

HCRMA

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

510 South Pleasantview Drive, Weslaco, Texas 78596
956-969-5822
956-969-5821 fax

Dennis Burleson,
Chairman

October 15, 2008

Rick Perez
Vice-Chairman

The Honorable J.D. Salinas
Hidalgo County Judge
P.O. Box 1356
Edinburg, Texas 78539

Ramiro E. Salazar
Secretary/Treasurer

Dear Judge Salinas:

Joe Olivarez
Board Member

On behalf of the Hidalgo County Regional Mobility Authority (the RMA), please accept this letter as formal request to be included on the agenda for the October 21st Commissioners Court Meeting. As you know, the RMA is applying for a Pass – Through agreement with TxDOT. The creation of a TRZ will greatly increase the amount of state participation in our overall financing.

Ramon Garcia
Board Member

Ruben Serna
Board Member

In a prior submittal we made to you on August 20, 2008 (a copy is enclosed), we outlined the scope of work to be done to achieve the creation of a TRZ. In that letter, we detailed the necessity for scheduling a public hearing. We now respectfully request that the Court approve this action. Also enclosed is a copy of the RMA's Board Meeting minutes of July 1, 2008 in which the Board unanimously approved the Chairman's request to start the process of the creation of the TRZ.

Ricardo Perez
Board Member

We request that Commissioner's Court call for a Public Hearing on the creation of Hidalgo County Transportation Reinvestment Zone No. 1 to be located on property impacted by the Hidalgo County Loop Project. The approval of the court to move forward with scheduling the Public Hearing exhibits the Court's commitment to Hidalgo County's businesses and residents to meet the infrastructure needs as planned. Your acceptance of this request and action to present this to the Court is appreciated.

Sincerely,



Dennis Burleson
Chairman
Hidalgo County Regional Mobility Authority

2 encls

HCRMA

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

510 South Pleasantview Drive, Weslaco, Texas 78596
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Dennis Burleson,
Chairman

August 20, 2008

Rick Perez
Vice-Chairman

The Honorable J.D. Salinas
Hidalgo County Judge
P.O. Box 1356
Edinburg, Texas 78539

Ramiro E. Salazar
Secretary/Treasurer

Dear Judge Salinas:

Joe Olivarez
Board Member

On behalf of the Hidalgo County Regional Mobility Authority (the "Authority"), I am writing to thank the Hidalgo County Commissioner's Court (the "Court") for their on-going support of the Hidalgo County Loop Project (the "Loop Project") and to request assistance in proceeding with the project's financing plan.

Ramon Garcia
Board Member

Ruben Serna
Board Member

Ricardo Perez
Board Member

The Authority has begun the process of finalizing its financing plan. As you will recall, a critical part of the finance plan proposed by Hidalgo County Roadbuilders is the use of a Transportation Re-investment Zone (TRZ). Section 222.107 of the Texas Transportation Code (the "Provision") permits counties to participate in the funding of certain transportation projects through the establishment of a TRZ and the allocation of a specified increment of future tax revenue generated within the TRZ for transportation projects. In effect, the TRZ harnesses the development activity created by a new roadway, such as the Loop, to fund that roadway. Revenue from the TRZ will be combined with toll revenue and state funding, through the form of pass-through payments, to make up the components of the finance plan. Like the three legs of a stool, these three funding mechanisms will support not only this initial project but the future roadways necessary to maintain a strong and growing economy in Hidalgo County.

The Authority hereby requests that the Court initiate the process required to create a TRZ for the Loop Project. Section 222.107 requires counties to undertake four steps in the creation of a TRZ:

1. Determine that the area proposed for inclusion within the TRZ is unproductive and underdeveloped without the Loop Project and that the Loop project would (a) promote public safety, (b) facilitate the development or redevelopment of property within the proposed TRZ, (c) facilitate the movement of traffic, and (d)

enhance a local entity's ability to sponsor a pass-through project. The Authority intends to seek state participation in the Loop project through the pass-through program.

2. Publish notice in a newspaper of general circulation in the county of a public hearing and the county's intent to create a TRZ.
3. No earlier than seven days after the publication of notice, hold a public hearing on (a) the creation of a TRZ, (b) its benefits to the county, (c) its benefits to the property in the zone, and (d) the abatement of property taxes imposed by the county on real property located within the zone.
4. No earlier than 30 days after the public hearing, adopt an order designating a contiguous geographic area to be a TRZ to promote a pass-through transportation project and for the purpose of abating property tax imposed by the county on real property located within the zone. Additionally, the order must (a) describe the boundaries of the zone, (b) provide that the TRZ takes place immediately upon adoption of the order, and (c) provide a name for the zone

The Authority is currently developing, through its contract with Hidalgo County Roadbuilders, economic studies to define the limits of the proposed TRZ, the future economic benefit to the County as a whole of implementing the Loop project, and the future economic benefit to the property proposed for inclusion in the TRZ. These studies can be used as the basis for the findings by the Court to create the TRZ. In addition, the Authority will provide the County all of the necessary legal and administrative support required for this important process.

The creation of a TRZ for the Loop Project is further evidence of the Court's commitment to meeting the infrastructure needs of Hidalgo County, in spite of the funding crisis at the state and national levels. Your leadership in this regard is greatly appreciated.

Sincerely,



Dennis Burleson

Chairman

Hidalgo County Regional Mobility Authority

MINUTES

**HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY (HCRMA)
BOARD OF DIRECTORS MEETING
5:30 P.M. – TUESDAY, JULY 01, 2008
LRGVDC TRANSPORTATION CONFERENCE ROOM
510 S. PLEASANTVIEW DRIVE
WESLACO, TEXAS**

The Hidalgo County Regional Mobility Authority (HCRMA) Board of Directors held a regular meeting at 5:35 p.m. on Tuesday, July 01, 2008 at the LRGVDC Transportation Conference Room, Weslaco, TX.

In attendance were:

Board Members

Mr. Dennis Burleson, Chairman
Mr. Rick Perez, Vice Chairman
Mr. Ramiro, Salazar, Secretary-Treasurer
Mr. Ramon Garcia
Mr. Joe Olivarez
Mr. Ricardo Perez
Mr. Ruben Serna

Others

Ms. Mary Escalona
Ms. Maria Champine
Mr. Ken N. Jones, LRGVDC
Mr. Victor Morales, LRGVDC
Ms. Blakely Fernandez, Tuggey Rosenthal Pauerstein
Sandoloski Agather LLP
Mr. Ron Morrison, RBC
Ms. Cheryl Bellamy, Salinas Allen & Schmitt
Mr. Everett Owen, Owen Consulting
Mr. Mario Jorge, TxDOT
Ms. Norma Y. Garza, TxDOT
Mr. Joe Vasquez, Hidalgo County
Mr. Steve Taylor, Rio Grande Guardian
Mr. Gerry Pate, HCRB
Mr. Reza Badiozzamani, L & G- HCRB
Mr. Jacinto Garza, L & G
Mr. Joe Marks, Ballenger Construction
Mr. Tommy Ballenger, Ballenger Construction
Mr. J.C. Ballenger Sr, Ballenger Construction
Ms. Jennie Taraborelli, HCRB
Ms. Veronica De La Fuente, HCRB
Mr. Jeremy Santoscoy, City of McAllen
Mr. Homero Gutierrez, JES
Mr. Juan F. Uribe Jr., JES
Mr. Jabed R. Khan, JES

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

2. PUBLIC COMMENTS

Chairman Burleson introduced Mr. Forrest Runnels. Mr. Runnels briefly stated his concerns for the proposed Hidalgo County Loop Alignment Section C on behalf of the Looney and Vaughan families. Mr. Burleson invited Mr. Runnels to attend the RMA Public Meetings that are scheduled for July 2008.

3. CONSENT ITEMS:

A. Approval of Minutes

1. June 12, 2008.

B. Discussion and / or action including but not limited to the approval of Expense Reports

C. Travel Items Requests

None at this time.

Mr. Ramiro Salazar made a motion to approve all of the Consent Items as presented. Vice Chairman Rick Perez seconded the motion, and upon a vote the motion carried unanimously.

4. PRESENTATION OF REPORTS:

A. BLAKELY FERNANDEZ, TUGGEY ROSENTHAL PAUERSTEIN SANDOLSKI AGATHER, LLP

1. Discussion and possible consideration regarding the Executive Director Employment submissions and set possible procedures for such applicants.

Ms. Blakely Fernandez stated that staff advertised for the Executive Director position in the local newspapers, government websites and the RMA website. The responses were due this past Friday and the RMA received six (6) applicants. She suggested that the RMA committees meet to review all applicants. Mr. Burleson suggested that this item be tabled to give all of the Board members an opportunity to review the applications. Mr. Rick Perez concurred. Mr. Burleson suggested having the Finance and Planning Committees meet to review the applicants. ***This item was tabled for further review and will be brought back for discussion at a future meeting.***

B. EVERETT OWEN, PROJECT CONSULTANT

1. Discussion and consideration of project timelines.

Mr. Everett Owen distributed a list of key dates regarding the Hidalgo County Loop project. He briefly went through the list and defined what each item was. He stated that he will present project updates at each meeting. ***Reports only, no action taken at this time.***

C. GERRY PATE, HIDALGO COUNTY ROAD BUILDERS

1. Discussion regarding an update on public involvement and open houses scheduled for July as well as any future meetings.

Mr. Gerry Pate, HCRB, stated that a status report was distributed to all of the Board members. He stated that he will be giving a more thorough status report every month. At this time, HCRB is defining the alignment(s) and working on a preferred alignment. A list of public meetings dates and times have been scheduled for the month of July 2008. After all public input has been analyzed, the preferred alignment may change. Mr. Pate stated that a newspaper ad will also be printed in the *Monitor, Frontera* and other local newspapers promoting public involvement in the project. Mr. Ramon Garcia recommended that a copy of the proposed map be included in the advertisement in the newspapers and websites. Mr. Pate stated that a recommended ad will be submitted to Board Members for review prior to publication. ***Reports only, no action taken at this time.***

D. RON MORRISON, RBC CAPITAL MARKETS

Mr. Ron Morrison briefly reviewed the schedule that Mr. Everett Owen presented. He stated that an independent study is underway on the Traffic and Revenue Study by a consultant to HCRB. Mr. Gerry Pate, HCRB, will be keeping everyone up to date regarding this study. *Reports only, no action taken at this time.*

E. CHERYL BELLAMY, SAS, LLP

Ms. Cheryl Bellamy gave status report on the financial record keeping. Ms. Bellamy provided the board a list of transactions. She stated that her firm is still working with the LRGVDC Finance Department in getting all final funds transferred to the new RMA bank accounts. She stated that SAS will be making electronic checks when needed. Ms. Bellamy stated that she will be giving a financial report every month. *Reports only, no action taken at this time.*

F. MARIO JORGE, P.E. TEXAS DEPT. OF TRANSPORTATION

Mr. Mario Jorge stated that TxDOT will also be present at the RMA Public meetings that have been scheduled for July. Mr. Jorge also gave a brief update on the I-69 Project. He advised the Board members that TxDOT is still studying both options to connect I-69 to either US281 or US77.

5. DISCUSSION, CONSIDERATION AND POSSIBLE ADOPTION OF THE PLANNING COMMITTEE RECOMMENDATIONS ON THE TECHNICALLY PREFERRED ALIGNMENTS FOR SECTIONS A, B, C, AND D OF THE HIDALGO COUNTY LOOP PROJECT.

Chairman Burleson stated that the RMA Planning Committee has reviewed all of the proposed alignments. Mr. Joe Olivarez stated that the Planning Committee met to discuss and analyzed all sections of the Hidalgo County Loop. They recommend approval of Exhibit A as the Preferred Alignment for the Hidalgo County Loop. Mr. Ramiro Salazar stated that once the corridor is analyzed further there could be unanticipated obstacles that may result in a need to reconsider and reapprove the technically approved alignment. Ms. Fernandez confirmed that the Board's action may be reconsidered at a later time to take into account public comment and other unanticipated facts and circumstances. *Mr. Ramiro Salazar made a motion to approve Exhibit A as the Technically Preferred Alignment as presented. Mr. Ricardo Perez seconded the motion, and upon a vote the motion carried unanimously*

6. DISCUSSION, CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION 2008-12 APPROVING TECHNICALLY PREFERRED ALIGNMENT FOR THE HIDALGO COUNTY LOOP PROJECT.

Chairman Burleson stated that Resolution 2008-12 reflects back to item 5 approving Exhibit A as the Technically Preferred Alignment for the Hidalgo County Loop Project. Mr. Ramon Salazar stated that there were some minor typos on the resolution. Ms. Blakely Fernandez stated that the changes will be made. Mr. Ramon Garcia recommends that someone meet with Senator Chuy Hinojosa and give him an update. Mr. Gerry Pate stated that HCRB has met with Senator Chuy Hinojosa. Mr. Ramiro Salazar made a motion to approve Resolution 2008-12 approving Exhibit A as the Technically Preferred Alignment for the Hidalgo County Loop with the changes to the Resolution. Mr. Ramon Garcia seconded the motion, and upon a vote the motion carried unanimously.

7. DISCUSSION, CONSIDERATION AND POSSIBLE ADOPTION OF A RESOLUTION 2008-13 REGARDING AN AGREEMENT WITH TXDOT TO ASSUME JURISDICTION FOR DEVELOPMENT OF MILITARY HIGHWAY.

Chairman Burleson stated that TxDOT has asked the RMA to assume the jurisdiction for the development of Military Highway. Mr. Burleson stated that the Hidalgo County MPO will be giving the Hidalgo County RMA jurisdiction of the Military Highway. The MPO is scheduled to approve this resolution. *Mr. Ramiro Salazar made a motion to approve Resolution 2008-13: Regarding and Agreement with TxDOT to Assume Jurisdiction for Development of Military Highway. Vice Chairman Rick Perez seconded the motion, and upon a vote the motion carried unanimously.*

8. DISCUSSION, CONSIDERATION AND POSSIBLE AUTHORIZATION TO ALLOW THE CHAIRMAN TO REQUEST HIDALGO COUNTY TO TAKE THE STEPS NECESSARY TO AUTHORIZE THE TRANSPORTATION REINVESTMENT ZONE (TRZ) REQUIRED FOR THE HIDALGO COUNTY LOOP PROJECT.

Chairman Burleson stated that he is requesting that the board give him authorization to request that Hidalgo County take the steps necessary to authorize the transportation reinvestment zone (TRZ) required for the Hidalgo County Loop Project. Mr. Burleson stated that he will submit a memo to the Hidalgo County Commissioners Court to make a formal request. *Mr. Ramiro Salazar made a motion to give authorization to Chairman Burleson to submit a memo to the Hidalgo County Commissioners Court. Mr. Ruben Serna seconded the motion and upon a vote the motion carried unanimously.*

9. EXECUTIVE SESSION PURSUANT TO CHAPTER 551:

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

No executive session was held.

10. ACTION RELATIVE TO EXECUTIVE SESSION:

- A. Possible Action
- B. Possible Action
- C. Possible Action

No action items were taken.

11. NEW OR OLD BUSINESS

None at this time.

12. ADJOURNMENT

Mr. Joe Olivarez made a motion to adjourn. Mr. Ruben Serna seconded the motion and upon a vote the motion carried unanimously.

ATTEST:


Ramiro E. Salazar, Secretary-Treasurer