

**Webb County – City of Laredo
Regional Mobility Authority (RMA)
Board of Directors Meeting
Monday, May 18, 2015
9:00 AM**

Minutes

The Webb County – City of Laredo Regional Mobility Authority Board of Directors convened in a meeting at 9:09 a.m. on Monday, May 18, 2015 at the City Council Chambers, 1110 Houston St., Laredo, TX. They discussed the following agenda:

1. Open Meeting, Establish Quorum, Welcome and Opening Remarks – Ruben Soto
2. Action: Discussion / Action to Approve April 20, 2015 Meeting Minutes
3. Action: Swearing in of Paul Saenz as WCCL-RMA Board Member by Webb County Judge Tano Tijerina.
4. Report: Discussion on the Development of a WCCL-RMA Strategic Plan
5. Action: Discussion and Possible Action Regarding Preparation of Standard Operating Procedures (SOP)(Environmental Reviews, Employee Conduct Code, etc.)
6. Report: Update on Contributions from the City of Laredo and Webb County on Providing Funds for WCCL-RMA Non-Project Operating Expenses
7. Report: Update on the Vehicle Registration Fund Memorandum of Understanding (MOU) with Webb County
8. Action: Discussion and Possible Action on Resolution of Project Sponsorship of Vallecillo Road
9. Report: Update on the Hachar / Green Ranch Road Project
10. Report: Update on the Loop Main Lanes over IH 35 / U-P RR and International Blvd. Interchange Projects and the Development of the Funding Plan for the US 59 / Loop 20 / I-69 (International Blvd. to US Hwy 59) Project
– Melisa D. Montemayor (TxDOT Laredo District Administrator)
11. Report: I-69 Alliance and TxDOT I-69 Committee Meetings – Gerald Schwebel
12. Action: Discussion and Possible Action on Posting Temporary / Permanent Executive Director Position or Consultant; Job Description Re: Same; and Matters Related Thereto (Possible Closed Session – Texas Government Code Section 551.071)
13. Report: Legislative Update, TRZ and Project Development Issues (Brian Cassidy, Locke Lord, LLP, Legal Counsel)
14. Closed Session: Board will adjourn into closed session pursuant to the following sections Of the Texas Open Meetings Act
 - A. 551.071 Consultation with Board’s Attorney
 1. RFQ for Financial Advisor(s) and General Engineer(s)
 2. Legal Services Contracts for Locke Lord, LLP and J. Cruz & Associates, LLC
 3. Open Meetings Act, Public Information Act, Regulations of Conflict of Interest / Reporting Requirements (Juan J. Cruz, J. Cruz & Associates, LLC, Legal Counsel)
15. Reconvened from Closed Session, the Board will take appropriate action on items, if necessary, as discussed in Closed Session
 1. Action: Approval of Draft / Release RFQ for Financial Advisor(s) and General Engineer(s)
 2. Action: Approval of Legal Services Contracts for Locke Lord, LLP and J. Cruz & Associates, LLC
16. Public Comments

17. Report: Date / Time / Location of the Next Full Board Meeting

18. Action: Adjournment

Minutes are as follows:

Present: Ruben Soto, Jr., Chairman and Presiding Officer; Paul Saenz, Albert Muller, Sr., Jose Murillo, Alfonso Mendiola and Oscar Lopez

Absent: Steve LaMantia, Board Member for Precinct 1 (Unassigned) and Board Member for Districts 7 & 8 (Unassigned)

Others: Melisa D. Montemayor, District Administrator, TxDOT Laredo District
Raul Leal, Public Information Officer, TxDOT Laredo District (Photographer)
Mike Graham, Environmental Coordinator, TxDOT Laredo District (Presenter)
Marissa Montoya, Office Technician, TxDOT Laredo District (Registration, Note taker)
Araceli Rangel, Staff Assistant, CPA Office of Ruben Soto, Jr. (Note taker)
Brian Cassidy, Locke Lord, LLP (Legal Counsel / Speaker)
Juan Cruz, J. Cruz & Associates, LLC (Legal Counsel)
Gerald Schwebel, I-69 Alliance (Presenter)

1. Open Meeting, Establish Quorum, Welcome and Opening Remarks – Ruben Soto

After establishing a quorum, Presiding Officer, Ruben Soto, Jr., called the meeting to order at 9:09 a.m. He then announced the following Board Members present; Paul Saenz, Albert Muller, Sr., Jose Murillo, Alfonso Mendiola, Oscar Lopez, and himself, Ruben Soto, Jr. He notified everyone present that the meeting was posted in accordance with the Texas Open Meetings Act, then asked everyone to stand for the Invocation and Pledge of Allegiance.

Chairman Soto informed all present that the meeting was being recorded and thanked the City of Laredo for hosting. He proceeded to thank Melisa Montemayor, TxDOT Laredo District Administrator, Marissa Montoya and Araceli Rangel for assisting with the minutes and preparations for the meeting.

2. Action: Discussion / Action to Approve April 20, 2015 Meeting Minutes

Chairman Soto stated that the Board Members had been supplied with a copy of the April 20, 2015 meeting minutes for review. He then asked for a motion to approve the minutes for the Webb County – City of Laredo RMA meeting that took place on April 20, 2015 as presented.

Albert Muller, Sr. made a motion, seconded by Alfonso Mendiola to approve the meeting minutes. No discussion was held. Motion carried.

3. Action: Swearing in of Paul Saenz as WCCL-RMA Board Member by Webb County Judge Tano Tijerina.

Mr. Soto then introduced a new member to the Board of Directors, Mr. Paul Saenz. He then asked Mr. Saenz to join Webb County Judge Tano Tijerina at the head of the room. Judge Tijerina then administered the Oath of Office to Mr. Paul Saenz.

4. Report: Discussion on the Development of a WCCL-RMA Strategic Plan

Chairman Soto informed the Board that Mike Graham from TxDot initiated a draft of Strategic Plan and thanked him for doing so. He would then email the draft of the WCCL-RMA Strategic Plan to the Board of Directors for their review and input.

5. Action: Discussion and Possible Action Regarding Preparation of Standard Operating Procedures (SOP)(Environmental Reviews, Employee Conduct Code, etc.)

Chairman Soto then introduced attorney Brian Cassidy, Locke Lord, LLP.

Mr. Cassidy stated that the policy code is a compilation of required policies and procedures. In the past many of the policies were adopted independently and as separate documents. By incorporating them all into one policy code allows for easy and convenient access. The next step is to prioritize the policy components and then adopt and eventually all policies will consolidate into one set of materials. Before the next board meeting, Mr. Cassidy suggested that the Board divide the Standard Operating Procedures into three (3) components: (1) by-laws; (2) procurement policy; and (3) conflicts of interest. The higher priority items include the Governance and Procurement Policy. Mr. Cassidy stated that once a financial advisor was on board, the financial chapter could be adopted, which would involve how the RMA handles investments. The next step would then be environmental review of the project(s), and business operations, i.e. toll road collections, interface with customers and vendors. Mr. Cassidy stated that importance of focusing on the adoption of incremental sections of the policy code, doing so chapter by chapter. Mr. Soto asked for a motion to proceed with preparation of the policy code in the manner described.

Albert Muller, Sr. made a motion, seconded by Jose Murillo to begin development of the policy code. No discussion was held. Motion carried.

6. Report: Update on Contributions from the City of Laredo and Webb County on Providing Funds for WCCL-RMA Non-Project Operating Expenses

Chairman Soto stated that the RMA needed to decide on a plan of action to incorporate a budget for startup, which would include legal fees. Once the RMA has contracted with Legal team and consultants, they can offer input on their estimated fees to be part of budget.

7. Report: Update on the Vehicle Registration Fund Memorandum of Understanding (MOU) with Webb County

Chairman Soto then stated that the Board received a draft of the inter-local agreement.

Brian Cassidy stated that the inter-local agreement would require approval by the County, and the purpose of the inter-local agreement is to release the vehicle registration fees, in which the County would permit the RMA to use the registration fees for transportation projects. The inter-local agreement states how those monies from the vehicle registration fees are spent. The draft of the inter-local agreement that the RMA received from the County was one that was used for the El Paso RMA, which involved a slightly different scenario. Brian suggested changes to take back to the County to simplify and eliminate items.

Albert Muller, Sr. suggested that Mr. Soto should call a special meeting to review the agreement once final draft was ready. Mr. Soto stated that a special meeting could be called after the County reviews Locke Lord's changes. Juan Cruz, J. Cruz & Associates, LLC, stated that the RMA can state to the County Attorney's office that it is a "draft" agreement, so if the RMA has any changes that they would like to make, they can let them (J. Cruz/B. Cassidy) know.

Please view attached inter local-agreement document for additional information.

8. Action: Discussion and Possible Action on Resolution of Project Sponsorship of Vallecillo Road

Chairman Soto stated that the RMA wanted to take the opportunity, and present to the MPO, City, and Council officials, that the RMA would take the lead on project sponsorship of Vallecillo Road. Mr. Soto called for a motion to accept RMA's sponsorship of the Vallecillo Road project.

Oscar Lopez made a motion, seconded by Alfonso Mendiola to accept the Vallecillo Road project. Albert Muller, Sr. asked where the RMA goes from here. Mr. Soto stated that they would draft and present a resolution to the MPO. Paul Saenz asked if the other projects that are identified in the local agreement are ones that the RMA is considering. Mr. Soto confirmed. Melisa Montemayor then stated that, as a reminder, the petition that identifies the projects has been recently updated. Brian Cassidy stated that the project lists are just a snapshot and they can evolve. Mrs. Montemayor said they would verify and update as projects are identified. Mr. Muller then asked where they should go from here, to TxDOT or elsewhere. Mr. Soto then replied that during the MPO meeting later that afternoon, he would present to them that the RMA has passed a resolution to take the lead on the Vallecillo Road project. Once the RMA is authorized to sponsor Vallecillo Road, the RMA will be responsible for the entire project's construction. Once the team of consultants are in place, the RMA can decide on how to finance the project. Mr. Saenz asked Mr. Cassidy if there was anything in the inter-local agreement about having a certain timeline with the projects. Mr. Cassidy responded that it does not state a timeline in the agreement. Mr. Cassidy asked Mrs. Montemayor if Vallecillo was an on or off system project. Mrs. Montemayor replied that it is currently an off system project, but it does connect to on system roadways FM 1472 and I-35. No further discussion was held. Motion carried.

9. Report: Update on the Hachar / Green Ranch Road Project

Mr. Soto stated that as of now, there is no update on the Hachar / Green Ranch Road project. Once the RMA has their consultants in place, the Board can evaluate participation in that project.

**10. Report: Update on the Loop Main Lanes over IH 35 / U-P RR and International Blvd. Interchange Projects and the Development of the Funding Plan for the US 59 / Loop 20 / I-69 (International Blvd. to US Hwy 59) Project
- Melisa D. Montemayor (TxDOT Laredo District Administrator)**

Chairman Soto asked Melisa Montemayor if there was any update on the any of these projects. Mrs. Montemayor said they are still moving forward with the Loop 20 Main Lanes over I-35 project. They are still coordinating the railroad agreement because the overpass would be over

the existing railroad, but they are moving forward on that. Everything is going as planned and they are aiming for an August 2016 letting. The International Blvd. Interchange project is a Prop 1 project and that estimate is still 23 million dollars. The RMA plans to let that project this fiscal year. Not only are the overpass main lanes being built over International Blvd., but the main lanes East of McPherson/Loop 20 overpass as well.

Please view attached Webb County-City of Laredo RMA Projects map for additional information.

11. Report: I-69 Alliance and TxDOT I-69 Committee Meetings – Gerald Schwebel

Mr. Soto then introduced Gerald Schwebel, Board member and Executive committee member of the I-69 Alliance, to give an Interstate 69 update briefing.

Please view attached PowerPoint and I-69 handouts for additional information.

12. Action: Discussion and Possible Action on Posting Temporary / Permanent Executive Director Position or Consultant; Job Description Re: Same; and Matters Related Thereto (Possible Closed Session – Texas Government Code Section 551.071)

Chairman Soto asked for a motion to authorize the preparation of a draft posting for the temporary or permanent Executive Director position.

Paul Saenz made a motion, seconded by Jose Murillo to authorize a draft posting for the temporary or permanent Executive Director position. No discussion was held. Motion carried.

13. Report: Legislative Update, TRZ and Project Development Issues (Brian Cassidy, Locke Lord, LLP, Legal Counsel)

Chairman Soto then introduced Brian Cassidy to give a legislative update regarding TRZ and project development issues.

Mr. Cassidy stated in regards to transportation funding, TxDOT needs about four (4) to five (5) billion dollars to maintain the current levels of congestion. That assumes that some projects would still be developed as toll roads, and If you take away tolling as an option, the funding requirements would be considerably more. On more specific funding measures, there is progress on individual funding options. The following are two competing options: (1) a dedication of \$2.5 billion of the vehicle sales tax to transportation; or (2) taking three (3) billion dollars from sales tax and put it to state highway funding. There is additional legislation still being discussed that would subject RMA to reviews by the State Auditors Office, however it is already a requirement for the RMA's to undergo annual audits. It is unclear whether that legislation will pass.

14. Closed Session: Board adjourned into Closed Session at 10:06 a.m._ pursuant to the following sections of the Texas Open Meetings Act:

A. 551.071 Consultation with Board Attorney

1. RFQ for Financial Advisor(s) and General Engineer(s)
2. Legal Services Contracts for Locke Lord, LLP and J. Cruz & Associates, LLC

3. **Open Meetings Act, Public Information Act, Regulations of Conflict of Interest / Reporting Requirements (Juan J. Cruz, J. Cruz & Associates, LLC, Legal Counsel)**

15. **Reconvened from Closed Session 11:04 a.m., the Board will take appropriate action on items, if necessary, as discussed in Closed Session**

1. **Action: Approval of Draft / Release RFQ for Financial Advisor(s) and General Engineer(s)**

Chairman Soto asked for a motion to authorize the approval of the draft and once finalized, release the RFQ for a Financial Advisor(s) and General Engineer(s)

Albert Muller, Sr. made a motion to approve the draft / release of the RFQ for a Financial Advisor(s) and General Engineer(s). No discussion was held. Motion carried.

2. **Action: Approval of Legal Services Contracts for Locke Lord, LLP and J. Cruz & Associates, LLC**

Chairman Soto asked for a motion to authorize the approval of legal services contacts for Locke Lord, LLP and J. Cruz & Associates, LLC.

Oscar Lopez made a motion, seconded by Alfonso Mendiola approve the legal services contacts for Locke Lord, LLP and J. Cruz & Associates, LLC. No discussion was held. Motion carried.

16. **Public Comments**

No public comments.

17. **Report: Date / Time / Location of the Next Full Board Meeting**

Chairman Soto proposed the next meeting be held on Monday, June 15, 2015, at 9 a.m. Location to be announced.

18. **Action: Adjournment**

Jose Murillo made a motion, seconded by Albert Muller, Sr. to adjourn the Webb County - City of Laredo RMA meeting at 11:15 a.m. Motion carried.

Action Items Previously Discussed

Date	Action Item	Date Completed
11/17/14	Legal Responsibilities: <ul style="list-style-type: none"> • Surety Bonds • Conflict of Interest Policy forms • Procurement Policy <u>(In process)</u> • File an annual Personal Financial Statement (Completed 2/24/15) 	

	<ul style="list-style-type: none"> • Training on responsibilities under the Open Meetings Act and Publication Information Act • Nepotism laws • Ethics and Compliance Program 	
11/17/14	<p>Future Services / Facilities Required:</p> <ul style="list-style-type: none"> • Lease facilities for staff • Banking services (Finance Committee will need to draw up agreement with county to agree how much the \$10 fee will go to RMA and then set up an account.) • Legal counsel (Completed 4/20/15) • Financial advisory services (<u>In process</u>) • Accounting and auditing services • Public informational material • Branding, web site design & maintenance • Inter-local Agreements- TRZ, Toll Equity Bonds, Tolling • Executive Director (job description to be developed and posted when needed with experience in business, management, state policy and TxDOT) • Staffing (Receptionist, secretary (preferably paralegal), executive director and support staff.) 	

MINUTES FOR THE WEBB COUNTY - CITY OF LAREDO REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS MEETING HELD ON APRIL 20, 2015 WERE COMPLETED ON THIS THE 12th DAY OF JUNE 2015.

Submitted by:
Marissa J. Montoya
Office Technician
TxDOT Laredo Dist.