

PANHANDLE REGIONAL PLANNING COMMISSION

BOARD OF DIRECTORS

Minutes

May 26, 2016

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held on Thursday, May 26, 2016, at 1:30 p.m. in the PRPC Board Room, 415 South West Eighth Avenue, Amarillo, Potter County, Texas.

Mayor Paul Harpole, Chairman, presided.

MEMBERS PRESENT:

- Don Allred, Oldham County Judge
- Cleo Castro, Cactus
- Bob Gober, Councilman, City of Canadian
- Ronnie Gordon, Hartley County Judge
- Dr. William Hallerberg, Canadian River Municipal Water Authority
- Paul Harpole, Mayor, City of Amarillo
- Saul Hernandez, Amarillo
- John Howard, M.D., Donley County Judge
- John James, Collingsworth County
- Wayne Nance, Briscoe County Judge
- Amelia Salazar, Palisades Village
- Winston Sauls, Borger
- Phillip Self, Greenbelt Municipal & Industrial Water Authority
- Nancy Tanner, Potter County Judge
- Walter "Four" Price, Texas State Representative

MEMBERS ABSENT:

- Juan Cantu, Lipscomb County Commissioner
- Irene Favila, Hereford
- Ernie Houdashell, Randall County Judge
- Jay Mayden, Childress County Judge
- Harold Keeter, Swisher County Judge
- Dan Looten, Carson County Judge
- Karen Price, Pampa
- Sal Rivera, Sheriff, Castro County
- Kerry Symons, Mayor Pro-Tem, City of Perryton
- Ricky White, Mayor, City of Friona

STAFF PRESENT: Mr. Kyle Ingham, Local Government Services Program Director; Mr. John Kiehl, Regional Services Director; Ms. Cindy Boone, CPA, Finance Director; Ms. Rebecca Rusk, Executive Assistant; Mr. Gary Pitner, Executive Director

OTHERS PRESENT: Mr. Paul Simpson, Congressman Mac Thornberry's Office

1. **CALL TO ORDER**

Mayor Paul Harpole called the meeting to order and noted that a quorum was present.

2. **INVOCATION**

Dr. Bill Hallerberg gave the invocation.

3. **MINUTES**

Judge Don Allred moved to approve the minutes from the meeting held on April 28, 2016, as received. Judge Ronnie Gordon seconded the motion; the motion carried by unanimous vote.

4. **VOUCHERS**

Judge Nancy Tanner moved to approve the vouchers for the month of April, 2016. Judge John James seconded the motion; the motion carried by unanimous vote.

5. **2021 REGIONAL WATER PLAN DEVELOPMENT CONSULTANT SERVICES CONTRACT**

Mr. Kyle Ingham reminded the Board that since 1998, the PRPC has served as the political subdivision for the Panhandle Water Planning Group (PWPG), a planning area that encompasses 21 counties in the Panhandle region. Through this relationship, the 2001 Panhandle Regional Water Plan, the 2006 Panhandle Regional Water Plan, 2011 Panhandle Regional Water Plan, and 2016 Panhandle Regional Water Plan were developed. In the last year, the PRPC Board of Directors approved the submission of the PWPG's application and

subsequent TWDB contract number 1548301829 for funding for the 2021 Panhandle Regional Water Plan for \$77,520 for the first phase of development for that plan.

In order to ensure that the most qualified consultant is procured for the 2021 cycle, the PWPG went through an extensive Request for Qualifications (RFQ) in accordance with PRPC's Procurement Policies. Qualifications were solicited from firms across the nation through notices in newspapers as well as the direct notification of over 50 firms. Four firms requested RFQ packets, but only one firm submitted a Statement of Qualification (SOQ). The firm submitting a SOQ was reviewed and interviewed by the PWPG Executive Committee on May 17, 2016. Ultimately, the PWPG Executive Committee made recommendation to the full PWPG later that day. Subsequently, the full PWPG voted to accept the recommendation of utilizing Freese and Nichols Inc. for the 2021 Regional Water Planning Cycle and recommend to the PRPC Board of Directors that a contract be entered into.

Mr. Ingham further explained that in the 2001 Water Planning Cycle, the 2006 Water Planning Cycle, the 2008 Interim Ogallala Recharge Study, and the 2011 Planning Cycle, and 2016 Planning Cycle funded by the Texas Water Development Board the PWPG and PRPC have contracted Freese and Nichols Inc. out of Fort Worth, Texas, to provide technical assistance to the planning process. The work that has resulted in previous projects from Freese and Nichols has been timely and of the highest quality. Their inclusion in the 2021 Water Planning Cycle will provide an opportunity for both continuity and a high quality end product.

Mr. Ingham discussed in detail with the Board the following main points of work for Freeze and Nichols, Inc. to complete:

1. Description of the Region
2. Review and Revision of Population and Water Demand Projections
3. Water Supply Analysis
4. Identification, Evaluation, and Selection of Water Management Strategies
5. Impacts of Water Management Strategies on Key Parameters of Water Quality and Impacts of Moving Water from Rural and Agriculture Areas
6. Water Conservation and Drought Management Recommendations
7. Description of How the Regional Water Plan is Consistent with Long Term Protection of the State's Water Resources, Agriculture & Natural Resources
8. Unique Stream Segments/Reservoir Sites/Legislative Recommendations
9. Infrastructure Financing Recommendations
10. Assistance with Plan Adoption
11. Drought Issues

Judge John Howard moved to authorize the Executive Director to execute a consultant services contract with Freese and Nichols, Inc. for the development of the 2021 Regional Water Plan. Mr. Winston Sauls seconded the motion; the motion carried by unanimous vote.

6. PANHANDLE REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (PANCOM) TOWER LEASE AGREEMENT TERMINATION

Mr. John Kiehl informed the Board that of the 54 sites that support the infrastructure of the regional PANCOM system; 35 are currently being leased from private owners. In 2016, roughly one-third of the system's annual operating expenses, or \$197,015.40, will be consumed with lease payments.

These annual payments have been an on-going concern as PRPC staff has considered the various options for enhancing the long-term sustainability of the PANCOM system. Each year we remain on these privately-owned towers, our lease costs collectively increase by 3.08%.

During the FY14 State Homeland Security Program (SHSP) grant year, the PRPC applied for and received funding under a competitive grant to build two new radio towers; one in Dallam County and the other in Briscoe County. When completed, the PRPC will be able to vacate the two most expensive towers currently being leased. In 2016 dollars, this will reduce the PANCOM system's annual lease costs by \$23,433.12; cutting that budget line by nearly 12%. Both of these towers are owned by the same company - Pinnacle Towers Asset Holding.

Both FY14 SHSP-funded towers will be completed by the end of June. While these are the first towers the PRPC has built from the ground up; they won't be the first regionally-owned towers in the PANCOM system. Over the past 6-7 years; we've been able to acquire three other built sites; two of which currently have paying tenants on them. While we don't exact the level of rent that's currently expected of us by the private tower owners, these two towers do generate a modest amount of revenue; approximately \$7,500 a year.

Our ultimate vision is to see all PANCOM towers regionally-owned with paying tenants on each site. The revenue from those tenants would allow us to cash-flow a large percentage of the annual system maintenance costs; making us less reliant on future SHSP funding. Over the past several years, the amount of federal funding the region receives has been steadily declining. Getting off the two Pinnacle towers will be a good step toward greater self-sufficiency.

Now, of the 35 towers currently being leased from private owners, the agreements for 34 of those sites were developed by the PRPC. The one exception was the agreement for the Dallam County tower we currently occupy. Pinnacle Towers insisted that we use their template when the agreement was consummated. At the time, Pinnacle owned the only tower in that part of the County and in order to provide some level of coverage up to the New Mexico state line; we had to acquiesce and use their lease form.

There is a standard provision in the lease agreement template drawn up by the PRPC that allows us to vacate a site with four months written notice to the tower owner. That provision is not found in the Pinnacle agreement. Technically, the only time we can end that agreement is at the end of the lease term or on May 31, 2020.

However, PRPC staff proposed a buy-out of the lease. As of June 1, 2016, the PRPC would have to pay Pinnacle a total of \$57,259.31 if we remained on that tower for the duration of the lease term. After several rounds of proposals and counter-proposals; Pinnacle and the PRPC have tentatively agreed on a buy-out amount of \$30,000. That is, provided we've removed all PANCOM equipment from the site by June 30, 2016

Judge Nancy Tanner moved to authorize the Executive Director to execute a tower lease agreement termination in the amount of \$30,000 with Pinnacle Tower Asset Holding LCC, a Delaware limited liability company, per the terms of the agreement, for a tower located in Dallam County approximately 24 miles northwest of Dalhart. Judge Ronnie Gordon seconded the motion; the motion carried by unanimous vote.

7. PANHANDLE REGIONAL PLANNING COMMISSION OFFICE TELEPHONE SYSTEM PURCHASE

Mr. Gary Pitner stated that the Planning Commission's current office telephone system was purchased in 1992 and placed in service in 1993 when we moved into our current office building. The system was purchased from Executone of Texas at a cost of \$21,905 (\$37,571 in 2016 dollars). The Executone System has certainly served us extraordinarily well for a very long period of time.

Although our current 23 year old system remains functional, great strides have been made in telecommunications making the system functionally limited by today's standards. In addition, it is becoming increasingly difficult for our system maintenance contractor (IDeACOM, the successor to Executone) to provide replacement components when needed.

Therefore, staff felt that a prudent path forward at this point in time would be to "test the water" to determine if a new system made sense both financially and functionally. In order to do so, the PRPC formally issued a request for proposals (RFP) on April 15, 2016 for a new office telephone system. Responses were due by 4:00 p.m. on May 13, 2016.

Responses to that solicitation were received from two qualified vendors – Pathwayz Communications Inc. of Amarillo and IDeACOM of Amarillo. Mr. Pitner discussed in detail the two proposals received. He stated that the proposed solution presented by Pathwayz Communications totaled \$63,759.21 and the proposed solution presented by IDeACOM totaled \$35,393.94.

Dr. Bill Hallerberg moved to approve the purchase of a Voice over Internet Protocol (VoIP) business telephone system from IDeACOM of Amarillo (QLVS, Inc.) for the Planning Commission. Judge John James seconded the motion; the motion carried by unanimous vote.

8. MISCELLANEOUS NON-ACTION INFORMATION ITEMS

A. Mr. Gary Pitner reported on the recent and upcoming Planning Commission sponsored regional meetings.

9. ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 2:40 p.m.

Kerry Symons

Kerry Symons, Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors

ATTEST:

Rebecca Rusk

Rebecca Rusk, Executive Assistant
Panhandle Regional Planning Commission