

Cameron County Commissioners' Court Agenda Request Form

2020 R09073

3-H

Date: September 23, 2020 Meeting Date Request: September 29, 2020
 Deadline for Action: September 29, 2020 Contact Person: Mark Yates
 Department: PD&M Phone: (956) 544-0828 Fax: (956) 544-0891
 Department Head Name: Mark Yates Signature: *Mark Yates*

Caption: Action

A RESOLUTION BY THE COMMISSIONERS COURT OF THE COUNTY OF CAMERON, TEXAS, CONVENED IN A REGULAR SESSION ON SEPTEMBER 28, 2020, PURSUANT TO TEXAS GOVERNMENT CODE 551.041, et sec., THE COUNTY IS AUTHORIZED THROUGH ITS REPRESENTATIVES AND STAFF IS DIRECTED TO UNDERTAKE THE WORK AND COMMUNICATIONS NECESSARY AND REASONABLE TO FORM WITH THE STATE OF TEXAS, A TAX SHARING AGREEMENT PURSUANT TO AND CONSISTENT WITH THE COMMON PRACTICE OF OTHER LOCAL JURISDISCTIONS BY SHARING THE HOTEL OCCUPANCY TAX (AMONG OTHER TAXES) REALIZED BY THE COUNTY PURSUANT TO TAX CODE 334 AND BY THE STATE PURSUANT TO TEXAS TAX CODE 156, AND TO FORM THE CONCOMITANT HOTEL & TOURISM DEVELOPMENT & FINANCING ZONE.

Background: *(Briefly summarize your request, if needed use separate sheet(s) or attach supporting documentation).*
 LandGrant Development Company has been working this project since before 2009. The Company has obtained some preliminary agreements with the Federal Agencies such as the IBWC, DHS and Dept. of State. The area surrounding Gateway International Toll Bridge is of great concern to Cameron County in that Gateway provides the County economic resources, increased property values, and cultural ties with Mexico. Development of the Riverfront Project has been contemplated, studied and planned as a part of the City of Brownsville Downtown Revitalization Plan. There a many keys to the success of this project including obtaining a State Tax Revenue Sharing Agreement, development of the permissions to manage the levee systems, use of existing tax collection jurisdictions and finally providing private investors information regarding the progress of this project. Cameron County believes in the job creation nature of this project. Cameron County believes that addressing the Gateway International Toll Bridge traffic needs and safety is important especially in light of serving those citizens and residents who utilized the new \$200 Million U.S. Junior Embassy located in Matamoros, Mex.

PLEASE FILL IN ALL BLANKS WITH REQUIRED INITIALS AND FISCAL DATA INFORMATION OR PLACE N/A IF IS NOT APPLICABLE:

County Judge _____ Auditor _____ Budget _____ Legal *[Signature]* Human Resources _____ Purchasing _____
 1295 Form _____

Fiscal Data: Dept. Name: _____ Fund No. _____ Department: Yes ___ No ___ Amt. Expended : \$ _____
 Funds Available: Yes ___ No ___ General: Yes ___ No ___ Impact on future budget: Yes ___ No ___
 Grant: Yes ___ No ___

Comments:

Action taken by Commissioners' Court
 Approved _____ Tabled _____ Denied _____ Motion made by _____ Seconded _____ Vote _____

**COUNTY OF CAMERON
STATE OF TEXAS**

**NO. 2020R09073
RESOLUTION**

BE IT RESOLVED THAT ON SEPTEMBER 29, 2020, THE CAMERON COUNTY COMMISSIONERS COURT CONVENED IN REGULAR SESSION AND AT THE REQUEST OF THE CAMERON COUNTY COMMISSIONERS, THE FOLLOWING ITEMS WERE PLACED ON THE AGENDA FOR CONSIDERATION, DISCUSSION, AND ACTION BY THE COURT AT ITS MEETING DULY NOTICED AND CALLED TO ORDER PURSUANT TO V.T.C.A. GOVERNMENT CODE § 551.041 ET SEC.

WHEREAS, THE COURT HEREBY REVIEWS & AFFIRMS THE COURT'S RESOLUTION AND ORDER DATED JULY 7TH, 2020, WHEREBY THE COURT DECLARED ITS INTENT AND AUTHORIZATION:

- **TO IMPROVE THE HEALTH, SAFETY AND DIGNITY OF THE PEDESTRIANS & BICYCLISTS CROSSING OVER AND THROUGH THE COUNTY OWNED & OPERATED GATEWAY INTERNATIONAL TOLL BRIDGE; AND**
- **TO UTILIZE THE FULL BENEFITS OF THE US FEDERAL GOVERNMENT PROGRAM WHEN IT DESIGNATED THE RIO GRANDE AN AMERICAN HERITAGE RIVER, WHERE IT FLOWS BETWEEN THE TWO DOWNTOWN BRIDGES, WHEREBY THE TERMS AND PURPOSES OF THE AMERICAN HERITAGE RIVER PROGRAM, ENCOURAGES LOCALLY DRIVEN INITIATIVES TO ECONOMICALLY REVITALIZE THE UNPRODUCTIVE RIVERFRONT PROPERTIES BETWEEN THE GATEWAY INTERNATIONAL TOLL BRIDGE AND THE B&M INTERNATIONAL TOLL BRIDGE AND TO SPECIFICALLY INCLUDE FEATURES WHICH PRESERVE AND PROMOTE THE CULTURAL HERITAGE OF THE LOCATION. IN RESPONSE THERETO, THE SPONSORS OF THE LOCALLY DRIVEN INITIATIVE RECEIVE, BY EXECUTIVE ORDER OF THE US PRESIDENT, THE FULL AND COMPLETE ASSISTANCE AND COOPERATION OF EVERY FEDERAL AGENCY TO IMPLEMENT AND REALIZE THE ELEMENTS, FEATURES, AND BENEFITS OF THE LOCALLY DRIVEN INITIATIVE.**

NOW THEREFORE, BE IT RESOLVED BY THE CAMERON COUNTY COMMISSIONERS COURT THAT:

1. **THE COUNTY IS AUTHORIZED AND STAFF IS DIRECTED TO DO ALL THINGS NECESSARY AND REASONABLE TO IMPLEMENT THE TERMS OF THE FEDERAL COURT ORDER IN THE CIVIL ACTION NO. B-08-27 EXECUTED BY US DISTRICT JUDGE ANDREW HANEN, THE U.S. DEPARTMENT OF HOMELAND SECURITY, THE U.S. CUSTOMS & BORDER PROTECTION, AMONG OTHERS, ORDERING THE REMOVAL OF THE EXISTING BORDER BARRIER AND THE MAKING OF THE BOUNDARY ADJUSTMENTS TO THE SUBJECT PROPERTY PARCELS TO FACILITATE THE FINANCING AND CONSTRUCTION OF THE INFRASTRUCTURE NECESSARY TO SUPPORT THE LOCALLY DRIVEN INITIATIVE TO ECONOMICALLY REVITALIZE THE UNPRODUCTIVE RIVERFRONT PROPERTIES;**

2. THE COUNTY IS AUTHORIZED AND STAFF IS DIRECTED TO DO ALL THINGS NECESSARY AND REASONABLE TO IMPLEMENT THE TERMS OF THE U.S.-MEXICO DIPLOMATIC AGREEMENT-MINUTE NOS. 238 AND 285, EXECUTED BY THE U.S. SECRETARY OF STATE, MEXICO'S MINISTER OF EXTERNAL RELATIONS, THE COMMISSIONER OF INTERNATIONAL BOUNDARY & WATER COMMISSION U.S. SECTION, THE COMMISSIONER OF COMISIÓN INTERNACIONAL DE LÍMITES Y AGUA MEXICO SECTION, AMONG OTHERS, AUTHORIZING THE RE-ENGINEERING OF THE FLOOD PROTECTION LEVEES RUNNING BETWEEN THE TWO BRIDGES, REMOVAL OF THE EXISTING DUAL EARTHEN LEVEES AND TO MAKE THE BOUNDARY ADJUSTMENTS TO THE SUBJECT PROPERTY PARCELS TO FACILITATE THE FINANCING AND CONSTRUCTION OF THE INFRASTRUCTURE NECESSARY TO SUPPORT THE LOCALLY DRIVEN INITIATIVE TO ECONOMICALLY REVITALIZE THE UNPRODUCTIVE RIVERFRONT PROPERTIES. IN PARTICULAR, TO DEVELOP, FINANCE AND CONSTRUCT THE FORTIFIED CONCRETE LEVEE TO PROVIDE FLOOD PROTECTION, BORDER PROTECTION AND THE RETAINING WALL TO SUPPORT THE PROJECT, A LOCALLY DRIVEN INITIATIVE.

WHEREAS, THE COURT HEREBY REVIEWS & AFFIRMS THE COURT'S FINDINGS THAT THE COURT HAS REASON TO EXPECT THE NUMBER OF CITIZENS AND VISITORS MAKING USE OF THE GATEWAY INTERNATIONAL TOLL BRIDGE COMPLEX TO SUBSTANTIALLY INCREASE IN THE NEAR TERM FOR SEVERAL REASONS, ONE OF WHICH IS THE RECENT OPENING OF THE U.S. STATE DEPARTMENT'S \$200 MILLION CONSULATE GENERAL & JUNIOR EMBASSY ABOUT A HALF MILE FROM THE INTERNATIONAL PORTS OF ENTRIES. THE COURT REVIEWS AND AFFIRMS ITS RESOLUTION AND ORDER DATED JULY 7TH, 2020, WHEREBY THE COURT ADDITIONALLY DECLARED ITS INTENT & AUTHORIZATION:

- TO IMPROVE THE SAFETY OF PEDESTRIANS CROSSING THE GATEWAY INTERNATIONAL BRIDGE COMPLEX OWNED AND OPERATED BY CAMERON COUNTY; ELIMINATE TRANSPORTATION CONGESTION; PROVIDE PARKING STRUCTURES; PROVIDE TRAFFIC & CROWD CONTROL IMPROVEMENTS; SUPPORT THE EXPANSION AND REMODEL OF THE INFRASTRUCTURE TO SPAN THE INTERNATIONAL BORDER IN A MANNER NOT INCONSISTENT WITH EXISTING AND ONGOING EXPANSION PLANS TO IMPROVE THE SAFETY AND SECURITY OF PEDESTRIANS CROSSING OVER AND THROUGH THE COUNTY COMPLEX; PROVIDE ADJACENT TRAFFIC AND PARKING STRUCTURES;
- TO ELIMINATE PHYSICAL AND ECONOMIC BLIGHT IN THE AREA; PROMOTE THE ECONOMIC REVITALIZATION THROUGH DEVELOPMENT, CONSTRUCTION, AND OPERATION ALONG THE RIVERFRONT BETWEEN THE TWO BRIDGES BY PROVIDING FOR ADMINISTRATIVE OFFICE STRUCTURES AND CULTURAL HERITAGE FACILITIES;

- TO PROVIDE FUNDING FOR THE IMPROVEMENTS AND TO UTILIZE ALL OTHER ECONOMIC OPPORTUNITIES TO FUND THE NECESSARY IMPROVEMENTS INCLUDING PURSUING ECONOMIC REDEVELOPMENT PROGRAMS AND INCENTIVES BY SEEKING THE CREATION OF TAX INCREMENT ZONES TO PROVIDE FUNDING FOR THE SURROUNDING INFRASTRUCTURE, INCLUDING FLOOD PREVENTION LEVEES, STRUCTURES THAT SPAN THE INTERNATIONAL BORDER;
- TO COMMUNICATE AND COORDINATE ALL APPROPRIATE AND NECESSARY ACTIVITIES WITH FEDERAL, STATE, LOCAL AGENCIES AND DISTRICTS IN CONJUNCTION WITH THE ECONOMIC REVITALIZATION, CULTURAL HERITAGE FACILITIES, AND INFRASTRUCTURE IMPROVEMENTS INCLUDING PURSUING THE STATE OFFICES OF ECONOMIC DEVELOPMENT AND LEGISLATIVE AFFAIRS FOR THE 2020-2021 SEASON.

NOW THEREFORE, BE IT RESOLVED BY THE CAMERON COUNTY COMMISSIONERS' COURT THAT:

1. CAMERON COUNTY TRZ NUMBER SIX ("TRZ#6"): THE COUNTY IS AUTHORIZED TO UNDERTAKE THE WORK AND COMMUNICATIONS NECESSARY AND REASONABLE TO MAKE THE PROJECT A DESIGNATED PROJECT OF CAMERON COUNTY TRZ NUMBER SIX FOR THE PURPOSE ALLOCATING RESOURCES TO THE DEVELOPMENT AND CONSTRUCTION OF THE PROJECT, INCLUDING TAX INCREMENT GENERATED FROM THE PROJECT AND THE TRANSPORTATION REINVESTMENT ZONE #6 BY WHICH TO PROVIDE PARTIAL REIMBURSEMENT FINANCING PAYMENTS TO THOSE THAT PROVIDE THE CAPITAL FUNDING FOR THE PROJECT; AND
2. CAMERON COUNTY REGIONAL MOBILITY AUTHORITY & TRZ NUMBER 6 ("CCRMA"): THE COUNTY REQUESTS THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY TO MAKE THE PROJECT A DESIGNATED PROJECT OF THE CCRMA WITH HIGH PRIORITY AND TO IMMEDIATELY ALLOCATE AND ASSIGN RESOURCES OF TIME AND PERSONNEL TO IMPLEMENT THE PROJECT BY IMMEDIATELY DOING ALL THINGS NECESSARY AND REASONABLE TO MEET THE PROJECT SCHEDULED OBJECTIVES IN THIS CALENDAR YEAR AND AS AUTHORIZED HEREIN AND HEREBY AND AS OTHERWISE CONTEMPLATED BY THE COURT'S ORDERS, RESOLUTIONS AND MANAGEMENT DIRECTIVES; AND
3. LEVEE IMPROVEMENT DISTRICT ZONE: THE COUNTY IS AUTHORIZED AND STAFF IS DIRECTED TO UNDERTAKE THE WORK AND COMMUNICATIONS NECESSARY AND REASONABLE TO COORDINATE AND COLLABORATE WITH THE OWNER OF 36 SAM PERL BLVD., AND THE TWO CONTIGUOUS PROPERTY OWNERS ON THE UPRIVER AND THE DOWNRIVER SIDE OF SAID ADDRESS AND THE MAJORITY OF THE PROPERTY OWNERS OF THE ANTICIPATED LEVEE IMPROVEMENT DISTRICT FOR THE PURPOSE OF FORMING THE CAMERON COUNTY LEVEE IMPROVEMENT DISTRICT #1 UPON THEIR FILING OF A PROPER PETITION WITH THE COMMISSIONERS COURT AND TO DEVELOP AND

CONSTRUCT THE FORTIFIED RIVER LEVEE AS CONTEMPLATED AND AUTHORIZED BY THE THREE PROGRAMS OF THE US GOVERNMENT- THE AMERICAN HERITAGE RIVER PROGRAM; THE DHS BORDER BARRIER REMOVAL PROGRAM; THE U.S.-MEXICO BORDER & RIVER MANAGEMENT PROGRAM FOR THE SPECIFIC PURPOSE OF DEVELOPING AND CONSTRUCTING AN UPGRADED AND USEFUL LEVEE SYSTEM THAT PROMOTES ECONOMIC DEVELOPMENT OF THE RIO GRANDE RIVERFRONT, PROVIDES TUCK UNDER PUBLIC PARKING, PROVIDES JITNEY QUEUING AREA FOR TOURIST AND VISITORS, ELIMINATES TRAFFIC CONGESTION AND UNSAFE CONDITIONS FOR PEDESTRIANS, PROVIDES THE SUPPORT STRUCTURE FOR ADMINISTRATIVE OFFICES, CULTURAL HERITAGE FACILITIES, AND ETC.; AND

4. RIO GRANDE GATEWAY HOTEL, TOURIST & CULTURAL DISTRICT FINANCING ZONE: THE COUNTY IS AUTHORIZED AND STAFF IS DIRECTED TO UNDERTAKE THE WORK AND COMMUNICATIONS NECESSARY AND REASONABLE TO FORM WITH THE STATE OF TEXAS, A TAX SHARING AGREEMENT PURSUANT TO AND CONSISTENT WITH THE COMMON PRACTICE OF OTHER LOCAL JURISDICTIONS BY SHARING THE HOTEL OCCUPANCY TAX (AMONG OTHER TAXES) REALIZED BY THE COUNTY PURSUANT TO TAX CODE 334 AND BY THE STATE PURSUANT TO TAX CODE 156 AND TO FORM THE CONCOMITANT HOTEL & TOURISM DEVELOPMENT & FINANCING ZONE, WHICH INCLUDES AT LEAST THE MINIMUM QUALIFIED ELEMENTS; I.E. 1. A DESCRIPTION & LOCATION RESERVED FOR A BUSINESS MEETINGS HOTEL, 2. A DESCRIPTION & LOCATION OF A SERIES OF VISITOR & TOURISM CULTURAL ATTRACTIONS, E.G. (I) CHISHOLM TRAILHEAD TRIBUTE CENTER, (II) THE KRIS KRISTOFFERSON CULTURAL DISTRICT PER TX GOVT CODE CHP 444, AND (III) A RESPLENDENT RIO GRANDE GATEWAY, THE SIGNATURE PIECE OF THE MULTIPLE INTERNATIONAL TOURIST ATTRACTIONS.

WHEREAS, THE COURT HEREBY REVIEWS & AFFIRMS THE COURT'S FINDINGS, DETERMINATION, RECITATION AND DECLARATION CONTAINED IN ITS RESOLUTION AND ORDER DATED JULY 7TH, 2020 THAT THE PROJECT PROMOTES THE PUBLIC PURPOSES OF THE COUNTY.

NOW THEREFORE, BE IT RESOLVED BY THE CAMERON COUNTY COMMISSIONERS COURT THAT:

1. ADOPT THE CAMERON COUNTY GOOD NEIGHBOR POLICY AND COMMUNICATIONS OUTREACH: THE COUNTY IS AUTHORIZED AND STAFF IS DIRECTED TO COMMUNICATE CONSISTENT HERewith AND AS SET FORTH BELOW, TO THE FEDERAL OFFICES & AGENCIES, STATE OFFICES & AGENCIES, LOCAL OFFICES & AGENCIES & DISTRICTS, THE PRIVATE SECTOR OFFICES & COMPANIES AND THE GENERAL PUBLIC AND TO ASSURE ALL THAT THE COUNTY WELCOMES ALL PERSONS AND GROUPS INTERESTED IN PARTICIPATING WITH THE COUNTY TO MAKE THE RIO GRANDE GATEWAY & RIVERFRONT BOARDWALK AND HOTEL TOURISM ZONE A REALITY SOONER RATHER THAN LATER.

COUNTY AUTHORIZED COMMUNITY & BUSINESS OUTREACH

“THE COUNTY COMMISSIONERS AND ITS PROFESSIONAL STAFF ARE COMMITTED TO IMPROVING OUR QUALITY OF LIFE BY TAKING INTELLIGENT, FORWARD THINKING ACTIONS, AND SUPPLEMENTING OUR EXPERIENCE WITH KNOWLEDGEABLE & EXPERIENCED PEOPLE AND COMPANIES.”

“DURING THE NEXT SEVERAL MONTHS, THE COUNTY EXPECTS TO LAY THE FOUNDATION TO ACHIEVE SIGNIFICANT PUBLIC BENEFITS DURING THE NEXT FEW YEARS.”

“THE COUNTY EXPECTS TO EXPAND & MODERNIZE THE GATEWAY INTERNATIONAL BRIDGE COMPLEX INTO A RESPLENDENT STATE-OF-THE-ART TRANSPORTATION RIVER CROSSING, WITH SPECIAL FEATURES AND ATTRIBUTES DEDICATED TO OUR MILLIONS OF LOCAL AND VISITOR PEDESTRIAN AND BICYCLISTS, THAT IS SAFE & HEALTHY, DIGNIFIED & EASY TO NAVIGATE.”

“THE COUNTY EXPECTS TO RE-ENGINEER THE EARTHEN FLOOD PROTECTION LEVEE SYSTEM PURSUANT TO AND CONSISTENT WITH THE THREE FEDERAL PROGRAMS- THE AMERICAN HERITAGE RIVER PROGRAM; THE DHS BORDER BARRIER REMOVAL PROGRAM, THE U.S.-MEXICO BORDER & RIVER MANAGEMENT PROGRAM- INTO AN UPGRADED AND USEFUL LEVEE SYSTEM THAT PROMOTES ECONOMIC DEVELOPMENT OF THE RIO GRANDE RIVERFRONT.”

“THE COUNTY EXPECTS THE RIO GRANDE RIVERFRONT, WHEN COMPLETED, TO SUPPORT MULTIPLE CULTURAL HERITAGE FEATURES THAT RECONNECTS OUR PEOPLE WITH OUR RIO GRANDE RIVERFRONT HERITAGE WITH SEVERAL EXCITING & ENTERTAINING VENUES.”

“THE COUNTY EXPECTS TO RIO GRANDE RIVERFRONT, TO SUPPORT THE HOTEL RIO GRANDE AND THE VILLAS RIO GRANDE, WITH SHOPS, RESTAURANTS, OFFICES, LUXURY CONDOMINIUMS, WORKFORCE & STUDENT HOUSING AND AFFORDABLE APARTMENTS.”

“THE COUNTY EXPECTS TO FOLLOW THE SAME FINANCING MECHANISM USED AT OTHER FEDERAL PORTS OF ENTRY- PRIVATE SECTOR PROVIDES 100% OF THE CAPITAL FUNDING UPFRONT AND IT CONSTRUCTS THE COUNTY’S FACILITIES, THEN, AS & WHEN THE NEWLY GENERATED TAXES (TAX INCREMENT) ARE COLLECTED THE COUNTY REIMBURSES THE ACTUAL KNOWN COSTS OF THE COUNTY FACILITIES.”

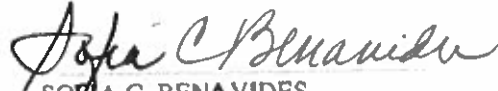
THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT FROM AND UPON ITS PASSAGE.

APPROVED THIS 29TH DAY OF SEPTEMBER 2020.

COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS



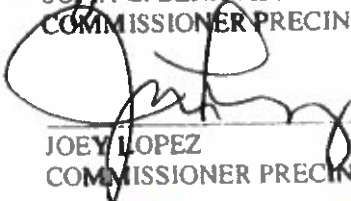
EDDIE TREVIÑO, JR.
COUNTY JUDGE



SOFIA C. BENAVIDES
COMMISSIONER PRECINCT 1



DAVID A. GARZA
COMMISSIONER PRECINCT 3



JOEY LOPEZ
COMMISSIONER PRECINCT 2



GUS RUIZ
COMMISSIONER PRECINCT 4

ATTEST:



SYLVIA GARZA-PEREZ
COUNTY CLERK

