or controls more than a 10% interest in a business or other organization that is regulated by or receives funds from TxDOT, the Authority, or Hidalgo County;
 - (c) uses or receives a substantial amount of tangible goods, services, or funds from TxDOT, the Authority, or Hidalgo County; or
 - (d) is required to register as a lobbyist under Government Code, Chapter 305, because of any activities for compensation on behalf of a profession related to the operation of TxDOT, the Authority, or Hidalgo County.
3. I am not an officer, employee, or paid consultant of a Texas trade association in the field of road construction or maintenance, public transportation, rail, or aviation, and my spouse is not an officer, manager, or paid consultant of a Texas trade association in the field of road construction or maintenance, public transportation, rail, or aviation.
4. I have not received funds from TxDOT, the Authority, or Hidalgo County for acquisition of highway right-of-way, except as disclosed in writing to the Authority.
5. While serving as a Board Member of the Authority, I agree that I will not:
 - (a) accept or solicit any gift, favor, or service that might reasonably tend to influence me in the discharge of official duties or that I know or should know is being offered with the intent to influence my official conduct;
 - (b) accept employment or engage in a business or professional activity that I might reasonably expect would require or induce me to disclose confidential information acquired by reason of my official position;
 - (c) accept employment or compensation that could reasonably be expected to impair my independence of judgment in the performance of my official duties;

- (d) make personal investments, including any investments of my spouse, that could reasonably be expected to create a conflict between my private interest and the interest of the Authority or that could impair my ability to make independent decisions;
- (e) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised my official powers or performed my official duties in favor of another; or
- (f) have a personal interest in an agreement executed by the Authority.

6. If I should ever have a substantial interest (either own 10% of, or receive 10% of my income from) in a business interest or in real property coming before the Authority, I will file an affidavit with the Authority stating the nature and extent of the interest; and, I shall abstain from further participation in the matter if (a) the matter will have special economic on my business entity, distinguishable from the effect on the public; or, (b) it is reasonable to foresee that an action on the matter will have special economic effect on the value of the real property, distinguishable from its effect on the public.

7. I am qualified to serve as Board Member of the Authority, to wit:

- (a) I am a resident of Texas and Hidalgo County.
- (b) I am not an elected official, TxDOT employee, or employee of any governmental entity located in Hidalgo County.

8. For each year that I serve as a Board Member of the Authority, I agree to file a personal financial statement required of state officers under Subchapter B, Chapter 572, Government Code, with the Texas Ethics Commission.

9. I received the 2019 Hidalgo County Regional Mobility Authority Board of Directors Ethics and Compliance manual. I acknowledge that a complete copy of the Authority's Ethics & Compliance Handbook is available from the Authority's website and that a hard copy will be provided to me upon request.

Signature

Name: _____

Date: _____

Item 1A

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

AGENDA RECOMMENDATION FORM

BOARD OF DIRECTORS
PLANNING COMMITTEE
FINANCE COMMITTEE

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

1A
09/12/2019
09/24/2019

TECHNICAL COMMITTEE

1. Agenda Item: **REPORT ON PROGRAM MANAGER ACTIVITY FOR 365 TOLLWAY PROJECT AND IBTC ENVIRONMENTAL CLEARANCE DOCUMENT**
2. Nature of Request: (Brief Overview) Attachments: Yes No
Report on 365 Tollway and IBTC Projects
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: Report only.
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



HCRMA
HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

BOARD OF DIRECTORS MEETING FOR SEP 2019

HCRMA Board of Directors

S. David Deanda, Jr., Chairman
Forrest Runnels, Vice-Chairman
Ricardo Perez, Secretary/Treasurer
Francisco “Frank” Pardo, Director
Paul S. Moxley, Director
Alonzo Cantu, Director
Ezequiel Reyna, Jr., Director

HCRMA Staff

Pilar Rodriguez, PE, Executive Director
Eric Davila, PE, CFM, PMP, CCM, Chief Dev. Eng.
Ramon Navarro IV, PE, CFM, Chief Constr. Eng.
Celia Gaona, CIA, Chief Auditor/Compliance Ofcr.
Jose Castillo, Chief Financial Ofcr.
Sergio Mandujano, Constr. Records Keeper
Maria Alaniz, Admin. Assistant

General Engineering Consultant

HDR ENGINEERING, INC.

Report on HCRMA Program Management Activity
Chief Development Engineer – Eric Davila, PE, CFM, PMP, CCM

► OVERVIEW

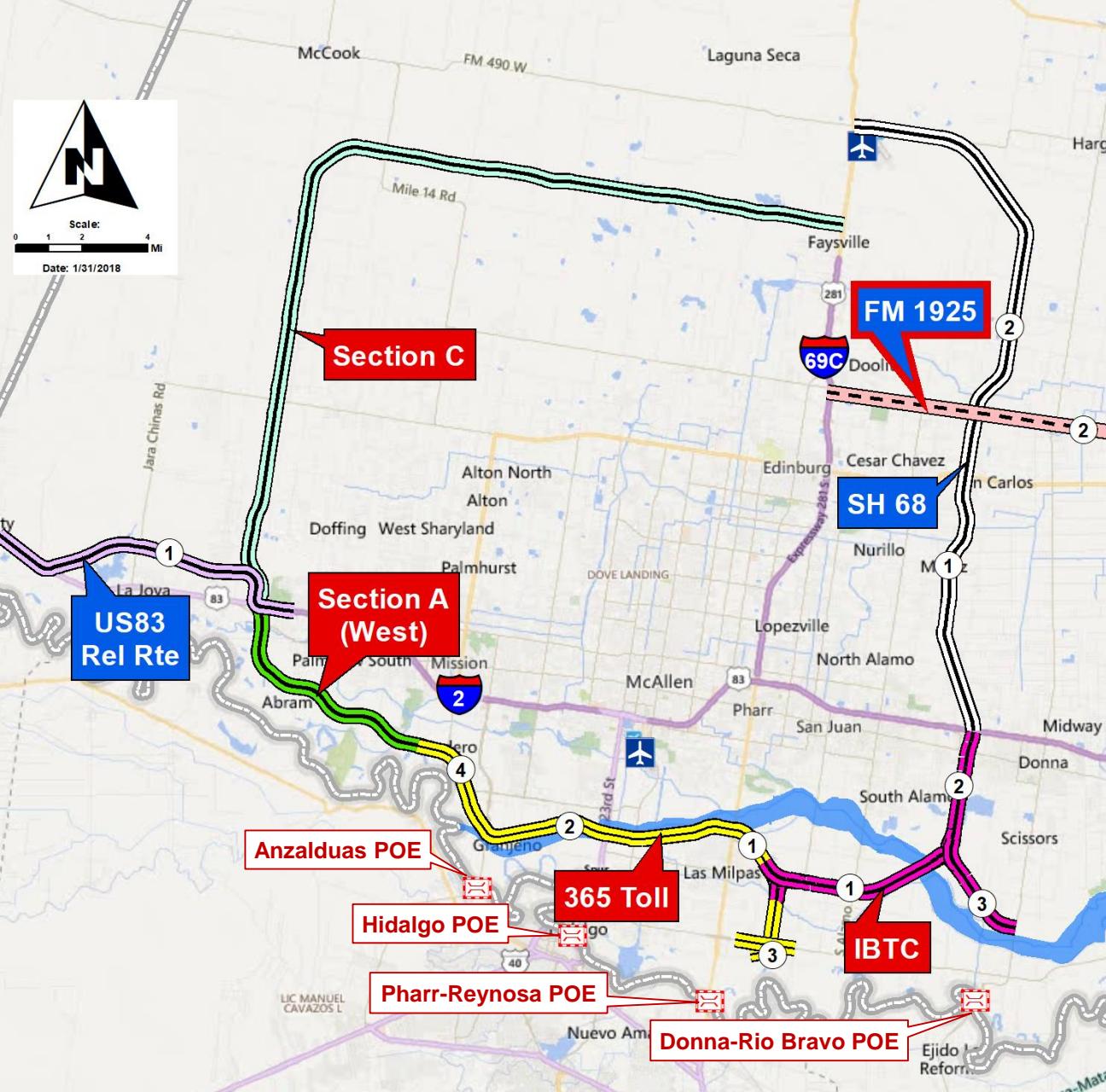
- 365 TOLL Project Overview
- IBTC Project Overview
- Overweight Permit Summary
- Construction Economics Update

MISSION STATEMENT:

“To provide our customers with a rapid and reliable alternative for the safe and efficient movement of people, goods and services”

HCRMA STRATEGIC PLAN

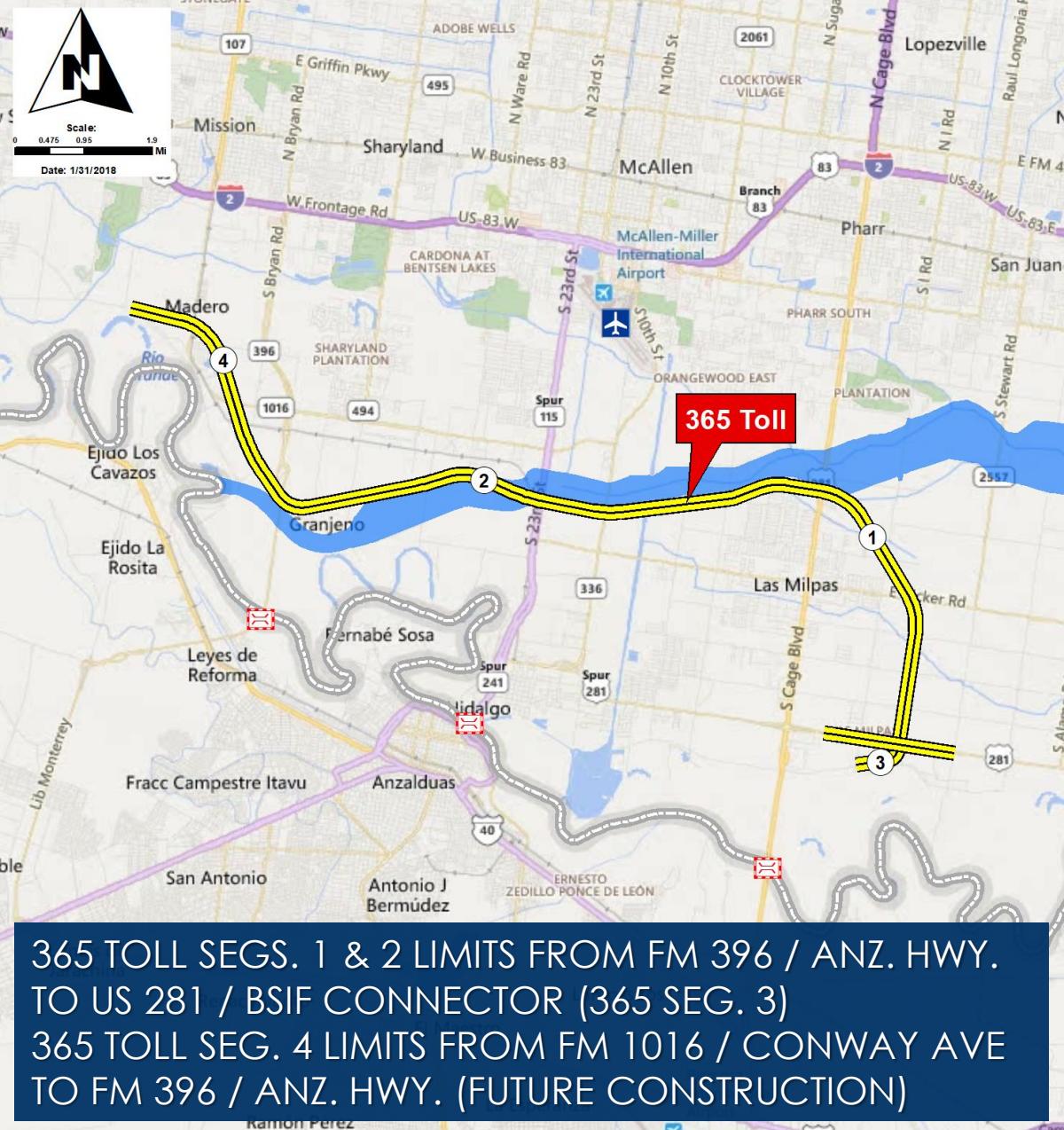
DEVELOP THE
INFRASTRUCTURE TO
SERVE A POPULATION
OF APPROXIMATELY
800,000 RESIDENTS
AND
5 INTERNATIONAL
PORTS OF ENTRY



► 2020 UTP DEBRIEF

- What's in the TxDOT Plan (Statewide Plan)
 - 365 Toll Project (2020 UTP plus PDA / FAA)
 - IBTC (not in 2020 UTP and has outdated PDA, HCRMA has requested new PDA since 2018. Funding commitments needed to draft FAA).
- What's in the RGVMPO (Local Plan)
 - 365 Toll Project (TIP / MTP) thru construction
 - IBTC Project (TIP / MTP) thru design (pending funding commitments to list thru construction)
- Moving Forward:
 - Means aligning both plans together in the 2021 UTP
 - Negotiate PDA's for 365 Toll and IBTC
 - Secure financial commitments

PDA – Project Development Agreement
FAA – Financial Assistance Agreement
TIP – Transportation Improvement Plan (Short range)
MTP – Metropolitan Transportation Plan (Long Range)



MAJOR MILESTONES:

NEPA CLEARANCE
07/03/2015

98% ROW AS OF
09/30/2018

PH 1: 365 SEG. 3 –
LET: 08/2015
STARTED: 02/2016

**PH 2: 365 TOLL
SEGS. 1 & 2 –**
RE-LET: 08/2019
START: TBD



► ONGOING COORDINATION WITH CBP

- ❑ CBP initiated coordination / right of entry with HCRMA in 2018. By mid-2019 it became apparent the CBP Levee / Border Wall could impact this corridor.
- ❑ HCRMA in collaboration with local representatives from Senator Cornyn's Office and CBP met to discuss this potential conflict. Outcomes from the meeting include:
 - CBP committing to HCRMA that they would follow-up with once they've selected the Levee/ Border Wall Design Build (DB) contractor / designer end of July 2019.
 - HCRMA stated that their goal is to work toward design / construction solutions that can assure a coordinated effort that would allow both projects to proceed in the most efficient fashion possible.
- ❑ On August 27, 2019 received assurances from RGV Wall Project Delivery Team that the, "HCRMA can definitely move forward with plans without disruption to the project."

► PROPOSED BID PLAN FOR 2019

- Base Bid from FM 396 / Anzalduas Hwy to US 281 / Cage Blvd for the 4-lane (2+2) configuration;
- Bid Alternate #1 from US 281 / Cage Blvd to US 281 / Mil Hwy for a 2-lane (1+1) connector road;
- Bid Alternate #2 from US 281 / Cage Blvd to US 281 / Mil Hwy for a 4-lane (2+2) configuration; and
- Utilizes TxDOT Specification Item 2L Instructions to Bidders to signal the use of additive alternates.

► SCHEDULE (TENTATIVE):

- 11/2019 – 12/2019**, Procure and then Award Engineering Services for the re-sscoped 365 Tollway Plans, Specifications, & Estimates
- 05/2020**, Submit 100% 365 Toll rebid project plans / specs / estimate / bid proposal
- 06/2020**, Obtain permission to let the project
- 06/2020 - 07/2020**, Advertise the 365 Toll (60 days) & Hold prebid last week in July
- 08/2020**, 2nd week Open Bids & by 4th week conditionally award contract to responsive and responsible low bidder
- 10/2020**, TxDOT / FHWA concurrence with award of contract / HCRMA provides NTP to contractor
- 01/2025**, Open to traffic

► **ENV.:**

- Final USIBWC No Objection Letter acquired.

► **SURVEYS:**

- SUE complete, "gap" parcels ongoing for public Row that needs to eventually get incorporated into HCRMA ROW Map.

► **ROW ACQUISITION:**

- 22 parcels remaining (20 final resolution with irrigation districts), representing 5% of the remaining area.

► **UTILITY RELO.:**

- Ongoing

► **DRAINAGE OUTFALLS:**

- HCDD1 has finalized schematics on Outfalls 1 - 8 as well as PS&E for Outfalls 1*, 2, 3, 4. PS&E for Outfalls 1 Extension, 3a (Ware Rd Addition), and Outfalls 5 - 8 are pending release by HCRMA.

► **DESIGN (PS&E):**

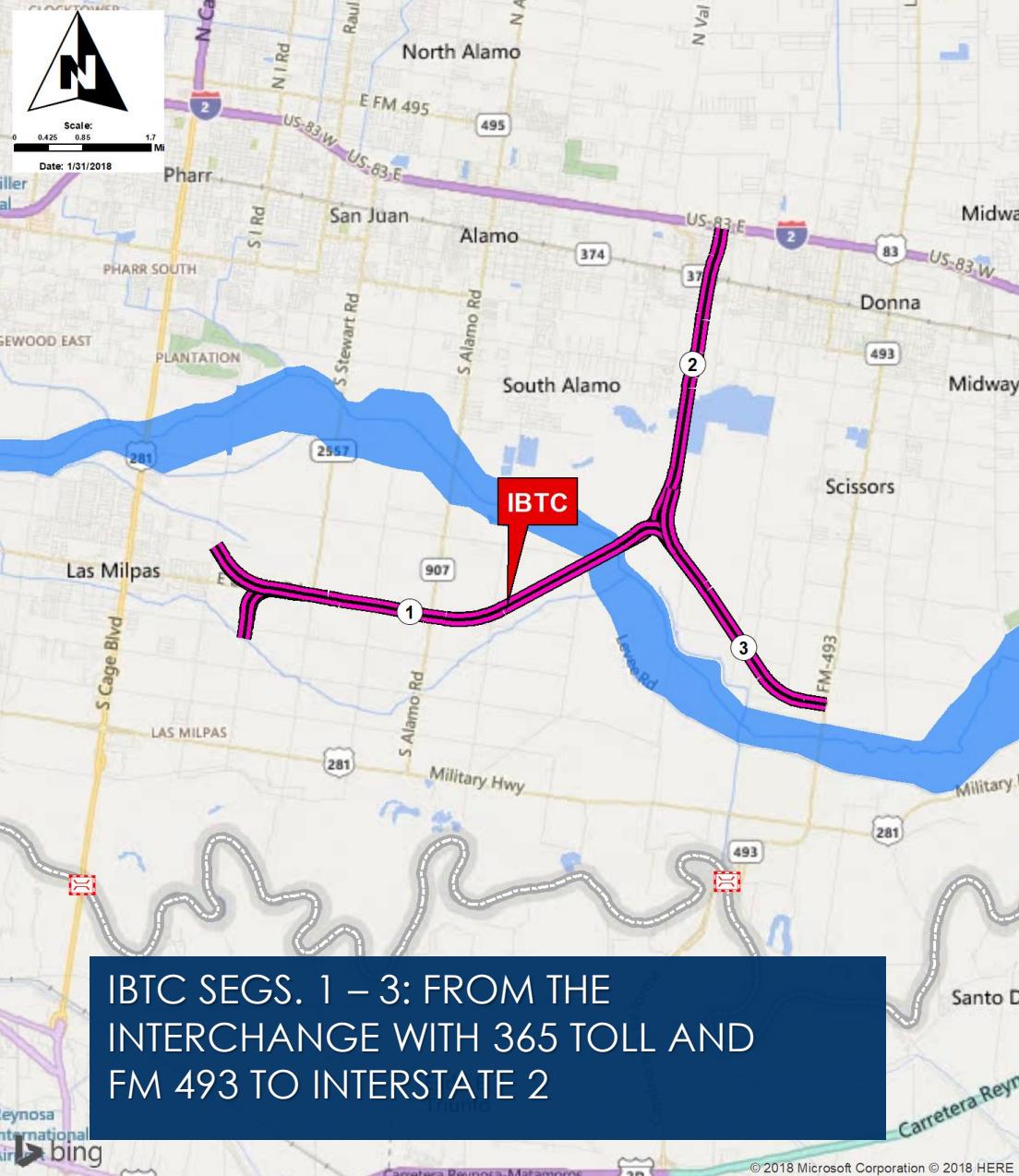
- Notice of a re-scope and rebid submitted to TxDOT 01/07/2019.

► **POST-NEPA ACTIVITY:**

- USIBWC Coordination during Construction
- USACE 404 Site Grading Improvements

► **GEC ACTIVITY (HDR ENGINEERING, INC.):**

- Conducted due diligence on construction costs and operational modeling.
- GEC Report completed, but will require update for the rescope.



IBTC SEGS. 1 – 3: FROM THE
INTERCHANGE WITH 365 TOLL AND
FM 493 TO INTERSTATE 2

IBTC

MAJOR MILESTONES:

OBTAINED EA ENV
CLASSIF.: 11/2017

EST. NEPA
CLEARANCE: 03/2020

EST. LETTING: 01/2021

EST. OPEN: 06/2024

International Bridge Trade Corridor (IBTC) (CSJ: 0921-02-142)

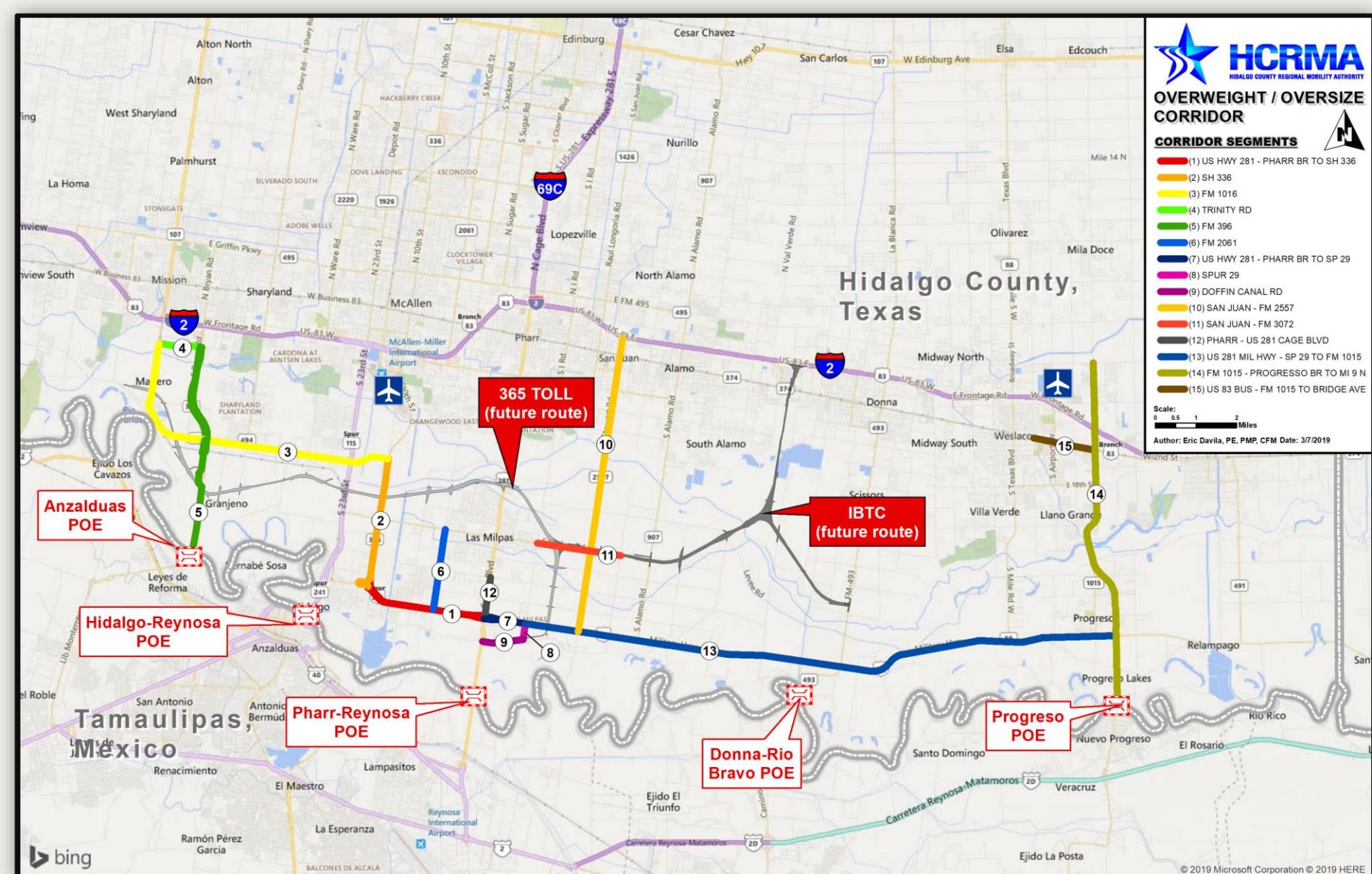
(From the Interchange with 365 Toll and FM 493 to Interstate 2)

► ADVANCE PLANNING

- Env.: Classification Letter and Scoping Toolkit Submitted Aug 2017
- Held IBTC Environmental Kick off with TxDOT PHR / ENV April 6, 2018.
- VRF UTP Matching Funds request processed at the HCMPO—pending adoption by TxDOT at State Level.
- All env. fieldwork complete: Waters of the US and Archeological trenching—Internal ROE efforts were instrumental to accelerating this work.
- Meeting held with EPA/TCEQ/TxDOT to discuss Donna Reservoir site for the Hazmat portion of the NEPA Document Oct 2018.
- Public Meeting took place at Donna High School March 29, 2019.
- All major milestone reports submitted and undergoing reviews: Project Description, Hazmat, Historic Resources, Public Meeting Summary Report, Waters of the US, and Archaeological Resources.
- Mitigation plans, as warranted, will be drawn up at completion of the milestone reports.

► OTHER:

- Surveys (65% complete) – anticipate new survey pool procurement once TxDOT approves new federalized procurement procedures by end of Fall 2019.
- ROW Acquisition (5% complete)
- Utility Relo. (SUE 100%, coordination initiated, Overall 20%)
- Design (PS&E, 50% complete): On Hold



► **OVERWEIGHT PERMITS HISTORY**
JAN 1, 2014 – AUG 31, 2019

OW

Total Permits Issued:	138,969
Total Amount Collected:	\$ 19,094,124
■ Convenience Fees:	\$ 464,124
■ Total Permit Fees:	\$ 18,630,000
– Pro Miles:	\$ 416,907
– TxDOT:	\$ 15,835,500
– HCRMA:	\$ 2,377,593

► OVERWEIGHT PERMITS MONTHLY SUMMARY OW

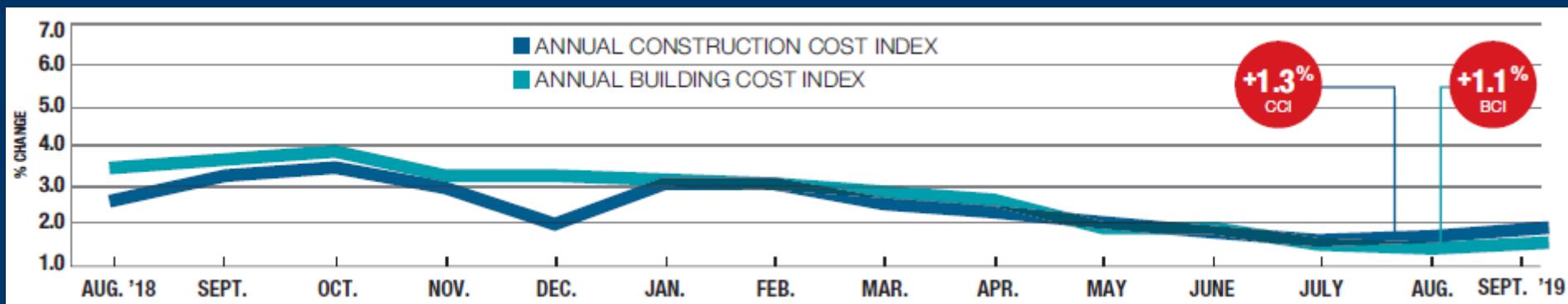
JAN 1, 2019 – AUG 31, 2019

Total Permits Issued:	24,120
Total Amount Collected:	\$ 4,938,876
■ Convenience Fees:	\$ 114,876
■ Total Permit Fees:	\$ 4,824,000
– Pro Miles:	\$ 72,360
– TxDOT:	\$ 4,100,400
– HCRMA:	\$ 651,240

► CONSTR. ECONOMICS SEPTEMBER 2019

CE

Construction Cost Index (CCI) Change (%) Year-to-Year for the month of September

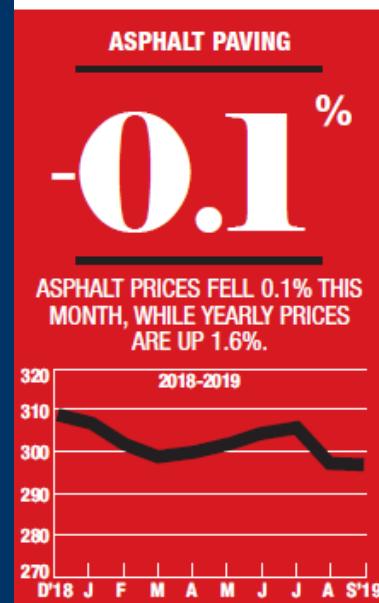


► CONSTR. ECONOMICS SEPTEMBER 2019

- The 20-city average price for liquid asphalt has changed as follows:
 - Monthly price decreased 0.1%.
 - Yearly price increased 1.6% since 2018.

20-CITY AVERAGE

ITEM	UNIT	\$PRICE	%MONTH	%YEAR
ASPHALT PAVING				
PG 58	TON	424.15	-0.1	+1.6
Cutback, MC800	TON	392.43	-0.1	+0.8
Emulsion, RAPID SET	TON	360.08	-0.1	-0.1
Emulsion, SLOW SET	TON	370.47	-0.1	-0.2
PORTLAND CEMENT				
Type one	TON	140.55	+0.4	+22.3



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Item 2A

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

AGENDA RECOMMENDATION FORM

BOARD OF DIRECTORS	<u>X</u>	AGENDA ITEM	<u>2A</u>
PLANNING COMMITTEE	<u> </u>	DATE SUBMITTED	<u>09/16/19</u>
FINANCE COMMITTEE	<u> </u>	MEETING DATE	<u>09/24/19</u>
TECHNICAL COMMITTEE	<u> </u>		

1. Agenda Item: APPROVAL OF MINUTES FOR REGULAR MEETING HELD AUGUST 27, 2019.
2. Nature of Request: (Brief Overview) Attachments: X Yes No
Consideration and Approval of Minutes for the Hidalgo County Regional Mobility Authority Board of Directors Regular Meeting held August 27, 2019.
3. Policy Implication: Board Policy, Local Government Code, Texas Government Code, Texas Transportation Code, TxDOT Policy
4. Budgeted: Yes No X N/A
5. Staff Recommendation: Motion to approve the minutes for the Board of Director's Regular Meeting held August 27, 2019, as presented.
6. Planning Committee's Recommendation: Approved Disapproved X None
7. Finance Committee's Recommendation: Approved Disapproved X None
8. Board Attorney's Recommendation: X Approved Disapproved None
9. Chief Auditor's Recommendation: Approved Disapproved X None
10. Chief Financial Officer's Recommendation: Approved Disapproved X None
11. Chief Development Engineer's Recommendation: Approved Disapproved X None
12. Chief Construction Engineer's Recommendation: Approved Disapproved X None
13. Executive Director's Recommendation: X Approved Disapproved None

**STATE OF TEXAS
COUNTY OF HIDALGO
HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY**

The Hidalgo County Regional Mobility Authority Board of Directors convened for a Workshop and Regular Meeting on **Tuesday, August 27, 2019**, at 5:30 pm at the Pharr City Hall, 2nd Floor City Commission Chambers, 118 S. Cage Blvd, Pharr, Texas, with the following present:

Board Members:	S. David Deanda, Jr., Chairman Ricardo Perez, Secretary/Treasurer Alonzo Cantu, Director Paul S. Moxley Director Francisco "Frank" Pardo, Director
Absent:	Forrest Runnels, Vice-Chairman Ezequiel Reyna, Jr., Director
Staff:	Pilar Rodriguez, Executive Director Eric Davila, Chief Development Engineer Celia Gaona, Chief Auditor/Compliance Officer Jose Castillo, Chief Financial Officer Maria Alaniz, Administrative Assistant II Luis Cardenas, Escobedo & Cardenas, LLP, Legal Counsel

PLEDGE OF ALLEGIANCE

Chairman Deanda led the Pledge of Allegiance.

INVOCATION

Ms. Gaona led the Invocation.

~~CALL TO ORDER FOR WORKSHOP~~

1. ~~Hidalgo County Regional Mobility Authority Board of Directors Annual Ethics and Compliance Training.~~
Board did not convene a workshop.

~~ADJOURNMENT OF WORKSHOP~~

CALL TO ORDER FOR REGULAR MEETING AND ESTABLISH A QUORUM

Chairman Deanda called the Regular Meeting to order at 5:30 pm.

1. REPORTS

- A. Report on Program Manager Activity for 365 Tollway Project and IBTC Environmental Clearance Document – Eric Davila, HCRMA.
Mr. Eric Davila reported on Program Manager Activity for 365 Tollway Project and IBTC Environmental Clearance Document. No action taken.

2. CONSENT AGENDA.

Motion by Paul Moxley, with a second by Rick Perez, to approve the Consent Agenda. Motion carried unanimously.

- A. Approval of Minutes for the Regular Meeting held July 23, 2019.
Approved the Minutes for the Regular Meeting held July 23, 2019.
- B. Approval of Project & General Expense Report for the period from July 6, 2019 to August 9, 2019.
Approved the Project & General Expense Report for the period from July 6, 2019 to August 9, 2019.
- C. Approval of Financial Reports for July 2019.
Approved the Financial Reports for July 2019.
- D. Resolution 2019-31 – Approval of Work Authorization 4 with Quintanilla, Headley and Associates, Inc. for control and construction staking for the DCP utility adjustment in the 365 Tollway Project.
Approved Resolution 2019-31 – Approval of Work Authorization 4 with Quintanilla, Headley and Associates, Inc. for control and construction staking for the DCP utility adjustment in the 365 Tollway Project in the amount of \$4,020.00.
- E. Resolution 2019- 32 - Approval of Contract Amendment 6 to the Professional Service Agreement with Quintanilla, Headley and Associates, Inc. to increase the maximum payable amount for Work Authorization Number 4.
Approved Resolution 2019-32 – Approval of Contract Amendment 6 to the Professional Service Agreement with Quintanilla, Headley and Associates, Inc. to increase the maximum payable amount by \$4,020.00 for Work Authorization Number 4 for a revised maximum payable amount of \$972,885.00.

3. REGULAR AGENDA

- A. Resolution 2019-30 – Approval of Consultant Agreement with Pathfinders Public Affairs to provide external, legislative, governmental, and outreach services to the Hidalgo County Regional Mobility Authority.
Motion by Alonzo Cantu, with a second by Rick Perez, to approve Resolution 2019-30 – Approval of Consultant Agreement with Pathfinders Public Affairs to provide external, legislative, governmental, and outreach services to the Hidalgo County Regional Mobility Authority. Motion carried unanimously.

4. CHAIRMAN'S REPORT

- A. None.

5. TABLED ITEMS

- A. None.

6. 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)

- A. Consultation with Attorney on legal issues pertaining to the Texas Department of Transportation State Infrastructure Bank Loan for the 365 Tollway Project (Section 551.071 T.G.C.).
No action taken.

- B. Consultation with Attorney on legal issues pertaining to Professional Service Agreements for Engineering, Surveying and Environmental Services (Section 551.071 T.G.C.).
No action taken.
- C. Consultation with Attorney on legal issues pertaining to the acquisition of real property for various parcels for the 365 Tollway Project and International Bridge Trade Corridor Project (Sections 551.071 and 551.072 T.G.C.).
No action taken.
- D. Consultation with Attorney on legal issues pertaining to the acquisition, including the use of Eminent Domain, for property required to complete the project alignments of the 365 Tollway Project (Sections 551.071 and 551.072 T.G.C.).
No action taken.
- E. Consultation with Attorney on legal issues pertaining to the Environmental Clearance Document for the International Bridge Trade Corridor Project (Section 551.071 T.G.C.).
No action taken.
- F. Consultation with Attorney on legal issues pertaining to the issuance of one or more Series of Hidalgo County Regional Mobility Authority bonds and related agreements and provisions relating to the subject (Section 551.071 T.G.C.).
No action taken.
- G. Consultation with Attorney on legal issues pertaining to the Toll System Installation, Integration and Maintenance Contract for the 365 Tollway Project (Section 551.071 T.G.C.).
No action taken.
- H. Consultation with Attorney on legal issues pertaining to the construction contract with Johnson Bros. Corporation for construction of the 365 Tollway Project from US 281/Military Highway to FM 396 (Anzalduas Highway) (Section 551.071 T.G.C.).
No action taken.

PUBLIC COMMENT

No Comments.

ADJOURNMENT

There being no other business to come before the Board of Directors, motion by Alonzo Cantu, with a second by Rick Perez, to adjourn the meeting at 5:36 pm.

S. David Deanda, Jr, Chairman

Attest:

Ricardo Perez, Secretary/Treasurer

Item 2B

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

AGENDA RECOMMENDATION FORM

BOARD OF DIRECTORS	<u>X</u>	AGENDA ITEM	<u>2B</u>
PLANNING COMMITTEE	<u> </u>	DATE SUBMITTED	<u>09/17/19</u>
FINANCE COMMITTEE	<u> </u>	MEETING DATE	<u>09/24/19</u>
TECHNICAL COMMITTEE	<u> </u>		

1. Agenda Item: **APPROVAL OF PROJECT AND GENERAL EXPENSE REPORT FROM AUGUST 10, 2019 THROUGH SEPTEMBER 6, 2019**
2. Nature of Request: (Brief Overview) Attachments: X Yes No
Consideration and approval of project and general expense report for the period from August 10, 2019 through September 6, 2019
3. Policy Implication: Board Policy, Local Government Code, Texas Government Code, Texas Transportation Code, TxDOT Policy
4. Budgeted: X Yes No N/A Funding Source: VRF Bond

General Account	\$132,838.95
Disbursement Account	\$23,355.10
R.O.W Services	\$25,941.86
Total Project Expenses for Reporting Period	\$182,135.91

Fund Balance after Expenses \$ 2,753,530.50

5. Staff Recommendation: **Motion to approve the project and general expense report for the August 10, 2019 to September 6, 2019 as presented.**
6. Planning Committee's Recommendation: Approved Disapproved X None
7. Finance Committee's Recommendation: Approved Disapproved X None
8. Board Attorney's Recommendation: Approved Disapproved X None
9. Chief Auditor's Recommendation: Approved Disapproved X None
10. Chief Financial Officer's Recommendation: X Approved Disapproved None
11. Chief Development Engineer's Recommendation: X Approved Disapproved None
12. Chief Construction Engineer's Recommendation: X Approved Disapproved None
13. Executive Director's Recommendation: X Approved Disapproved None



Memorandum

To: S. David Deanda Jr., Chairman
From: Pilar Rodriguez, PE, Executive Director
Date: September 17, 2019
Re: **Expense Report for the Period from August 10, 2019 to September 6, 2019**

Attached is the expense report for the period commencing on August 10, 2019 and ending on September 6, 2019.

Expenses for the General Account total \$132,838.95, the Disbursement Account total \$23,355.10, and ROW Services total \$25,941.86. The aggregate expense for the reporting period is \$182,135.91.

Based on review by this office, **approval of expenses for the reporting period is recommended in the aggregate amount of \$182,135.91.**

This leaves a fund balance (all funds) after expenses of \$2,753,530.50.

If you should have any questions or require additional information, please advise.



Aug 10 - Sept 6
September 2019

	Make Check Payable to	Date Work Performed	Amount
Plains Capital 41			
Wages & Benefits	City of Pharr	August 2019 \$	105,982.29
	Office Depot	8/23/2019 \$	54.93
	A-Fast Delivery, LLC	8/14/2019 \$	109.00
Telephone	Verizon Wireless	August 2019 \$	152.02
	Pathfinder Public Affairs	August 2019 \$	10,000.00
	Escobedo & Cardenas, LLP	August 2019 \$	15.00
Accounting Fees	City of Pharr	August 2019 \$	205.00
Rent	City of Pharr	Semptember 2019 \$	4,480.00
	City of Pharr	August 2019 \$	5,901.80
	City of Pharr	9/1/2019-9/31/2019 \$	655.00
	Xerox-Dahill	9/8/2019-10/07/2019 \$	683.21
Professional Services	Pena Designs	August 2019 \$	200.00
	Credit Card Services	08/4/19-09/03/19 \$	672.16
	Credit Card Services	08/4/19-09/03/19 \$	3,259.54
	CDW Government	9/14/2019 \$	222.00
	Advance Publishing LLC	8/14/2019-8/21/2019 \$	195.00
	A Better Water Solution -Get Filtered	9/1/2019 \$	52.00
			\$ 132,838.95
Wilmington Trust 45/Capital Projects			
Engineering Services	Blanton & Associates, Inc.	8/1/2019-08/31/2019 \$	17,551.90
	Halff Associates	Thru 4/15/2018 \$	500.00
	L&G Engineering Laboratory	Thru 4/13/2018 \$	1,833.20
	San Miguel Lawn Care Services	Thru August 2019 \$	1,595.00
	San Miguel Lawn Care Services	Thru August 2019 \$	1,875.00
			\$ 23,355.10
R.O.W. Services	Requisitions		
	Donna Irrigation District Hidalgo County No. 1	IBTC \$	477.19
	Barron, Adler, Clough & Oddo, LLP	Thru September 31, 2019 \$	22,098.05
			\$ 22,575.24
SIB Construction Account 45			
Legal Fees	Escobedo & Cardenas, LLP	August 2019 \$	166.62
	Sendero	Thru August 2019 \$	3,200.00
			\$ 3,366.62
Sub Total - General	\$	132,838.95	
Sub Total - Projects	\$	23,355.10	
Sub Total - SIB Acquisition 45	\$	3,366.62	
Sub Total - SIB R.O.W.	\$	22,575.24	
Total	\$	182,135.91	

Approved: _____
S. David Deanda, Jr., Chairman

Recommend Approval: _____
Pilar Rodriguez, Executive Director

Approved: _____
Ricardo Perez, Secretary/Treasurer

Date: _____ **9/24/2019**

Item 2C

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

AGENDA RECOMMENDATION FORM

BOARD OF DIRECTORS
PLANNING COMMITTEE
FINANCE COMMITTEE
TECHNICAL COMMITTEE

X

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

2C
09/17/19
09/24/19

1. Agenda Item: **APPROVAL OF THE FINANCIAL REPORT FOR THE MONTHS OF AUGUST 2019.**
2. Nature of Request: (Brief Overview) Attachments: X Yes No
Consideration and approval of financial report for the months of August 2019.
3. Policy Implication: Board Policy, Local Government Code, Texas Government Code, Texas Transportation Code, TxDOT Policy
4. Budgeted: Yes No X N/A
Funding Source:
5. Staff Recommendation: **Motion to approve the Financial Report for the month of August 2019, as presented.**
6. Planning Committee's Recommendation: Approved Disapproved X None
7. Finance Committee's Recommendation: Approved Disapproved X None
8. Board Attorney's Recommendation: Approved Disapproved X None
9. Chief Auditor's Recommendation: Approved Disapproved X None
10. Chief Financial Officer's Recommendation: X Approved Disapproved None
11. Chief Development Engineer's Recommendation: Approved Disapproved X None
12. Chief Construction Engineer's Recommendation: Approved Disapproved X None
13. Executive Director's Recommendation: X Approved Disapproved None

**HIDALGO CO. REGIONAL MOBILITY AUTHORITY
STATEMENT OF NET POSITION AUGUST 30, 2019**

ASSETS

CURRENT ASSETS

Cash	\$ 125,645
Investment-Cap. Projects nonrestricted	16,080
Pool Investments	2,571,458
Promiles-Prepaid/Escrow Overweight Permit Fees	19,750
Accounts Receivable - VR Fees	<u>525,030</u>

Total Current Assets

3,257,963

RESTRICTED ASSETS

Investment-debt service	1,618,164
Investment-debt service jr. lien	<u>4,360,881</u>

Total Restricted Assets

5,979,045

CAPITAL ASSETS

Land-environmental	441,105
Computer equip/software	8,607
Construction in progress	<u>127,419,014</u>

Total Capital Assets

127,868,726

TOTAL ASSETS

\$ 137,105,734

LIABILITIES AND NET POSITION

CURRENT LIABILITIES

Accounts payable-City of Pharr	\$ 111,884
Unearned Revenue - Overweight Permit Escrow	19,750
Current Portion of Bond Premium	<u>76,452</u>

Total Current Liabilities

208,086

RESTRICTED LIABILITIES

Current Portion of Long-Term Debt	<u>1,220,000</u>
-----------------------------------	------------------

Total Restricted Liabilities

1,220,000

LONG-TERM LIABILITIES

2013 VRF Bonds Payable	54,740,000
Jr. Lien Bonds	21,435,132
Bond premium	1,834,837
Other Payables	<u>5,377,193</u>

Total Long-Term Liabilities

83,387,162

Total Liabilities

84,815,248

NET POSITION

Investment in Capital Assets, Net of Related Debt	43,185,112
Restricted for:	
Debt Service	5,979,045

 Unrestricted

3,126,329

Total Net Position

52,290,486

TOTAL LIABILITIES AND NET POSITION

\$ 137,105,734

9-17-2019 12:01 PM

CITY OF PHARR
BALANCE SHEET
AS OF: AUGUST 31ST, 2019

PAGE: 1

41 -HCRMA-GENERAL

ACCOUNT#	TITLE	
ASSETS		
=====		
41-1-1100	GENERAL OPERATING	125,645.16
41-1-1102	POOL INVESTMENTS	2,571,457.94
41-1-1113	ACCOUNTS RECIEVABLES-VR FEES	525,030.00
41-1-1113-1	PROMILES-PREPAID/ESCROW OVERWE	19,750.00
41-1-1118	CONSTRUCTION IN PROGRESS	127,419,014.15
41-1-1119-1	LAND-ENVIRONMENTAL	441,105.00
41-1-1122	COMPUTER EQUIP/SOFTWARE	<u>8,606.51</u>
		<u>131,110,608.76</u>
TOTAL ASSETS		131,110,608.76
=====		
LIABILITIES		
=====		
41-2-1212-1	A/P CITY OF PHARR	111,884.09
41-2-1212-9	OTHER PAYABLES	5,377,193.33
41-2-1213-1	UNEARNED REV.-OVERWEIGHT	19,750.00
41-2-1213-9	CURRENT-UNAMORTIZED PREMIUM	76,451.51
41-2-1214-1	BONDS PAYABLE-CURRENT	1,220,000.00
41-2-1214-10	LONG TERM BONDS- JR LIEN	21,435,132.30
41-2-1214-2	BONDS PAYABLE-LONG TERM PORTIO	54,740,000.00
41-2-1214-3	UNAMORTIZED PREMIUM ON BOND	<u>1,834,837.18</u>
		<u>84,815,248.41</u>
TOTAL LIABILITIES		84,815,248.41
EQUITY		
=====		
41-3-3400	FUND BALANCE	<u>45,985,172.79</u>
	TOTAL BEGINNING EQUITY	45,985,172.79
TOTAL REVENUE		5,334,981.48
TOTAL EXPENSES		5,024,793.92
TOTAL REVENUE OVER/(UNDER) EXPENSES		310,187.56
TOTAL EQUITY & REV. OVER/(UNDER) EXP.		<u>46,295,360.35</u>
TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.		131,110,608.76
=====		

9-17-2019 12:06 PM

C I T Y O F P H A R R
REVENUE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

1

FUND: 41 -HCRMA-GENERAL

ACCOUNT NO#	TITLE	CURRENT MONTH REVENUES	YEAR TO DATE REVENUES	% OF YEAR COMPLETED:		PERCENT USED
				AMOUNT BUDGETED	BUDGET BALANCE	
HCRMA						
4-1504	VEHICLE REGISTRATION FEES	525,030.00	4,544,870.00	6,700,000.00	2,155,130.00	67.83
4-1505-5	PROMILES-OW/OS PERMIT FEES	81,486.00	697,746.20	1,200,000.00	502,253.80	58.15
4-1506	INTEREST REVENUE	4,516.46	28,852.78	25,000.00	(3,852.78)	115.41
	TOTAL HCRMA	611,032.46	5,271,468.98	7,925,000.00	2,653,531.02	66.52
46-CHARGES FOR CURRENT SE						
4-4664	MISCELLANEOUS	0.00	63,512.50	0.00	(63,512.50)	0.00
	TOTAL 46-CHARGES FOR CURRENT SE	0.00	63,512.50	0.00	(63,512.50)	0.00
48-INTERFUND TRANSFERS						
	** TOTAL FUND REVENUES **	611,032.46	5,334,981.48	7,925,000.00	2,590,018.52	67.32

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CITY OF PHARR
EXPENSE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

1

FUND: 41 -HCRMA-GENERAL

% OF YEAR COMPLETED: 66.67

ACCOUNT NO#	TITLE	CURRENT MONTH EXPENSES	YEAR TO DATE EXPENSES	YEAR TO DATE ENCUMBRANCES	AMOUNT BUDGET	BUDGET BALANCE	PERCENT USED
HCRMA ADMINISTRATION							
GENERAL							
10-							
	11-PERSONNEL SERVICES						
52900-1100	SALARIES	42,690.95	259,973.11	0.00	551,100.00	291,126.89	47.17
52900-1104	OVERTIME	22.56	67.67	0.00	500.00	432.33	13.53
52900-1105	FICA	3,276.68	20,251.75	0.00	49,300.00	29,048.25	41.08
52900-1106	HEALTH INSURANCE	2,408.22	18,908.86	0.00	32,000.00	13,091.14	59.09
52900-1115	EMPLOYEES RETIREMENT	3,320.08	19,960.49	0.00	51,600.00	31,639.51	38.68
52900-1116	PHONE ALLOWANCE	450.00	2,700.00	0.00	6,300.00	3,600.00	42.86
52900-1117	CAR ALLOWANCE	1,800.00	10,800.00	0.00	30,000.00	19,200.00	36.00
52900-1122	EAP- ASSISTANCE PROGRAM	4.02	29.61	0.00	0.00	(29.61)	0.00
52900-1178	ADMIN FEE	900.00	5,400.00	0.00	9,750.00	4,350.00	55.38
52900-1179	CONTINGENCY	0.00	0.00	0.00	17,600.00	17,600.00	0.00
	TOTAL 11-PERSONNEL SERVICES	54,872.51	338,091.49	0.00	748,150.00	410,058.51	45.19
12-							
52900-1200	OFFICE SUPPLIES	635.03	5,205.90	0.00	10,000.00	4,794.10	52.06
	TOTAL 12-	635.03	5,205.90	0.00	10,000.00	4,794.10	52.06
16-							
52900-1603	BUILDING REMODEL	0.00	64,899.80	0.00	65,000.00	100.20	99.85
52900-1604	MAINTENANCE & REPAIR	513.50	2,155.36	0.00	5,000.00	2,844.64	43.11
52900-1605	JANITORIAL	0.00	0.00	0.00	1,000.00	1,000.00	0.00
52900-1606	UTILITIES	241.43	1,715.29	0.00	2,400.00	684.71	71.47
52900-1607	CONTRACTUAL ADM/IT SERVICES	655.00	9,352.60	0.00	13,000.00	3,647.40	71.94
52900-1610	DUES & SUBSCRIPTIONS	0.00	14,004.44	0.00	30,000.00	15,995.56	46.68
52900-1610-1	SUBSCRIPTIONS-SOFTWARE	678.99	1,243.65	0.00	3,500.00	2,256.35	35.53
52900-1611	POSTAGE/FEDEX/COURTIER	144.90	1,280.38	0.00	3,000.00	1,719.62	42.68
52900-1620	GENERAL LIABILITY	0.00	3,238.72	0.00	5,000.00	1,761.28	64.77
52900-1621	INSURANCE-E&O	0.00	1,396.34	0.00	1,500.00	103.66	93.09
52900-1622	INSURANCE-SURETY	0.00	0.00	0.00	800.00	800.00	0.00
52900-1623	INSURANCE-LETTER OF CREDIT	0.00	0.00	0.00	550.00	550.00	0.00
52900-1623-1	INSURANCE-OTHER	0.00	3,875.28	0.00	2,500.00	(1,375.28)	155.01
52900-1630	BUSINESS MEALS	0.00	0.00	0.00	1,000.00	1,000.00	0.00
52900-1640	ADVERTISING	0.00	1,960.26	0.00	4,000.00	2,039.74	49.01
52900-1650	TRAINING	0.00	4,207.00	0.00	8,000.00	3,793.00	52.59
52900-1660	TRAVEL	0.00	4,203.35	0.00	15,000.00	10,796.65	28.02

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EXPENSE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

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FUND: 41 -HCRMA-GENERAL

ACCOUNT NO#	TITLE	CURRENT MONTH EXPENSES	YEAR TO DATE EXPENSES	YEAR TO DATE ENCUMBRANCES	% OF YEAR COMPLETED: 66.67		
					AMOUNT BUDGET	BUDGET BALANCE	PERCENT USED
52900-1662	PRINTING & PUBLICATIONS	526.94	4,074.59	0.00	10,000.00	5,925.41	40.75
	TOTAL 16-	2,760.76	117,607.06	0.00	171,250.00	53,642.94	68.68
17-							
52900-1703	BANK SERVICE CHARGES	0.00	3,750.00	0.00	0.00	(3,750.00)	0.00
52900-1705	ACCOUNTING FEES	2,705.00	25,935.00	0.00	25,000.00	(935.00)	103.74
52900-1710	LEGAL FEES	11,600.96	35,701.18	0.00	50,000.00	14,298.82	71.40
52900-1710-1	LEGAL FEES-GOV.AFFAIRS	10,000.00	70,204.00	0.00	120,000.00	49,796.00	58.50
52900-1712	FINANCIAL CONSULTING FEES	0.00	5,050.00	0.00	2,000.00	(3,050.00)	252.50
52900-1712-1	INSURANCE CONSULTANT	0.00	0.00	0.00	7,000.00	7,000.00	0.00
52900-1715	RENT-OFFICE	4,480.00	32,718.21	0.00	54,000.00	21,281.79	60.59
52900-1715-1	RENT-OFFICE EQUIPMENT	683.21	4,782.47	0.00	8,500.00	3,717.53	56.26
52900-1715-2	RENT-OTHER	0.00	0.00	0.00	1,000.00	1,000.00	0.00
52900-1716	CONTRACTUAL WEBSITE SERVICES	200.00	1,400.00	0.00	2,400.00	1,000.00	58.33
52900-1731	MISCELLANEOUS	0.00	233.00	0.00	500.00	267.00	46.60
52900-1732	PENALTIES & INTEREST	0.00	21.04	0.00	500.00	478.96	4.21
	TOTAL 17-	29,669.17	179,794.90	0.00	270,900.00	91,105.10	66.37
18-							
52900-1850	CAPITAL OUTLAY	0.00	12,419.06	0.00	5,000.00	(7,419.06)	248.38
52900-1899	NON-CAPITAL	7,809.02	9,116.84	0.00	6,400.00	(2,716.84)	142.45
	TOTAL 18-	7,809.02	21,535.90	0.00	11,400.00	(10,135.90)	188.91
19-							
52900-1999-3	TRANSFER OUT TO DEBT	327,643.92	2,632,519.06	0.00	3,974,912.00	1,342,392.94	66.23
52900-1999-5	TRANS OUT DEB-JR LIEN	0.00	1,082,432.00	0.00	1,082,432.00	0.00	100.00
52900-1999-9	TRANSFER OUT-CAPITAL PROJ	40,000.00	268,591.00	0.00	0.00	(268,591.00)	0.00
	TOTAL 19-	367,643.92	3,983,542.06	0.00	5,057,344.00	1,073,801.94	78.77
88-CAPITAL EXPENDITURES							
	TOTAL GENERAL	463,390.41	4,645,777.31	0.00	6,269,044.00	1,623,266.69	74.11
	TOTAL HCRMA ADMINISTRATION	463,390.41	4,645,777.31	0.00	6,269,044.00	1,623,266.69	74.11

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C I T Y O F P H A R R
EXPENSE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

3

FUND: 41 -HCRMA-GENERAL

% OF YEAR COMPLETED: 66.67

ACCOUNT NO#	TITLE	CURRENT MONTH EXPENSES	YEAR TO DATE EXPENSES	YEAR TO DATE ENCUMBRANCES	AMOUNT BUDGET	BUDGET BALANCE	PERCENT USED
HCRMA CONSTRUCTION MGMT							
GENERAL							
11-PERSONNEL SERVICES							
53000-1100	SALARIES	28,482.00	158,325.56	0.00	506,267.00	347,941.44	31.27
53000-1104	OVERTIME	0.00	0.00	0.00	25,000.00	25,000.00	0.00
53000-1105	FICA	2,199.26	12,109.07	0.00	42,800.00	30,690.93	28.29
53000-1106	HEALTH INSURANCE	2,092.26	16,436.89	0.00	27,000.00	10,563.11	60.88
53000-1115	EMPLOYEES RETIREMENT	2,380.49	13,293.57	0.00	44,900.00	31,606.43	29.61
53000-1116	PHONE ALLOWANCE	369.20	2,445.95	0.00	9,600.00	7,154.05	25.48
53000-1117	CAR ALLOWANCE	830.76	4,984.56	0.00	43,200.00	38,215.44	11.54
53000-1122	EAP- ASSISTANCE PROGRAM	4.02	29.61	0.00	0.00	(29.61)	0.00
53000-1178	ADMN FEE	600.00	3,975.00	0.00	15,600.00	11,625.00	25.48
53000-1179	CONTINGENCY	0.00	0.00	0.00	16,700.00	16,700.00	0.00
TOTAL 11-PERSONNEL SERVICES		36,957.99	211,600.21	0.00	731,067.00	519,466.79	28.94
12-							
53000-1200	OFFICE SUPPLIES	0.00	0.00	0.00	5,000.00	5,000.00	0.00
53000-1201	SMALL TOOLS	569.95	569.95	0.00	10,000.00	9,430.05	5.70
TOTAL 12-		569.95	569.95	0.00	15,000.00	14,430.05	3.80
16-							
53000-1604	MAINTENCE & REPAIRS	0.00	275.00	0.00	0.00	(275.00)	0.00
53000-1605	JANITORIAL	0.00	839.00	0.00	600.00	(239.00)	139.83
53000-1606-1	UTILITIES	0.00	645.60	0.00	600.00	(45.60)	107.60
53000-1608	UNIFORMS	0.00	0.00	0.00	6,000.00	6,000.00	0.00
53000-1610	DUES & SUBSCRIPTIONS	0.00	630.00	0.00	2,000.00	1,370.00	31.50
53000-1610-1	SUBSCRIPTIONS - SOFTWARE	0.00	6,000.00	0.00	27,000.00	21,000.00	22.22
53000-1640	ADVERTISING	0.00	0.00	0.00	2,500.00	2,500.00	0.00
53000-1650	TRAINING	350.00	845.00	0.00	5,000.00	4,155.00	16.90
53000-1660	TRAVEL	0.00	1,511.67	0.00	8,000.00	6,488.33	18.90
TOTAL 16-		350.00	10,746.27	0.00	51,700.00	40,953.73	20.79

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EXPENSE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

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FUND: 41 -HCRMA-GENERAL

% OF YEAR COMPLETED: 66.67

ACCOUNT NO#	TITLE	CURRENT MONTH EXPENSES	YEAR TO DATE EXPENSES	YEAR TO DATE ENCUMBRANCES	AMOUNT BUDGET	BUDGET BALANCE	PERCENT USED
53000-1715	RENT CONSTRUCTION OFFICE	0.00	3,600.00	0.00	2,800.00	(800.00)	128.57
53000-1715-1	RENTAL - OFFICE EQUIPMENT	(83.34)	1,487.88	0.00	3,200.00	1,712.12	46.50
53000-1715-2	RENT-OTHER	0.00	0.00	0.00	1,500.00	1,500.00	0.00
TOTAL 17-		(83.34)	5,087.88	0.00	7,500.00	2,412.12	67.84
53000-1850	CAPITAL OUTLAY	0.00	(178.80)	0.00	54,000.00	54,178.80	0.33-
53000-1899	NON-CAPITALIZED	0.00	1,477.80	0.00	27,200.00	25,722.20	5.43
TOTAL 18-		0.00	1,299.00	0.00	81,200.00	79,901.00	1.60
TOTAL GENERAL		37,794.60	229,303.31	0.00	886,467.00	657,163.69	25.87
TOTAL HCRMA CONSTRUCTION MGMT		37,794.60	229,303.31	0.00	886,467.00	657,163.69	25.87

HCRMA PROGRAM MGMT

GENERAL

11-PERSONNEL SERVICES							
54000-1100	SALARIES	14,973.60	89,696.80	0.00	377,000.00	287,303.20	23.79
54000-1104	OVERTIME	0.00	0.00	0.00	500.00	500.00	0.00
54000-1105	FICA	1,181.70	6,996.62	0.00	30,300.00	23,303.38	23.09
54000-1106	HEALTH INSURANCE	1,424.14	11,164.48	0.00	20,500.00	9,335.52	54.46
54000-1115	EMPLOYEES RETIREMENT	1,278.60	7,659.99	0.00	32,000.00	24,340.01	23.94
54000-1116	PHONE ALLOWANCE	138.45	830.70	0.00	4,800.00	3,969.30	17.31
54000-1117	CAR ALLOWANCE	830.76	4,984.56	0.00	14,400.00	9,415.44	34.62
54000-1122	EAP- ASSISTANCE PROGRAM	1.34	9.87	0.00	0.00	(9.87)	0.00
54000-1178	ADMN FEE	225.00	1,350.00	0.00	7,800.00	6,450.00	17.31
54000-1179	CONTINGENCY	0.00	0.00	0.00	11,900.00	11,900.00	0.00
TOTAL 11-PERSONNEL SERVICES		20,053.59	122,693.02	0.00	499,200.00	376,506.98	24.58

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CITY OF PHARR
EXPENSE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

5

FUND: 41 -HCRMA-GENERAL

% OF YEAR COMPLETED: 66.67

ACCOUNT NO#	TITLE	CURRENT MONTH EXPENSES	YEAR TO DATE EXPENSES	YEAR TO DATE ENCUMBRANCES	AMOUNT BUDGET	BUDGET BALANCE	PERCENT USED
12-							
54000-1200	OFFICE SUPPLIES	0.00	3,491.14	0.00	2,000.00	(1,491.14)	174.56
TOTAL 12-		0.00	3,491.14	0.00	2,000.00	(1,491.14)	174.56
16-							
54000-1610	DUES & SUBSCRIPTIONS	0.00	660.86	0.00	2,500.00	1,839.14	26.43
54000-1610-1	SUBSCRIPTIONS-SOFTWARE	0.00	9,035.25	0.00	54,000.00	44,964.75	16.73
54000-1640	ADVERTISING	0.00	352.36	0.00	0.00	(352.36)	0.00
54000-1650	TRAINING	0.00	1,920.00	0.00	3,000.00	1,080.00	64.00
54000-1660	TRAVEL	487.59	2,846.89	0.00	5,000.00	2,153.11	56.94
TOTAL 16-		487.59	14,815.36	0.00	64,500.00	49,684.64	22.97
18-							
54000-1850	CAPITAL OUTLAY	0.00	0.00	0.00	45,000.00	45,000.00	0.00
54000-1899	NON-CAPITALIZED	0.00	4,963.20	0.00	19,600.00	14,636.80	25.32
TOTAL 18-		0.00	4,963.20	0.00	64,600.00	59,636.80	7.68
TOTAL GENERAL		20,541.18	145,962.72	0.00	630,300.00	484,337.28	23.16
TOTAL HCRMA PROGRAM MGMT		20,541.18	145,962.72	0.00	630,300.00	484,337.28	23.16
HCRMA BSIF							
GENERAL							
16-							
58000-1604-1	MAINTENANCE AND REPAIR -BSIF	486.00	3,304.00	0.00	6,000.00	2,696.00	55.07
58000-1606-2	UTILITIES - BSIF	65.99	446.58	0.00	1,200.00	753.42	37.22
TOTAL 16-		551.99	3,750.58	0.00	7,200.00	3,449.42	52.09
TOTAL GENERAL		551.99	3,750.58	0.00	7,200.00	3,449.42	52.09
TOTAL HCRMA BSIF		551.99	3,750.58	0.00	7,200.00	3,449.42	52.09
** TOTAL FUND EXPENSES **		522,278.18	5,024,793.92	0.00	7,793,011.00	2,768,217.08	64.48

PERIOD: 8/01/2019 - 8/31/2019

ACCOUNT: 41-1-1100 GENERAL OPERATING

RECONCILIATION SUMMARY

BEGINNING STATEMENT BALANCE:	661,759.06	GL ACCOUNT BALANCE:	125,645.16
DEPOSITS:	+ 337,026.54	OUTSTANDING DEPOSITS:	- 0.00
WITHDRAWALS:	+ 860,642.52CR	OUTSTANDING CHECKS:	- 12,497.92CR
ADJUSTMENTS:	+ 0.00	ADJUSTMENTS:	+ 0.00
ENDING STATEMENT BALANCE:	138,143.08	ADJUSTED GL ACCOUNT BALANCE:	138,143.08

STATEMENT BALANCE: 138,143.08
 BANK DIFFERENCE: 0.00
 G/L DIFFERENCE: 0.00

CLEARED DEPOSITS:

8/31/2019 083119	FUND 41- PROMILES	20,817.00
8/31/2019 083120	FUND 41- PROMILES	19,791.00
8/31/2019 083121	FUND 41- PROMILES	19,710.00
8/31/2019 083122	FUND 41- PROMILES	21,168.00
8/31/2019 083123	FUND 41- TO REC DEPOSIT	224.46
TOTAL CLEARED DEPOSITS:		81,710.46

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CLEARED CHECKS:

7/24/2019 002318	COPYZONE	611.90CR
7/24/2019 002319	DAHILL	907.67CR
7/24/2019 002321	LIFTOFF, LLC	4,963.20CR
7/24/2019 002322	RIO GRANDE VALLEY PARTNERSHIP	10,000.00CR
TOTAL CLEARED CHECKS:		16,482.77CR

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CLEARED OTHER:

8/31/2019 000569	CITY OF PHARR	79,023.04CR
8/31/2019 000570	BRACEWELL LLP ATTORNEYS AT LAW	11,600.96CR
8/31/2019 000571	PENA DESIGNS	200.00CR
8/31/2019 000572	TOP CUT LAWN CARE, INC.	486.00CR
8/31/2019 000573	PATHFINDER PUBLIC AFFAIRS	10,000.00CR
8/31/2019 000574	VERIZON WIRELESS	151.98CR
8/31/2019 000575	PLAINS CAPITAL-CREDIT CARD SER	2,210.18CR
8/31/2019 000576	ERIC DAVILA	487.59CR
8/31/2019 083119	FUND 41- TO REC WIRE TXFR	40,000.00CR
8/31/2019 083120	FUND 41- LOGIC TXFR	400,000.00CR
8/31/2019 083121	FUND 41- LOGIC TXFR	300,000.00
8/31/2019 083119	FUND 41- WILMINGTON TRUST	255,316.08
8/31/2019 083122	FUND 41- LOGIC TXFR CORRECT	600,000.00CR
TOTAL CLEARED OTHER:		588,843.67CR

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PERIOD: 8/01/2019 - 8/31/2019

ACCOUNT: 41-1-1100 GENERAL OPERATING

OUTSTANDING DEPOSITS:

No Items.

OUTSTANDING CHECKS:

8/30/2019	002325	GET FILTERED, INC	52.00CR
8/30/2019	002326	A FAST DELIVERY	109.00CR
8/30/2019	002327	CDW LLC	1,592.00CR
8/30/2019	002328	COPYZONE	526.94CR
8/30/2019	002330	DAHILL	683.21CR
8/30/2019	002331	GATEWAY PRINTING & OFFICE SUP	221.66CR
8/30/2019	002332	HILLTOP SECURITIES, INC.	2,500.00CR
8/30/2019	002333	OFFICE DEPOT	163.13CR
8/30/2019	002334	ALAN YODER ENTERPRISES INC	513.50CR
8/30/2019	002335	HNI HOLDINGS INC	5,995.36CR
8/30/2019	002336	DAHILL OFFICE TECHNOLOGY CORPO	141.12CR
TOTAL OUTSTANDING CHECKS:			12,497.92CR

OUTSTANDING OTHER:

No Items.

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B A N K R E C O N C I L I A T I O N

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PERIOD: 8/01/2019 - 8/31/2019

ACCOUNT: 41-1-1100 GENERAL OPERATING

VOIDED CHECKS:

8/30/2019	002329	REYNA ENTERPRISES INC	VOIDED	8,443.50CR	VOIDED	8/30/2019
TOTAL VOIDED CHECKS:				8,443.50CR	=====	

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BANK RECONCILIATION

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PERIOD: 8/01/2019 - 8/31/2019

ACCOUNT: 41-1-1102 POOL INVESTMENTS

RECONCILIATION SUMMARY

BEGINNING STATEMENT BALANCE:	1,866,941.48	GL ACCOUNT BALANCE:	2,571,457.94
DEPOSITS:	+ 4,516.46	OUTSTANDING DEPOSITS:	- 0.00
WITHDRAWALS:	+ 700,000.00	OUTSTANDING CHECKS:	- 0.00
ADJUSTMENTS:	+ 0.00	ADJUSTMENTS:	+ 0.00
ENDING STATEMENT BALANCE:	<u>2,571,457.94</u>	ADJUSTED GL ACCOUNT BALANCE:	<u>2,571,457.94</u>

STATEMENT BALANCE: 2,571,457.94
 BANK DIFFERENCE: 0.00
 G/L DIFFERENCE: 0.00

CLEARED DEPOSITS:
 No Items.

CLEARED CHECKS:
 No Items.

CLEARED OTHER:

8/31/2019 083119 FUND 41- LOGIC INTEREST	4,516.46
8/31/2019 083119 FUND 41- LOGIC TXFR	400,000.00
8/31/2019 083120 FUND 41- LOGIC TXFR	300,000.00CR
8/31/2019 083121 FUND 41- LOGIC TXFR CORRECT	<u>600,000.00</u>
TOTAL CLEARED OTHER:	<u>704,516.46</u>

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CITY OF PHARR
BALANCE SHEET
AS OF: AUGUST 31ST, 2019

PAGE: 1

42 -HCRMA-DEBT SERVICE

ACCOUNT#	TITLE	
ASSETS		
42-1-4105	WILMINGTON-DEBT SERVICE	1,618,163.50
42-1-4105-1	DEBT SVC - JR LIEN	<u>4,360,881.47</u>
		<u>5,979,044.97</u>
TOTAL ASSETS		5,979,044.97
LIABILITIES		
EQUITY		
42-3-4400	FUND BALANCE	<u>3,327,466.47</u>
TOTAL BEGINNING EQUITY		3,327,466.47
TOTAL REVENUE		3,801,458.71
TOTAL EXPENSES		1,149,880.21
TOTAL REVENUE OVER/(UNDER) EXPENSES		2,651,578.50
TOTAL EQUITY & REV. OVER/(UNDER) EXP.		<u>5,979,044.97</u>
TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.		5,979,044.97

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C I T Y O F P H A R R
REVENUE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

1

FUND: 42 -HCRMA-DEBT SERVICE

ACCOUNT NO#	TITLE	CURRENT MONTH REVENUES	YEAR TO DATE REVENUES	% OF YEAR COMPLETED:		PERCENT USED
				AMOUNT BUDGETED	BUDGET BALANCE	
HCRMA						
1-1506	INTEREST INCOME	2,036.37	24,394.99	10,000.00	(14,394.99)	243.95
1-1506-1	INTEREST INCOME-JR LIEN	<u>8,621.42</u>	<u>62,112.66</u>	<u>55,000.00</u>	<u>(7,112.66)</u>	<u>112.93</u>
	TOTAL HCRMA	10,657.79	86,507.65	65,000.00	(21,507.65)	133.09
HCRMA-FUND 42						
1-1999	TRANSFERS IN-FROM GENERAL FUND	327,643.92	3,714,951.06	5,057,344.00	<u>1,342,392.94</u>	73.46
	TOTAL HCRMA-FUND 42	327,643.92	3,714,951.06	5,057,344.00	<u>1,342,392.94</u>	<u>73.46</u>
** TOTAL FUND REVENUES **		338,301.71	3,801,458.71	5,122,344.00	1,320,885.29	74.21

9-17-2019 12:05 PM

CITY OF PHARR
EXPENSE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

1

FUND: 42 -HCRMA-DEBT SERVICE

% OF YEAR COMPLETED: 66.67

ACCOUNT NO#	TITLE	CURRENT MONTH EXPENSES	YEAR TO DATE EXPENSES	YEAR TO DATE ENCUMBRANCES	AMOUNT BUDGET	BUDGET BALANCE	PERCENT USED
HRMA-DEBT SERVICE							
GENERAL							
46-							
52900-4603-1	PRIN PMTS-VRF 13 BOND	0.00	0.00	0.00	1,220,000.00	1,220,000.00	0.00
TOTAL 46-		0.00	0.00	0.00	1,220,000.00	1,220,000.00	0.00
47-							
52900-4703-1	INTEREST EXPENSE-VRF 13 BOND	0.00	1,147,880.21	0.00	2,754,912.00	1,607,031.79	41.67
52900-4727	FEES	0.00	2,000.00	0.00	0.00	(2,000.00)	0.00
TOTAL 47-		0.00	1,149,880.21	0.00	2,754,912.00	1,605,031.79	41.74
49-							
TOTAL GENERAL		0.00	1,149,880.21	0.00	3,974,912.00	2,825,031.79	28.93
TOTAL HRMA-DEBT SERVICE		0.00	1,149,880.21	0.00	3,974,912.00	2,825,031.79	28.93
** TOTAL FUND EXPENSES **		0.00	1,149,880.21	0.00	3,974,912.00	2,825,031.79	28.93

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BANK RECONCILIATION

PAGE: 1

PERIOD: 8/01/2019 - 8/31/2019

ACCOUNT: 42-1-4105 WILMINGTON-DEBT SERVICE

RECONCILIATION SUMMARY

BEGINNING STATEMENT BALANCE:	1,288,483.21	GL ACCOUNT BALANCE:	1,618,163.50
DEPOSITS:	+ 329,680.29	OUTSTANDING DEPOSITS:	- 0.00
WITHDRAWALS:	+ 0.00	OUTSTANDING CHECKS:	- 0.00
ADJUSTMENTS:	+ 0.00	ADJUSTMENTS:	+ 0.00
ENDING STATEMENT BALANCE:	<u>1,618,163.50</u>	ADJUSTED GL ACCOUNT BALANCE:	<u>1,618,163.50</u>

STATEMENT BALANCE: 1,618,163.50
BANK DIFFERENCE: 0.00
G/L DIFFERENCE: 0.00

CLEARED DEPOSITS:
No Items.

CLEARED CHECKS:
No Items.

CLEARED OTHER:

8/31/2019 083119 FUND 42- WILMINGTON TRUST	<u>329,680.29</u>
TOTAL CLEARED OTHER:	<u>329,680.29</u>
=====	

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BANK RECONCILIATION

PAGE: 1

PERIOD: 8/01/2019 - 8/31/2019

ACCOUNT: 42-1-4105-1 DEBT SVC - JR LIEN

RECONCILIATION SUMMARY

BEGINNING STATEMENT BALANCE:	4,352,260.05
DEPOSITS:	+ 8,621.42
WITHDRAWALS:	+ 0.00
ADJUSTMENTS:	+ 0.00
ENDING STATEMENT BALANCE:	<u>4,360,881.47</u>

GL ACCOUNT BALANCE:	4,360,881.47
OUTSTANDING DEPOSITS:	- 0.00
OUTSTANDING CHECKS:	- 0.00
ADJUSTMENTS:	+ 0.00
ADJUSTED GL ACCOUNT BALANCE:	<u>4,360,881.47</u>

STATEMENT BALANCE: 4,360,881.47
BANK DIFFERENCE: 0.00
G/L DIFFERENCE: 0.00

CLEARED DEPOSITS:
No Items.

CLEARED CHECKS:
No Items.

CLEARED OTHER:

8/31/2019 083119 FUND 42- LOGIC INTEREST	8,621.42
TOTAL CLEARED OTHER:	<u>8,621.42</u>
=====	

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CITY OF PHARR
BALANCE SHEET
AS OF: AUGUST 31ST, 2019

PAGE: 1

45 -HCRMA - CAP.PROJECTS FUND

ACCOUNT#	TITLE	
ASSETS		
45-1-1102	Pool Investment	<u>16,080.23</u>
		<u>16,080.23</u>
TOTAL ASSETS		16,080.23
LIABILITIES		
EQUITY		
45-3-1400	Fund Balance	<u>145,185.05</u>
TOTAL BEGINNING EQUITY		145,185.05
TOTAL REVENUE		351,464.49
TOTAL EXPENSES		480,569.31
TOTAL REVENUE OVER/(UNDER) EXPENSES		(129,104.82)
TOTAL EQUITY & REV. OVER/(UNDER) EXP.		<u>16,080.23</u>
TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.		16,080.23

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C I T Y O F P H A R R
REVENUE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

1

FUND: 45 -HCRMA - CAP.PROJECTS FUND

% OF YEAR COMPLETED: 66.67

ACCOUNT NO#	TITLE	CURRENT MONTH REVENUES	YEAR TO DATE REVENUES	AMOUNT BUDGETED	BUDGET BALANCE	PERCENT USED
HCRMA						
1-1506	Interest Revenue	50.08	2,873.49	0.00	(2,873.49)	0.00
	TOTAL HCRMA	50.08	2,873.49	0.00	(2,873.49)	0.00
HCRMA-FUND 42						
1-1999	TRANSFER IN - GENERAL FUND	40,000.00	268,591.00	0.00	(268,591.00)	0.00
	TOTAL HCRMA-FUND 42	40,000.00	268,591.00	0.00	(268,591.00)	0.00
47-GRANTS						
1-4710	CITY CONTRIBUTIONS	0.00	80,000.00	0.00	(80,000.00)	0.00
	TOTAL 47-GRANTS	0.00	80,000.00	0.00	(80,000.00)	0.00
48-INTERFUND TRANSFERS						
** TOTAL FUND REVENUES **		40,050.08	351,464.49	0.00	(351,464.49)	0.00

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C I T Y O F P H A R R
EXPENSE REPORT FOR PERIOD ENDING:
AUGUST 31ST, 2019

1

FUND: 45 -HCRMA - CAP. PROJECTS FUND

% OF YEAR COMPLETED: 66.67

ACCOUNT NO#	TITLE	CURRENT MONTH EXPENSES	YEAR TO DATE EXPENSES	YEAR TO DATE ENCUMBRANCES	AMOUNT BUDGET	BUDGET BALANCE	PERCENT USED
HCRMA							
=====							
HCRMA- CAP. PROJECTS							
=====							
88-CAPITAL EXPENDITURES							
52900-8800	Consulting & Engineering	2,400.00	11,842.61	0.00	0.00	(11,842.61)	0.00
52900-8810	SH 365- Enviormental	0.00	3,762.77	0.00	0.00	(3,762.77)	0.00
52900-8810-3	365 RIGHT OF WAY	23,482.66	193,618.25	0.00	0.00	(193,618.25)	0.00
52900-8820	IBTC - Enviormental	8,775.95	207,963.63	0.00	0.00	(207,963.63)	0.00
52900-8820-3	IBTC - ROW	1,471.31	29,485.17	0.00	0.00	(29,485.17)	0.00
52900-8841	LEGAL FEES	2,210.00	33,896.88	0.00	0.00	(33,896.88)	0.00
TOTAL 88-CAPITAL EXPENDITURES		38,339.92	480,569.31	0.00	0.00	(480,569.31)	0.00
TOTAL HCRMA- CAP. PROJECTS		38,339.92	480,569.31	0.00	0.00	(480,569.31)	0.00
TOTAL HCRMA		38,339.92	480,569.31	0.00	0.00	(480,569.31)	0.00
** TOTAL FUND EXPENSES **		38,339.92	480,569.31	0.00	0.00	(480,569.31)	0.00

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BANK RECONCILIATION

PAGE: 1

PERIOD: 8/01/2019 - 8/31/2019

ACCOUNT: 45-1-1102 Pool Investment

RECONCILIATION SUMMARY

BEGINNING STATEMENT BALANCE:	14,370.07	GL ACCOUNT BALANCE:	16,080.23
DEPOSITS:	+ 40,059.08	OUTSTANDING DEPOSITS:	- 0.00
WITHDRAWALS:	+ 38,348.92CR	OUTSTANDING CHECKS:	- 0.00
ADJUSTMENTS:	+ 0.00	ADJUSTMENTS:	+ 0.00
ENDING STATEMENT BALANCE:	<u>16,080.23</u>	ADJUSTED GL ACCOUNT BALANCE:	<u>16,080.23</u>
STATEMENT BALANCE:	16,080.23		
BANK DIFFERENCE:	0.00		
G/L DIFFERENCE:	0.00		

CLEARED DEPOSITS:
No Items.

CLEARED CHECKS:
No Items.

CLEARED OTHER:

8/31/2019 000577	BRACEWELL LLP ATTORNEYS AT LAW	1,560.00CR
8/31/2019 000578	TOP CUT LAWN CARE, INC.	1,296.00CR
8/31/2019 000579	BLANTON & ASSOCIATES, INC.	8,775.95CR
8/31/2019 000580	SAENZ OIL & GAS SERVICES	2,400.00CR
8/31/2019 000581	BRIGHTVIEW LANDSCAPE SERVICES	823.31CR
8/31/2019 000582	BARRON, ADLER, CLOUGH & ODDO,	22,834.66CR
8/31/2019 000583	ESCOBEDO & CARDENAS, LLP	650.00CR
8/31/2019 083119	FUND 45- WILMINGTON TRUST	59.08
8/31/2019 083120	FUND 45- WILMINGTON TRUST	40,000.00
8/31/2019 083121	FUND 45- WILMINGTON TRUST CORR	9.00CR
TOTAL CLEARED OTHER:		<u>1,710.16</u>

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Item 2D

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

AGENDA RECOMMENDATION FORM

BOARD OF DIRECTORS	<u>X</u>	AGENDA ITEM	<u>2D</u>
PLANNING COMMITTEE	<u> </u>	DATE SUBMITTED	<u>09/16/19</u>
FINANCE COMMITTEE	<u> </u>	MEETING DATE	<u>09/24/19</u>
TECHNICAL COMMITTEE	<u> </u>		

1. Agenda Item: **RESOLUTION 2019- 33 – APPROVAL OF UPDATES TO THE INTERNAL ETHICS & COMPLIANCE MANUAL FOR THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY**
2. Nature of Request: (Brief Overview) Attachments: X Yes No
Approval and Consideration of Resolution 2019-33 Approval of updates to the Ethics & Compliance Manual for the Hidalgo County Regional Mobility Authority.
3. Policy Implication: Board Policy, Local Government Code, Texas Government Code, Texas Transportation Code, TxDOT Policy
4. Budgeted: Yes No X N/A
5. Staff Recommendation: **Resolution 2019- 33 – Approval of updates to the Internal Ethics & Compliance Manual for the Hidalgo County Regional Mobility Authority, as presented.**
6. Program Manager's Recommendation: Approved Disapproved X None
7. Planning Committee's Recommendation: Approved Disapproved X None
8. Board Attorney's Recommendation: X Approved Disapproved None
9. Chief Auditor's Recommendation: Approved Disapproved X None
10. Chief Financial Officer's Recommendation: Approved Disapproved X None
11. Chief Development Engineer's Recommendation: Approved Disapproved X None
12. Chief Construction Engineer's Recommendation: Approved Disapproved X None
13. Executive Director's Recommendation: X Approved Disapproved None

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY
BOARD RESOLUTION NO. 2019-33

APPROVAL OF UPDATES TO THE INTERNAL ETHICS & COMPLIANCE MANUAL
– EMPLOYEE CONDUCT MANUAL

THIS RESOLUTION is adopted this 24th day of September, 2019, by the Board of Director 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, the Authority is authorized by the Act to address mobility issues in and around Hidalgo County; and

WHEREAS, on December 10, 2009, the Authority adopted the Internal Ethics Compliance Manual; and

WHEREAS, from time to time, the Authority reviews, updates and amends the Internal Ethics Compliance Manual to ensure compliance with the latest rules, regulation, code or laws that govern provisions within the manual; and

WHEREAS, on January 16, 2013, the Authority approved updates to the Internal Ethics Compliance Manual; and

WHEREAS, on February 28, 2017, the Authority approved updates to the Internal Ethics Compliance Manual;

WHEREAS, on April 25, 2017, the Authority approved updates to the Internal Ethics Compliance Manual; and

WHEREAS, the Board has determined it is in the best interest of the Authority to update the Internal Ethics Compliance Manual;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY THAT:

- Section 1. The recital clauses are incorporate in the text of this Resolution as if fully restated.
- Section 2. The Board hereby approves the updates to the Internal Ethics Compliance Manual hereto attached as Exhibit A.
- Section 3. The Board authorizes the Executive Director to implement the updates to the Internal Ethics Compliance Manual as approved.

PASSED AND APPROVED AS TO BE EFFECTIVE IMMEDIATELY BY THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY AT REGULAR MEETING, duly posted and noticed, on the 24th day of September 2019, at which meeting a quorum was present.

S. David Deanda, Jr., Chairman

Attest:

Ricardo Perez, Secretary/Treasurer

EXHIBIT A

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY
INTERNAL ETHICS AND COMPLIANCE MANUAL



INTERNAL ETHICS & COMPLIANCE MANUAL

Adopted December 10, 2009
Revised January 16, 2013
Revised February 28, 2017
Revised April 25, 2017
Revised September 24, 2019

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I. General Statement of Policy

The Hidalgo County Regional Mobility Authority (HCRMA) is committed to conducting its business in an ethical, honest, and open manner and to maintaining high ethical standards among its officers and employees. In furtherance of that commitment, the HCRMA adopts the Ethics & Compliance Policy set forth herein.

In addition to complying with the requirements of this Ethics & Compliance Policy, HCRMA Officers and employees must at all times abide by applicable federal and state laws and regulations, the HCRMA bylaws and policies.

II. Employee Code of Conduct

Employees of the HCRMA are expected to conduct the business of the authority in an open, honest, and ethical manner. Employees must adhere to the highest standards of ethical conduct in the performance of their responsibilities and must refrain from engaging in any activity that could raise questions as to the honesty or integrity of the HCRMA or damage the HCRMA's reputation or credibility. Additionally, employees must at all times comply with the Employee Code of Conduct set forth in this Section.

- A. Equal Employment Opportunity** – The HCRMA is an equal opportunity employer and is committed to the principles of equal employment opportunity. The HCRMA will not tolerate discrimination based on race, ethnicity, color, creed, religion, ancestry, national origin, sex, gender, sexual orientation, age, disability, or any other status protected by law.

All employment decisions, including but not limited to decisions regarding recruitment, selection, hiring, transfers, compensation, benefits, training, promotion, demotion, discipline, discharge, termination, leave of absence, and other terms, conditions, and privileges of employment, shall be based on individual qualifications without regard to an employee's status as a member of a protected class. The HCRMA will make reasonable efforts to ensure that all protected classes have equal access to employment with the HCRMA, and all personnel responsible for hiring, managing, and promoting employees are charged to support the HCRMA's commitment to equal employment opportunity.

The HCRMA will make reasonable accommodations for applicants or employees with disabilities, provided that the individual is otherwise qualified to perform the duties and responsibilities of the position and that an accommodation is not detrimental to the business operations of the HCRMA.

- B. Workplace Harassment** – The HCRMA is committed to ensuring a respectful work environment free from sexual harassment or any type of unlawful discrimination or harassment based on race, ethnicity, color, creed, religion, ancestry, national origin, sex, gender, sexual orientation, age, disability, or any other status protected by law.

Harassment based on any of the above is considered a form of illegal discrimination. The HCRMA will not tolerate any form of harassment in the workplace.

Prohibited sexual harassment includes any unwelcome sexual advances, requests for sexual favors, or other unwelcomed verbal or physical conduct of sexual nature where submissions to such conduct affects an individual's employment; such conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or such conduct creates an intimidating, hostile, or offensive work environment. Other forms of prohibited harassment include unwelcome verbal or physical conduct that belittles, shows hostility, or ridicules an individual because of race, ethnicity, color, creed, religion, ancestry, national origin, sex, gender, sexual orientation, age, disability, or any other characteristic protected by law.

If an employee believes that he or she is or has been subjected to harassment, including but not limited to any of the conduct listed herein, by any manager, other employee, consultant, customer, vendor, or any other person in connection with employment at the HCRMA, the employee should report the incident to the Executive Director of the HCRMA or the HCRMA Board Chairman.

Similarly, an employee who witnesses harassment directed at another employee should immediately report the matter to the Executive Director or Board Chairman with or without the permission of the employee involved. All complaints of workplace harassment will be investigated promptly and thoroughly and with as much confidentiality as possible. Retaliation against an employee who reports workplace harassment will not be tolerated.

The HCRMA will take complaints or reports of harassment very seriously and will take appropriate remedial action if an investigation reveals that prohibited harassment, discrimination, or retaliation in violation of this Code of Conduct has occurred. Employees who engage in prohibited harassment will be subject to corrective action, up to and including termination of employment.

C. Conflicts of Interest - Employees are prohibited from engaging in any activity that could create a conflict of interest or even the appearance of a conflict of interest with the employee's duties and responsibilities to the HCRMA. Activities that could create a conflict of interest include, but are not limited to:

1. Transaction of HCRMA business with any entity in which the employee is an officer, agent, member, or owner of a controlling interest;
2. Participation in a HCRMA project in which the employee has a direct or indirect monetary interest;
3. Outside business or professional activities that could interfere with the employee's performance of duties on behalf of the HCRMA or impair the employee's independence of judgment with respect to the employee's performance of HCRMA duties;

4. Personal investments that are likely to create a substantial conflict between the employee's private interest and the interest of the HCRMA; and
5. Any activity that could result in the disclosure of confidential or sensitive information that the employee has access to as a result of the employee's position with the HCRMA.

If an employee is uncertain as to whether a particular activity could create a conflict of interest, the employee should consult the HCRMA's General Counsel prior to engaging in the activity.

D. Gifts and Honoraria –Employees may not accept a benefit from an entity doing business with the HCRMA. For the purposes of this provision, a benefit is anything that is reasonably regarded as financial gain or financial advantage, including a benefit to another person in whose welfare the beneficiary has a direct and substantial interest, regardless of whether the donor is reimbursed. Examples are cash, loans, meals, lodging, services, tickets, door prizes, free entry to entertainment or sporting events, transportation, hunting or fishing trips, or discounts on goods or services.

The following are not benefits for the purposes of this chapter: (1) a token item, other than cash, a check, stock, bond, or similar item, that is distributed generally as a normal means of advertising and that does not exceed an estimated value of \$25; (2) an honorarium in the form of a meal served at an official, mobility-related event such as a conference, workshop, seminar, or symposium; or (3) reimbursement for food, travel, or lodging to an event described by paragraph (2) of this subsection in an amount allowable if the recipient were to seek reimbursement from the HCRMA, or a greater amount if preapproved.

Pursuant to Texas Transportation Commission Minute Order 114559 governing the Texas Department of Transportation and adopted as the policy for the HCRMA, employees may no longer accept ordinary working meals from entities doing business with the Authority. Employees may accept promotional items that do not exceed an estimated \$25 in value and are distributed as a normal means of advertising.

If an employee is uncertain as to whether he or she may accept a gift, favor, or benefit, the employee should consult the HCRMA's General Counsel prior to acceptance.

E. Use of HCRMA Property – Computers, including all software, hardware, internet, and email systems, modems, printers, telephones, cellular phones, fax machines, and other electronic and communications equipment owned or leased by the HCRMA may be used for official HCRMA purposes only. Employees may; however, make brief personal telephone calls for which the HCRMA does not incur any additional charges. Employees do not have an expectation of privacy when using the HCRMA electronic and communications equipment, and all emails, computer files, and telephone records are the property of the HCRMA and are subject to disclosure under the Texas Public Information Act, discovery in litigation, and/or examination by management.

Employees must immediately report lost or stolen HCRMA property to the Executive Director, or designee. Misuse or theft of HCRMA property may result in disciplinary action, including criminal prosecution.

F. Criminal Activity – The HCRMA will perform criminal background checks on all final applicants for any position involving the disbursement of HCRMA funds or the handling of cash, checks or credit cards; negotiable documents and materials; or highly confidential or sensitive information. All applicants admitting a felony conviction on their application materials will also be subject to a criminal background check. Additionally, the HCRMA may at its discretion perform criminal background checks on applicants for any other position.

If an employee is charged with a felony or a misdemeanor other than a traffic violation, the employee is required to immediately inform the Executive Director, or designee. The HCRMA may take steps to respond to criminal violations consistent with Section V below, up to and including termination of employment.

G. Maintenance of Agency Records: Fraud & Public Information – Employees must maintain all HCRMA records for at least the minimum amount of time prescribed by the records retention schedules applicable to local governmental entities adopted by the Texas State Library and Archives Commission. In the event that litigation is filed against the HCRMA or is reasonably anticipated to be filed, the HCRMA’s General Counsel may determine that it is necessary to implement a litigation hold in order to ensure the preservation of all records related to the lawsuit. Employees must refrain from destroying any records that are the subject of a litigation hold. Additionally, employees must comply with the HCRMA’s Policies and Procedures for retention of records.

Given the need for accurate and honest business records, any false or misleading report or record (including but not limited to financial documents; resumes, employment applications; contracts; and reports) will be taken very seriously. Employees who become aware of any suspected fraudulent act or falsification of the HCRMA records must immediately report the concern to the Executive Director, or designee, who shall respond to the evidence by taking appropriate remedial action. Discovery of a fraudulent act related to a person’s employment or job responsibilities may result in corrective action, up to and including termination of employment.

Members of the public may make written requests for records maintained by the HCRMA. Employees must comply with the HCRMA’s process for Responding to Public Information Act Requests and applicable law and regulations when responding to a request for records. Employees must refrain from destroying any records that are subject of a pending public information request.

H. Fraud - The HCRMA is committed to protecting its revenue, property, information, and other assets from any attempt to gain, by deceit, financial or other benefits at the

expense of taxpayers. Fraud and misuse of HCRMA revenue, property, information, or other assets is prohibited.

The HCRMA has developed Fraud Reporting policies and procedures to identify fraud and/or misuse of HCRMA's revenue, property, information, or other assets, and to set forth specific guidelines and responsibilities regarding appropriate actions to prevent and/or respond to such incidents.

- I. Employee Acknowledgement** – All employees must sign an acknowledgment, in the form attached as “Attachment A”, acknowledging that they have received, read, and understand this Employee Code of Conduct and that they will comply with the requirements set forth herein.

III. Training Regarding Ethics & Compliance Standards

Upon beginning service or employment with the HCRMA, all officers and employees shall be provided with a copy of this Ethics and Compliance Policy and shall receive orientation on ethics laws and policies. Additionally, officers and employees of the HCRMA shall receive periodic training on the requirements of this Ethics and Compliance Policy and on ethics issues generally.

IV. Oversight & Monitoring

The Executive Director and/or designee are responsible for monitoring and enforcing employee compliance with this Ethics and Compliance Policy. The HCRMA will also take reasonable steps to achieve compliance to this Policy by having annual audits performed by an external Independent Auditor. In addition, internal compliance reviews may be performed periodically.

V. Reporting of Suspected Violations

If an officer or employee becomes aware of a suspected violation of this Ethics and Compliance Policy, a violation of law, or a breach of fiduciary duty by any officer, employee, or agent of the HCRMA, he or she must immediately report the suspected violation to the Executive Director, or designee. The Executive Director, or designee, shall respond to evidence of any suspected violation or breach by taking appropriate action, including adopting or enforcing appropriate remedial measures or sanctions. Retaliation against those who come forward to raise concerns or report suspected violations will not be tolerated by the HCRMA.

VI. Enforcement & Responses to Offense

The HCRMA will not tolerate unethical or illegal conduct or conduct that discredits or interferes with the operations of the HCRMA. The HCRMA may discipline employees for any conduct that violates state or federal laws or regulations or the terms of this Ethics and Compliance Policy, up to and including immediate dismissal.

Examples of behavior that may result in an employee's immediate dismissal include, but are not limited to:

- Gross negligence of job duties
- Theft or misuse of HCRMA properties
- Fraud, dishonesty, or falsification of HCRMA records
- Unlawful use, sale, manufacture, distribution, dispensation, or possession of narcotics, drugs, or controlled substances while on HCRMA premises.
- Prohibited sexual harassment or offensive or degrading remarks about another person's race, ethnicity, color, creed, religion, ancestry, national origin, sex, gender, sexual orientation, age, disability, or any other characteristic protected by law in violation of the Employee Code of Conduct set forth in Section II.
- Assault of or verbal threat to a fellow employee, officer, agent, or customer
- Criminal conduct
- Failure to address a recurring problem for which the employee has already been disciplined
- Unprofessional conduct or behavior that negatively impacts the HCRMA's public image, credibility, or integrity.

The HCRMA may, but is not required to, take corrective action to make an employee aware of a problem related to the employee's conduct and to provide an opportunity for the employee to remedy the problem. Such corrective action may include an oral conference, a written warning, and/or suspension. However, nothing herein shall limit the HCRMA's right to terminate an at will employee at any time, for any reason, with or without cause or notice.



Attachment A - Internal Ethics & Compliance

ACKNOWLEDGEMENT FORM

I have received a copy of the HCRMA's Internal Ethics and Compliance Manual.

I understand that I am responsible for reading and understanding this Code of Conduct.

I acknowledge that on _____ I received training on the HCRMA's Internal Ethics and Compliance Manual.

I understand that the policy is effective immediately and that compliance with it is a condition of my employment.

I agree to comply with the requirements set forth and understand that failure to do so is a violation of the HCRMA's Internal Ethics and Compliance Program and will be subject to disciplinary action up to and including termination of employment.

Employee #_____

_____ Employee Name (Signature)

_____ Date

_____ Employee Name (Print)

_____ Title

_____ Executive Director (Signature)

_____ Date

Signed Acknowledgment Form will be maintained in the employee's personnel file.

Attachment B – TXDOT PROGRAM REQUIREMENTS

<u>TITLE 43</u>	TRANSPORTATION
<u>PART 1</u>	TEXAS DEPARTMENT OF TRANSPORTATION
<u>CHAPTER 10</u>	ETHICAL CONDUCT BY ENTITIES DOING BUSINESS WITH THE DEPARTMENT
<u>SUBCHAPTER B</u>	OTHER ENTITIES' INTERNAL ETHICS AND COMPLIANCE PROCEDURES
RULE §10.51	Internal Ethics and Compliance Program

(a) Various sections of this title require an entity to adopt and enforce an internal ethics and compliance program. To comply with that requirement, the entity must certify to the department that the entity:

- (1) has adopted an internal ethics and compliance program that:
 - (A) is designed to detect and prevent violations of the law, including regulations, and ethical standards applicable to the entity or its officers or employees; and
 - (B) satisfies all requirements of this section; and
- (2) enforces compliance with its internal ethics and compliance program.

(b) An entity's internal ethics and compliance program must be in writing and must provide compliance standards and procedures that the entity's employees and agents are expected to follow. At a minimum, the program must provide that:

- (1) high-level personnel are responsible for oversight of compliance with the standards and procedures;
- (2) appropriate care is being taken to avoid the delegation of substantial discretionary authority to individuals whom the entity knows, or should know, have a propensity to engage in illegal activities;
- (3) compliance standards and procedures are effectively communicated to all of the entity's employees, including members of the governing board if the entity has a governing board, by requiring them to participate in periodic training in ethics and in the requirements of the program;
- (4) compliance standards and procedures are effectively communicated to all of the entity's agents;
- (5) reasonable steps are being taken to achieve compliance with the compliance standards and procedures by:
 - (A) using monitoring and auditing systems that are designed to reasonably detect noncompliance; and
 - (B) providing and publicizing a system for the entity's employees and agents to report suspected noncompliance without fear of retaliation;
- (6) consistent enforcement of compliance standards and procedures is administered through appropriate disciplinary mechanisms;
- (7) reasonable steps are being taken to respond appropriately to detected offenses and to prevent future similar offenses; and
- (8) the entity has a written employee code of conduct that, at a minimum, addresses:
 - (A) record retention;
 - (B) fraud;
 - (C) equal opportunity employment;
 - (D) sexual harassment and sexual misconduct;
 - (E) conflicts of interest;
 - (F) personal use of the entity's property; and
 - (G) gifts and honoraria.

(c) The department may, at its discretion, request that the entity provide the department with written evidence of the entity's internal ethics and compliance program.

Source Note: The provisions of this §10.51 adopted to be effective January 6, 2011, 35 TexReg 11951;

Attachment C – HCRMA’S ANTI-BULLYING IN WORKPLACE POLICY



Policies and Procedures

Anti-Bullying in Workplace

I. POLICY STATEMENT

The Hidalgo County Regional Mobility Authority (“HCRMA”) is committed to providing all employees a healthy and safe work environment by eliminating bullying in and related to the workplace. This policy applies to all employees of the HCRMA.

II. DEFINITION

For the purpose of this policy, **bullying** is defined as repeated and habitual behavior of force, threat, or coercion to abuse, intimidate or aggressively dominate another person or persons. Workplace bullying is a pattern of mistreatment in or related to the workplace that causes either physical or emotional harm. It can include such tactics as humiliation and verbal, nonverbal, psychological, and physical abuse.

Some forms of workplace bullying may also be unlawful harassment, which is prohibited by HCRMA’s Workplace Harassment Policy. The Workplace Harassment Policy is in the HCRMA Ethics and Compliance Manual. Employees are not expected to determine whether conduct is bullying or harassment. Both bullying and harassment should be promptly reported under the Complaint Procedures in this policy or the Workplace Harassment Policy.

III. PROHIBITED ACTS

A. The following are some examples¹ of behaviors that may be considered bullying in the workplace:

- Intimidation, such as using insults or put downs;
- Making offensive jokes or comments verbally or in writing;
- Sharing offensive images, videos, text, etc.;
- Excluding or isolating certain employees;
- Undermining responsibility;
- Withholding information essential to do a task properly;
- Disciplining or threatening job loss without reason;
- Spreading rumors or gossiping;
- Blaming, scolding, criticizing, or belittling colleagues;
- Cyber bullying (bullying through electronic communication i.e. SMS, texts, apps, or online social media sites or forums); or
- Physical or emotional abuse.

B. The following **do not** constitute bullying:

- Enforcement of compliance with HCRMA rules, policies and procedures that is consistent across employees in similar circumstances;
- Performance and attendance management;

¹ Bullying behavior is not limited to the examples provided.

- Taking disciplinary action towards an employee with just cause; or
- Denying training or leave requests with justification.

IV. RESPONSIBILITY

Supervisors are responsible for actively intervening to prevent and stop any bullying behavior that is occurring in the workplace, whether or not a complaint is received. Supervisors who witness bullying and encourage the behavior or do not address the behavior may be subject to disciplinary action.

The Executive Director, or designee, is responsible for investigating any complaints or reports of bullying. The Executive Director may discuss allegations of bullying with HCRMA Counsel.

V. COMPLAINT / REPORTING PROCEDURES

- A. Employees should first make a complaint or report of bullying to their immediate Supervisor, if appropriate.
 - 1) The Supervisor shall attempt to resolve the complaint or report informally.
 - 2) The Supervisor will document the complaint or report along with resolution or action taken. A copy of the documentation will be provided to the Executive Director to be filed in the employee's personnel file and, if applicable, the file of the employee about whom the complaint or report was made.
- B. Where the attempt to resolve the matter fails or it was not appropriate to discuss with immediate Supervisor, employees may make a complaint or report to the Executive Director.
 - 1) The Executive Director will investigate and address the bullying complaints or reports sensitively and promptly.
 - 2) The investigation may include interviews with parties involved and/or witnesses and reviewing any relevant documentation.
 - 3) Reasonable steps will be taken to respect the confidentiality of the people involved in a complaint or report.
 - 4) Once the investigation is complete, the Executive Director will inform the employee who made the complaint or report and the employee(s) about whom the complaint or report was made of the results of the investigation.
 - 5) A copy of the investigation report will be included in the employee's personnel file and, if applicable, the file of the employee(s) about whom the complaint or report was made.
- C. If it is not appropriate for employees to make a complaint or report of bullying to their immediate Supervisor or the Executive Director, employees may make their complaint or report to the General Legal Counsel.

Employees are expected to report instances of bullying under this policy even if they are not the target of the bullying. Employees who make a complaint or report of bullying are expected to continue to complain or report until the conduct stops.

VI. RETALIATION AND REPRISAL

- A. There will be no retaliation against anyone who in good faith makes a complaint or report of bullying or participates in an investigation. Employees who believe they have been retaliated against or further bullied for making a complaint or report about bullying or participating in an investigation should promptly report this retaliation. This protection does not apply to an

employee making a complaint or report of bullying with the intention to harass, annoy, or embarrass another employee.

- B. An employee who retaliates against another employee for making a complaint or report of bullying or providing information during an investigation may be subject to disciplinary action.

VII. CONFIDENTIALITY

Complaints or reports of bullying will be investigated promptly by the Executive Director, or designee. Investigations will be kept confidential to the extent possible consistent with conducting a thorough and impartial investigation.

VIII. CONSEQUENCES FOR VIOLATIONS OF THIS POLICY

If an employee is found to be non-compliant with this policy, the Executive Director shall take corrective or disciplinary action up to and including termination of employment.

Questions concerning this policy may be directed to the Executive Director at (956) 402-4762.

A handwritten signature in blue ink, appearing to read "P. Rodriguez".

Pilar Rodriguez, Executive Director

Created: 11/08/18