

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

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

DATE: THURSDAY, AUGUST 2, 2012
TIME: 5:30 PM
PLACE: PHARR CITY HALL
CITY COMMISSION CHAMBERS
118 SOUTH CAGE BOULEVARD, 2nd FLOOR
PHARR, TEXAS 78577

PRESIDING: DENNIS BURLESON, CHAIRMAN

CALL TO ORDER FOR WORKSHOP

1. Presentation by First Southwest regarding Hidalgo County Regional Mobility Authority's intent to pledge the Vehicle Registration Fees to incur additional debt in furtherance of Long Term Transportation Projects in Hidalgo County.
2. Presentation by Dannenbaum and L&G Engineering on SH 365 alignment at the Anzalduas Bridge Crossing.
3. Presentation by Dannenbaum Engineering on amendment to 2012-2017 Strategic Plan – Project Manager Strategy No. 8 to include environmental clearance and preliminary engineering of SH 365 from FM 396 to FM 1016.

ADJOURNMENT OF WORKSHOP

CALL TO ORDER FOR SPECIAL MEETING

PUBLIC COMMENT

1. REPORTS

- A. Update on TxDOT Financing for SH 365 Project – Jody Ellington, TxDOT

2. RESOLUTIONS

- A. Resolution 2012-24 – Amending 2012-2017 Strategic Plan – Project Manager Strategy No. 8 to include environmental clearance and preliminary engineering of SH 365 from FM 396 to FM 1016 and related actions
- B. Resolution 2012-25 – Authorizing Supplemental No. 1 to Professional Services Agreement with Dannenbaum Engineering to amend termination date for Work Authorization No. 3

3. CHAIRMAN'S REPORT

- A. Report on Hidalgo County Commissioners Court Budget Workshop held July 17, 2012

4. 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 Board Attorney regarding legal issues pertaining to amendment of 2012-2017 Strategic Plan – Project Manager Strategy No. 8 (Section 551.071 T.G.C.)

ADJOURNMENT OF SPECIAL MEETING

PUBLIC COMMENT POLICY

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

CERTIFICATION

I, the Undersigned Authority, do hereby certify that the attached agenda of the Hidalgo County Regional Mobility Authority Board of Director’s Workshop and Special Meeting is a true and correct copy and that I posted a true and correct copy of said notice on 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 27th day of July, 2012 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.

Flor E. Koll
Program Administrator

Note: If you require special accommodations under the Americans with Disabilities Act, please contact Flor E. Koll at 956-402-4762 at least 24 hours before the meeting.

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> 7/27/12 </u>
FINANCE COMMITTEE	<u> </u>	MEETING DATE	<u> 8/02/12 </u>
TECHNICAL COMMITTEE	<u> </u>		

1. Agenda Item: **RESOLUTION 2012-24 – AMENDING 2012-2017 STRATEGIC PLAN – PROJECT MANAGER STRATEGY NUMBER 8 TO INCULDE ENVIRONMENTAL CLEARANCE AND PRELIMINARY ENGINEERING OF SH 365 FROM FM 396 TO FM 1016 AND RELATED ACTIONS**
2. Nature of Request: (Brief Overview) Attachments: X Yes No

Consideration and approval of an amendment to the 2012-2017 Strategic Plan – Project Manager Strategy No. 8 to include 3.15 miles of SH 365 from FM 396 to FM 1016 and allow for the environmental clearance and preliminary engineering of the added segment of proposed roadway.
3. Policy Implication: Board Policy, Local Government Code, Transportation Code
4. Budgeted: Yes No X N/A
5. Staff Recommendation: **Motion to approve the amendment to the 2012-2017 Strategic Plan – Project Manager Strategy No. 8 to include environmental clearance and preliminary engineering of SH 365 from FM 396 to FM 1016.**
6. Program Manager's Recommendation: X Approved Disapproved None
7. Planning Committee's Recommendation: Approved Disapproved X None
8. Board Attorney's Recommendation: X Approved Disapproved None
9. Executive Director's Recommendation: X Approved Disapproved None



Memorandum

To: Dennis Burleson, Chairman
From: Pilar Rodriguez, PE, Executive Director
Date: July 27, 2012
Re: **Resolution 2012-24 - Amendment to 2012-2017 Strategic Plan – Project Manager Strategy No. 8**

On April 29, 2010, the Texas Department of Transportation (TxDOT) approved Minute Order No. 112250, designating the Trade Corridor Connector as State Highway 365 from FM 1016 to FM 3072. This action by TxDOT gave the proposed roadway an on system designation to allow for eligibility of financing through the State Pass-Through Program. Subsequent to this designation, the Hidalgo County Regional Mobility Authority (HCRMA) executed Pass-Through Agreements that partially funded SH 365.

On March 28, 2012, the HCRMA Board of Directors approved the 2012-2017 Strategic Plan – Project Manager Strategy No. 8, which included State Highway 365 as a proposed four (4) lane roadway and no overpass at the intersection of the roadway with the Anzalduas Bridge. The approved limits of the SH 365 project were from FM 396 to FM 3072. Strategy No. 8 also included a segment of the IBTC that would allow for connectivity of SH 365 to US 281/Military Highway.

TxDOT has requested that the HCRMA amend the 2012-2017 Strategic Plan to include the segment originally designated to FM 1016 as part of Minute Order 112250. This amendment adds approximately 3.15 miles of roadway to the proposed project. Additionally, the amendment would allow staff to environmentally clear and begin preliminary engineering of the added segment. Although no financing has been identified for construction of this segment, environmental clearance and eventual full design would allow for eligibility if any funding calls are made by TxDOT.

The estimate of probable cost for environmental clearance and preliminary engineering of the added segment is \$600,000. If the strategic plan amendment is approved, staff would prepare amendments to existing contracts for these services and bring them back to the Board for consideration.

Based on review by this office, approval of amendment to the **2012-2017 Strategic Plan – Project Manager Strategy No. 8 to include environmental clearance and preliminary engineering of SH 365 from FM 396 to FM 1016** is recommended.

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

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

BOARD RESOLUTION No. 2012 – 24

AMENDING 2012-2017 STRATEGIC PLAN – PROJECT MANAGER
STRATEGY NO. 8 TO INCLUDE ENVIRONMENTAL CLEARANCE AND
PRELIMINARY ENGINEERING OF SH 365 FROM FM 396 TO FM 1016
AND RELATED ACTION

THIS RESOLUTION is adopted this 2nd day of August, 2012 by the Board of Directors of the Hidalgo County Regional Mobility Authority at a regular meeting.

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”);

WHEREAS, the Authority is authorized by the Act to address mobility issues in and around Hidalgo County;

WHEREAS, Section 370.261 of the Act requires that the Authority, every even numbered year, develop a five year strategic plan;

WHEREAS, on March 28, 2012 the Authority approved the 2012-2017 Strategic Plan - Project Manager Strategy No. 8, which included SH 365 with a four (4) lane roadway and no bridge structure over the Anzalduas Bridge from the limits of US 281/Military Highway to FM 396;

WHEREAS, the Texas Department of Transportation has requested that the 2012-2017 Strategic Plan – Project Manager Strategy No. 8 be amended to coincide with Minute Order No. 112250, which delineates the western limit of the SH 365 project up to FM 1016;

WHEREAS, the amendment to the 2012-2017 Strategic Plan – Project Manager Strategy No. 8 adds approximately 3.15 miles of roadway to the SH 365 project from FM 396 to FM 1016;

WHEREAS, the Authority will also environmentally clear and perform preliminary engineering on the segment of SH 365 from FM 396 to FM 1016 as part of the approved project limit;

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

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

Section 2. The Board hereby approves the amendment to the 2012-2017 Strategic Plan – Project Manager Strategy No. 8 to include the segment of SH 365 from FM 396 to FM 1016 attached hereto as Exhibit A to coincide with Texas Department of Transportation Minute Order No. 112250 attached hereto as Exhibit B.

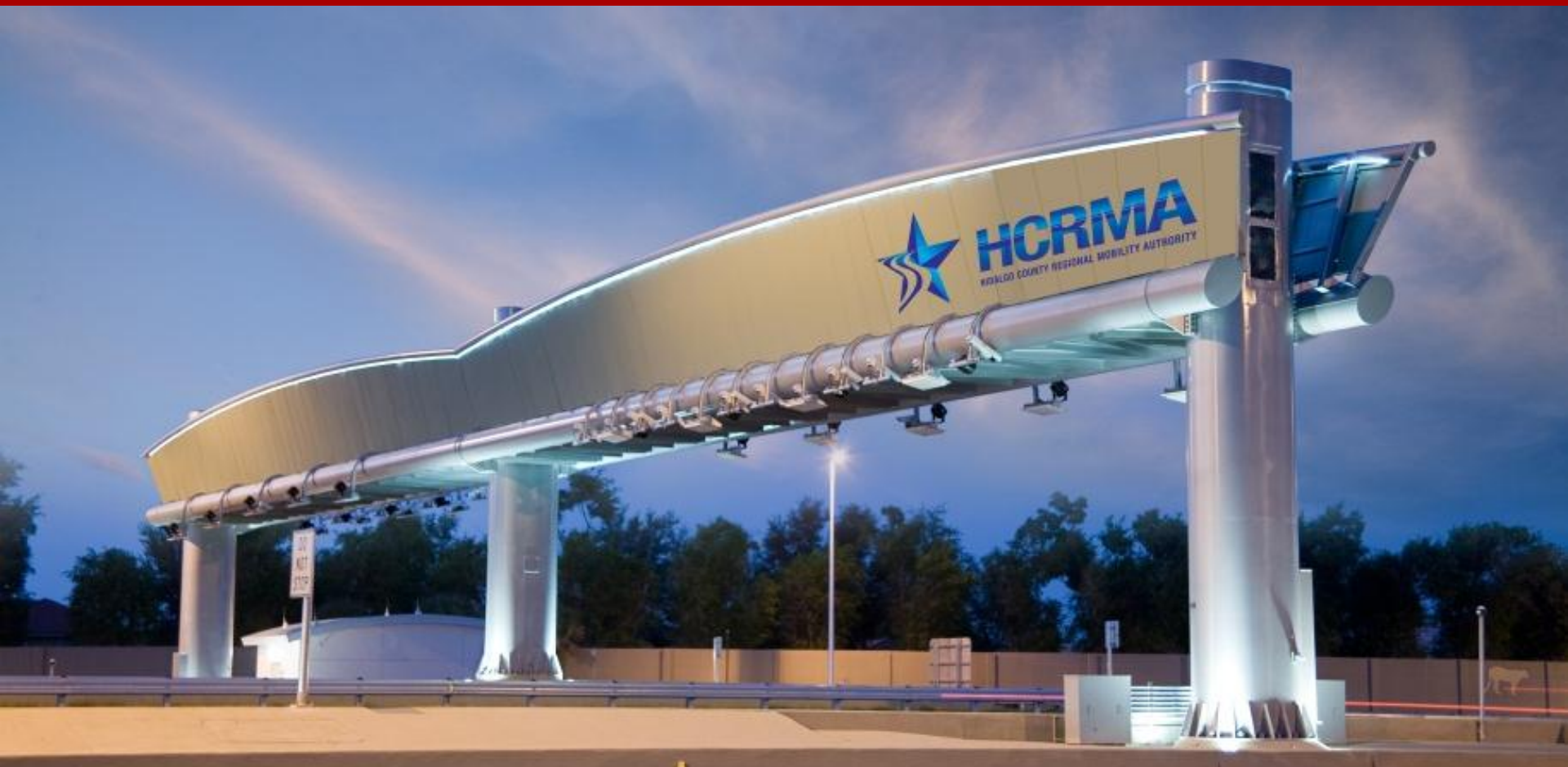
Section 3. The Board authorizes the Executive Director to amend existing professional service contracts to environmentally clear and conduct preliminary engineering on the segment of SH 365 from FM 396 to FM 1016.

PASSED AND APPROVED AS TO BE EFFECTIVE IMMEDIATELY BY THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY AT A SPECIAL MEETING, duly posted and noticed, on the 2nd day of August, 2012, at which meeting a quorum was present.

Dennis Burleson, Chairman

Ricardo Perez, Secretary/Treasurer

EXHIBIT A
AMENDED 2012-2017 STRATEGIC PLAN – PROJECT MANAGER
STRATEGY NO. 8
ADDING THE SEGMENT OF SH 365
FROM FM 396 TO FM 1016



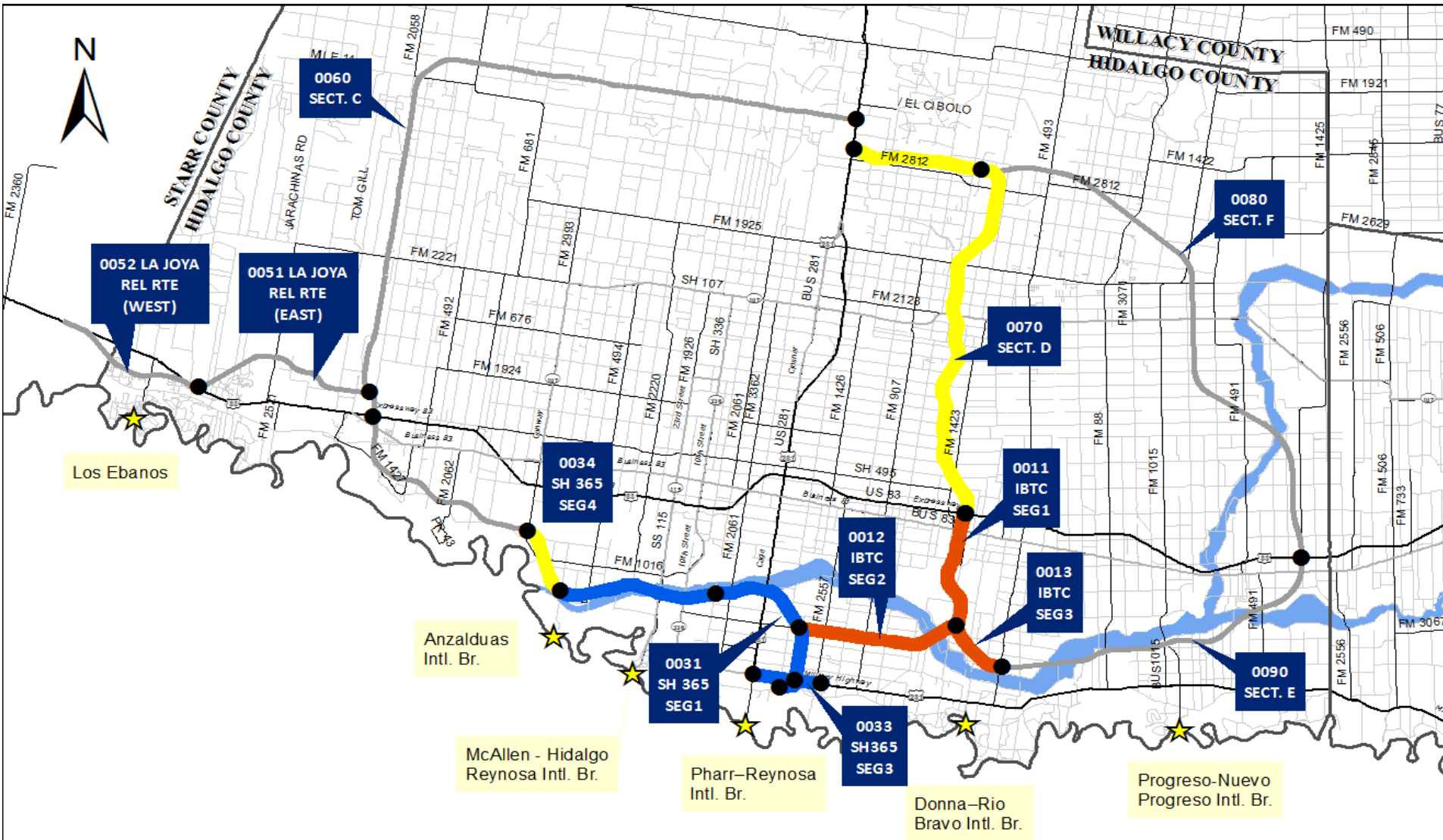
STRATEGIC PLAN 2012 - 2021

DRAFT
SUBJECT TO REVISION
HCRMA
HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

Currently Available Funds

Funding Description	IBTC (All Segments)	SH 365 (All Segments)	Total
TxDOT Category 10 (Earmark)	\$ -	\$ 1,293,144	\$ 1,293,144
TxDOT Category 10 (CBI - On System)	\$ -	\$ 2,000,000	\$ 2,000,000
TxDOT Category 10 (CBI - Off System)	\$ -	\$ 3,600,000	\$ 3,600,000
Total VFR Bonds	\$60M projected Net		\$ 60,000,000
Availability Funds (in lieu of Passthrough Funds)	\$ -	\$112,055,735	\$112,055,735

Selected Strategy 8 – 4 Lane



Strategy 8 – Highlights

- SH 365: (Segments 1 - 3) (4 Lane) is fully constructed with tolls starting December 2017 (which includes development and construction of the US 281 overpass project whose environmental document would be consolidated into the EA for SH 365).
- SH 365: (Segment 4) (4 Lane) Taken through preliminary engineering with environmental clearance (assuming EA) in April 2014.
- IBTC: (Segments 1 - 3) (4 Lane) is fully constructed with tolls starting October 2019.
- La Joya: Handed back to TxDOT so they can build frontage roads, and at such time as it is toll-viable the HCRMA may develop mainlanes, bridges and toll facilities.
- Section D: Taken through environmental clearance with preliminary engineering with activity ending June 2020.

EXHIBIT B
TEXAS TRANSPORTATION COMMISSION MINUTE ORDER 112250
DATED APRIL 29, 2010

TEXAS TRANSPORTATION COMMISSION

HIDALGO County

MINUTE ORDER

Page 1 of 1

PHARR District

In HIDALGO COUNTY, local officials have requested the designation of the proposed Trade Corridor Connector Project as STATE HIGHWAY 365 along a new location from FM 1016, 1.7 miles south of US 83, eastward to FM 3072, 0.9 mile west of FM 2557, a distance of approximately 12.73 miles. The new route will enhance mobility in the area by providing a new east-west corridor.

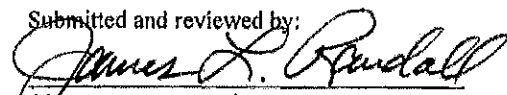
Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director recommends designating the proposed Trade Corridor Connector Project as SH 365 along a new location from FM 1016, 1.7 miles south of US 83, eastward to FM 3072, 0.9 mile west of FM 2557.

The Texas Transportation Commission (commission) finds that the designation of SH 365 will facilitate the flow of traffic, promote public safety, and maintain continuity of the state highway system and is necessary for the proper development and operation of the system.

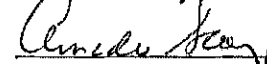
IT IS THEREFORE ORDERED by the commission that SH 365 be designated along a new location from FM 1016, 1.7 miles south of US 83, eastward to FM 3072, 0.9 mile west of FM 2557, a distance of approximately 12.73 miles. In the event construction of the Trade Corridor Connector Project (SH 365) does not begin within 36 months of the date of this order, the order shall become null and void.

IT IS FURTHER ORDERED that if the project is developed by an entity other than the Texas Department of Transportation (department), the maintenance, control, and jurisdiction of the project will remain with the developing entity until the highway is opened to traffic as approved by the department.

Submitted and reviewed by:


Director, Transportation Planning
and Programming Division

Recommended by:


Executive Director

112250 APR 29 10

Minute
Number

Date
Passed

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> 7/27/12 </u>
FINANCE COMMITTEE	<u> </u>	MEETING DATE	<u> 8/02/12 </u>
TECHNICAL COMMITTEE	<u> </u>		

1. Agenda Item: **RESOLUTION 2012-25 - AUTHORIZING SUPPLEMENTAL NO. 1 TO PROFESSIONAL SERVICE AGREEMENT WITH DANNENBAUM ENGINEERING TO AMEND TERMINATION DATES FOR WORK AUTHORIZATION NO. 1 & 3**
2. Nature of Request: (Brief Overview) Attachments: X Yes No

Consideration and approval of supplemental No. 1 to Professional Service Agreement with Dannenbaum Engineering to amend termination date for Work Authorization No. 3, which has lapsed.
3. Policy Implication: Board Policy, Local Government Code, Transportation Code
4. Budgeted: Yes X No N/A

Funding Source:
5. Staff Recommendation: **Motion to approve Supplemental No. 1 to Professional Service Agreement with Dannenbaum Engineering to Amend Termination Date for Work Authorization No. 3 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. Executive Director's Recommendation: X Approved Disapproved None



Memorandum

To: Dennis Burleson, Chairman

From: Pilar Rodriguez, PE, Executive Director

Date: July 27, 2012

Re: **Resolution 2012-25 - Authorizing Supplemental No. 1 to Professional Service Agreement with Dannenbaum Engineering to Amend Termination Date for Work Authorization No. 3**

On October 27, 2011, the Hidalgo County Regional Mobility Authority (HCRMA) Board of Directors awarded a Professional Service Agreement to Dannenbaum Engineering for general engineering and program management services in the maximum payable amount of \$5,000,000. The HCRMA has subsequently approved work authorizations numbers 1, 3 and 4 in the amounts of \$909,960.63, \$57,750.00 and \$891,814.61 respectively.

The termination date for Work Authorization No. 3 has lapsed as of February 1, 2012. Work Authorization No. 3 is for the Program Manager to provide title reports for SH 365. To date, \$5,775 has been spent on title reports, leaving a balance of \$51,975. The HCRMA has authorized design work to commence on SH 365 and title reports are necessary to determine ownership of parcels that are proposed for acquisition.

The termination date for Work Authorization 3 is proposed to be extended to February 1, 2013 to allow for completion of the authorized task, with no additional cost.

Based on review by this office, approval of **Supplemental No. 1 to the Professional Service Agreement with Dannenbaum Engineering for Work Authorization No. 3 extending the termination date to February 1, 2013** is recommended.

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

HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

BOARD RESOLUTION No. 2012 – 25

SUPPLEMENTAL NUMBER 1 TO PROFESSIONAL SERVICES
AGREEMENT WITH DANNENBAUM ENGINEERING CORPORATION
AMENDING TERMINATION DATE FOR WORK AUTHORIZATION
NUMBER 3

THIS RESOLUTION is adopted this 2nd day of August, 2012 by the Board of Directors of the Hidalgo County Regional Mobility Authority at a regular meeting.

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”);

WHEREAS, the Authority is authorized by the Act to address mobility issues in and around Hidalgo County;

WHEREAS, on October 27, 2011 the Authority awarded a professional service agreement for general engineering and program management services to Dannenbaum Engineering Corporation in the maximum payable amount of \$5,000,000;

WHEREAS, the Authority has subsequently approved work authorizations numbers 1, 3 and 4 in the amounts of \$909,960.63, \$57,750.00 and \$891,814.61 respectively;

WHEREAS, the termination date for work authorizations number 3 has lapsed;

WHEREAS, the Authority has determined it is necessary to extend the termination date for work authorization number 3 to complete the authorized task;

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

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

Section 2. The Board hereby approves the supplemental to the professional services agreement with Dannenbaum Engineering Corporation and amends the termination date for work authorization numbers 3 attached hereto as Exhibit A.

Section 3. The Board authorizes the Executive Director to execute the supplemental agreement as approved.

PASSED AND APPROVED AS TO BE EFFECTIVE IMMEDIATELY BY THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY AT A SPECIAL MEETING, duly posted and noticed, on the 2nd day of August, 2012, at which meeting a quorum was present.

Dennis Burleson, Chairman

Ricardo Perez, Secretary/Treasurer

EXHIBIT A

SUPPLEMENTAL NO. 1 TO PROFESSIONAL SERVICE AGREEMENT WITH
DANNENBAUM ENGINEERING CORPORATION DATED OCTOBER 27, 2011
AMENDING TERMINATION DATES FOR WORK AUTHORIZTION NUMBER 3

ATTACHMENT D
D-2
SUPPLEMENTAL WORK AUTHORIZATION NO. 1
TO WORK AUTHORIZATION NO. 3
AGREEMENT FOR ENGINEERING SERVICES

THIS SUPPLEMENTAL WORK AUTHORIZATION is made pursuant to the terms and conditions of "Article V of that certain Professional Services Agreement for Program Management Engineering Services" hereinafter identified as the "Agreement," entered into by and between the Hidalgo County Regional Mobility Authority (Authority), and Dannenbaum Engineering Corporation (the Engineer).

The following terms and conditions of Work Authorization No. 3 are hereby amended as follows:

PART I. The Engineer will perform program management and engineering services generally described in accordance with the project description attached hereto and made a part of this Supplemental Work Authorization. Exhibit C of the original Work Authorization No. 1 is amended as shown in Exhibit C-1 which reflects an increase in schedule to February 1, 2013, which is attached hereto and made a part of this Supplemental Work Authorization. All Exhibits in the Original Work Authorization No. 3 remain unchanged.

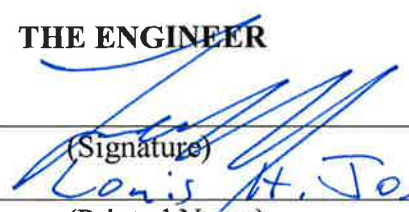
PART II. The remaining amount payable under Work Authorization No. 1 **remains the same (\$0.00 net increase in fee)** and the method of payment is **lump sum** as set forth in Attachment E of the Agreement.

PART III. The termination date is extended from February 1, 2012 to February 1, 2013 to allow the Engineer to complete on-going services under Work Authorization No. 3. Exhibit C, Work Schedule is amended with the attached Exhibit C-1, Work Schedule.

This Supplemental Work Authorization shall become effective on the date of final execution of the parties hereto. All other terms and conditions of Work Authorization No. 3 not hereby amended are to remain in full force and effect.

IN WITNESS WHEREOF, this Supplemental Work Authorization is executed in duplicate counterparts and hereby accepted and acknowledged below.

THE ENGINEER



(Signature)
Louis H. Jones Jr., Jr.

(Printed Name)
Principal

(Title)
7/25/12

(Date)

THE AUTHORITY

(Signature)

(Printed Name)

(Title)

(Date)

Exhibit C-1 Work Schedule

EXHIBIT C-1
WORK SCHEDULE

TASK	OCT 2011	NOV 2011	DEC 2011	JAN 2012	FEB 2012	MAR 2012	APR 2012	MAY 2012	JUN 2012	JUL 2012	AUG 2012	SEP 2012	OCT 2012	NOV 2012	DEC 2012	JAN 2013	FEB 2013
Provide Title Reports for TCC East and West (150 Max)																	