

THE STATE OF TEXAS

COUNTY OF CAMERON

BE IT REMEMBERED on the 27th day of MAY, 1997, there was conducted a SPECIAL Public Meeting of the Honorable Commissioners' Court of Cameron County, Texas, jointly with the City of Brownsville, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:

3:00 P. M.

PRESENT:

GILBERTO HINOJOSA
COUNTY JUDGE

COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS, C.P.A.
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

HECTOR PEÑA
COMMISSIONER, PRECINCT NO. 4

Hilda V. Treviño Deputy
COUNTY CLERK

ABSENT:

PEDRO "PETE" BENAVIDES

CITY OF BROWNSVILLE

PRESENT:

HENRY GONZALEZ
MAYOR

CARLOS RUBENSTEIN
CITY MANAGER

HARRY MCNAIR
COMMISSIONER

JOHN WOOD
COMMISSIONER

JACKIE LOCKETT
COMMISSIONER

MELISSA DENNANY MORALES
CITY SECRETARY

ABSENT:

ERNIE HERNANDEZ
COMMISSIONER

The meeting was called to order by Judge Gilberto Hinojosa and by Mayor Henry Gonzalez for the County Commissioners= Court and the City of Brownsville, respectively.

The Court considered the following matter as posted and filed for Record in the Office of the County Clerk on May 23, 1997, at 3:33 P.M.:

(1) **DISCUSSION AND REVIEW OF THE CONSTRUCTION SCHEDULE OF THE LOS TOMATES/MATAMOROS III INTERNATIONAL BRIDGE**

At this time, Judge Hinojosa explained that the Meeting was called, in order for the Members of the Elected Commissioners of the two (2) partners involved to have a complete and total understanding of the Construction Schedule of the Los Tomates Bridge. He stated that different schedules had been discussed previously, but had changed based upon certain requests by the State Department concerning the timing of the exchange of the Diplomatic Notes based on the United States and Mexican fiscal calendars. Judge Hinojosa added that construction time frames were required for both sides of the construction and noted that Mr. John Hudson, Project Engineer, would present the construction schedule which was mandated by the State Department.

Mr. John Hudson, Project Engineer, stated that the original construction schedule included the construction of the abutment to obtain the Coast Guard Permit at which time the construction would cease for six (6) months. He reported that the State Department had requested a commitment from the County and the City to work straight through the Project, in order for the State Department to draft the Note to the President to execute the exchange. Mr. Hudson explain the advantages and the disadvantages of the new schedule and noted that the County based the Construction Schedule on the Mexican sequence outline, that being to begin the Levee Project in June 1997, begin the Bridge in January 1998, and the completion of the Project in December 1998. He highlighted the process, schedules and deadlines for the Texas Department of Transportation and the County and City regarding the Levee, the Government Service Administration Building and the fencing and utilities regarding the area surrounding the Bridge. Mr. Hudson stated that the County Auditor and Mr. Noe Hinojosa, Hinojosa and Estrada, Incorporated, were working to schedule a joint Workshop to finalize the Financing Plan.

Judge Hinojosa stated that there were concerns regarding the Government Service Administration Building Schedule not being addressed and added that Mr. John Poll, GSA Regional Administrator, had been informed of the revised mandated schedule by the State Department, noting that the GSA phase would begin in the summer of 1997. He stated that Mr. Hinojosa was working on a financing plan regarding the Bond Market, in order for the funding not to be committed until Mexico would begin their part of the construction.

Mr. Mark Yates, County Auditor, stated that the borrowing of the incurring cost would be matched as a precaution in case the Project would come to a halt, then the borrowing of funds would cease.

Judge Hinojosa stated that the County had adopted a Resolution which allowed the County to up-front the money for the construction of the Bridge and that the County would be completely reimbursed from the Bonds

Proceeds or Interim Financing. He explained that the Project would end up costing the County more money due to the manner, in which the Financing scheme was structured, as opposed to paying a lower interest rate by selling Bonds in the Bond Market. Judge Hinojosa stated that the cost of the Project could be secured by obtaining Bonds, but noted that it would place the County in a difficult situation if the Mexican construction did not begin as anticipated.

At this time, Commissioner John Woods, City of Brownsville, expressed his support regarding the decision made by the County regarding the State Department's request and expressed his faith in the Contract between Mexico and the United States being carried out. He added that Cameron County and the City of Brownsville were fortunate to have the same financial advisor, which would protect the interest of the both entities and stated that the additional costs to the Project would be minimal.

Mr. Larry Brown, City of Brownsville Planning Director, suggested that the Texas Department of Transportation (TXDOT) be well informed of any timing considerations concerning the Bridge, adding that TXDOT would also be making a large expense on the extension of the expressway, in anticipation of the Bridge.

Mr. Hudson stated that there were daily conversations with the Texas Department of Transportation regarding the matters concerning the Project and that the entities involved had copies of any documents pertaining to the information and changes that occurred.

Commissioner Woods suggested that the Brownsville Beautification Committee be involved in the Project.

Judge Hinojosa expressed concerns regarding the zoning on the levee area and stated that once the levee was removed the land would be free and opened to commitments, which may stand in the way of the original vision of the site, that being a beautiful commercial area including retail and office space and other similar facilities.

Mr. Brown stated the area was automatically zoned when the area was annexed to the City and added that it was zoned very restrictive to large lots for residential purposes, which would not be likely to occur.

Judge Hinojosa stated that some of the commitments from Mexico had been recently reaffirmed and noted that the Commissions would be receiving said information which would allow a more secure feeling on the status of the Project.

Mr. Hudson noted that the National Park Service had approved the Park Plan which would be a City Park and added that it was a pleasure to the work with the City and County.

Commissioner Matz noted that an the Interlocal Agreement between Mexico, Cameron County and the City of Brownsville was placed on the Agenda for the following Regular Meeting of the Commissioners= Court, which was a tentative construction contract requested by Bickerstat and Associates. He summarized his experience regarding the construction of the Los Indios Bridge and clarified that the County would be the owners of the Bridge and that the City

of Brownsville would share in the profits and losses of the Bridge, noting that the City should be prepared for the incoming bills. Commissioner Matz expressed concern regarding toll increases and added that the issue should be further examined.

Judge Hinojosa explained that the support from the City was crucial regarding the increase in toll fees and stated that the Bonds to be sold and the interest paid by the County would be based upon the financial status of the County. He stated that the County's Financial Advisor suggested that the toll fees be increased by the amount of \$0.25, which would strengthen the financial stability of the County and would place the County in a position to obtain a better deal on the Bonds, which would save the County a significant amount of money. Judge Hinojosa stated that specific concerns from the entities involved should be expressed, in order to address the issues.

There being no further business to come before the Court, the meeting was **ADJOURNED**.

APPROVED this **17th** day of **June, 1997**.

GILBERTO HINOJOSA
COUNTY JUDGE

ATTEST:

JOE G. RIVERA,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS