

PANHANDLE REGIONAL PLANNING COMMISSION
BOARD OF DIRECTORS

Minutes

September 15, 2016

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held on Thursday, September 15, 2016, at 4:30 p.m. in the Heritage Room of the Amarillo Civic Center, 401 South Buchanan, Amarillo, Potter County, Texas.

Mayor Pro-Tem Kerry Symons, Secretary-Treasurer, presided.

MEMBERS PRESENT:

- Cleo Castro, Cactus
- Dr. William Hallerberg, Canadian River Municipal Water Authority
- Irene Favila, Hereford
- Bob Gober, Councilman, City of Canadian
- Ronnie Gordon, Hartley County Judge
- Saul Hernandez, Amarillo
- John Howard, M.D., Donley County Judge
- Harold Keeter, Swisher County Judge
- Dan Looten, Carson County Judge
- Jay Mayden, Childress County Judge
- Karen Price, Pampa
- Sal Rivera, Sheriff, Castro County
- Amelia Salazar, Palisades Village
- Winston Sauls, Borger
- Kerry Symons, Mayor Pro-Tem, City of Perryton
- Nancy Tanner, Potter County Judge
- Ricky White, Mayor, City of Friona

MEMBERS ABSENT:

- Juan Cantu, Lipscomb County Commissioner
- Don Allred, Oldham County Judge
- Paul Harpole, Mayor, City of Amarillo
- Ernie Houdashell, Randall County Judge
- John James, Collingsworth County
- Wayne Nance, Briscoe County Judge
- Phillip Self, Greenbelt Municipal & Industrial Water Authority
- Walter "Four" Price, Texas State Representative

STAFF PRESENT: Mr. Kyle Ingham, Local Government Services Program Director; Mr. Mike Peters, Regional 9-1-1 Network Director; Mr. Marin Rivas, Workforce Development Director; Ms. Emily Nolte, Regional Emergency Management Planning Program Coordinator; Ms. Lori Gunn, Regional Service Program Coordinator; Mr. John Kiehl, Regional Services Director; Ms. Cindy Boone, CPA, Finance Director; Ms. Melissa Carter, Area Agency on Aging Director; Ms. Rebecca Rusk, Executive Assistant; Mr. Gary Pitner, Executive Director

OTHERS PRESENT: Mr. Jacob Reed, Senator Kel Seliger's Office; Ginny Lewis, Executive Director, Texas Association of Regional Councils.

1. **CALL TO ORDER**

Mayor Pro-Tem Kerry Symons called the meeting to order and noted that a quorum was present. No conflict disclosure issues pursuant to Local Government Code Chapter 176 were noted by Board members related to action items on today's agenda.

2. **INVOCATION**

Mayor Pro-Tem Symons gave the invocation.

3. **MINUTES**

Dr. Bill Hallerberg moved to approve the minutes from the meeting held on August 25, 2016, as received. Sheriff Sal Rivera seconded the motion; the motion carried by unanimous vote.

4. **VOUCHERS**

Judge Jay Mayden moved to approve the vouchers for the month of August, 2016. Mr. Winston Sauls seconded the motion; the motion carried by unanimous vote.

5. **RESOLUTION THANKING SHANNA PEEPLES**

Judge Dan Looten moved to pass a resolution thanking Shanna Peeples, 2015 National Teacher of the Year for serving as the keynote speaker at the Panhandle Regional Planning Commission's 2016 Annual Meeting. Sheriff Sal Rivera seconded the motion; the motion carried by unanimous vote.

6. **FOOD NET PROGRAM FUNDING AGREEMENT**

Ms. Melissa Carter stated that the Area Agency on Aging (AAA) in partnership with the Lee Bivins Foundation, which operates the Elizabeth Jane Bivins Culinary Center, provides meals for the nutrition program. The program was named "Nutrition for Experienced Texans" and is referred to as the Food NET.

The Food NET program is dependent not only on Title III funds received from the AAA, but also funds from the United Way of Amarillo and Canyon and the City of Amarillo Community Development Block Grant Program. The City of Amarillo's Community Development Block Grant Program operates on a federal funding cycle that begins October 1 and ends on September 30 of each year.

This year, the AAA had an opportunity to reapply for the Community Development Block Grant Program. Subsequently, the City's Community Development Advisory Committee recommended that the program be funded for \$22,000. The City Council considered the request at a public hearing in July. This money will be used to provide home delivered meals to the nutritionally at-risk low and moderate-income elderly and disabled adults residing in the city limits of Amarillo.

This funding is unique as it allows the Food NET program to serve meals to the disabled-under 60 population who are not eligible for funds from the AAA.

Ms. Irene Favila moved to authorize the Executive Director to execute an agreement with the City of Amarillo for Community Development Block Grant funds to partially support the delivery of meals to qualified senior citizens and disabled persons in Amarillo. Mr. Winston Sauls seconded the motion; the motion carried by unanimous vote.

7. **CHILD CARE LOCAL INITIATIVE FUNDING AGREEMENT**

Mr. Marin Rivas stated that a portion of the State's annual allocation to the Panhandle for child care programs is contingent upon our ability to secure local matching funds. For several years, a significant amount of these matching funds has been secured through a competitive grant under the City of Amarillo's Consolidated Plan for Housing and Community Development.

For the fiscal year ending September 30, 2017, the City has committed \$80,000 in Community Development Block Grant (CDBG) funds to this effort. This will allow us to access \$152,300.00 in additional federal child care monies. The combined amount of \$232,300.00 will be used to purchase child care services for children from low-income Amarillo families.

Mayor Ricky White moved to authorize the Executive Director to execute an agreement with the City of Amarillo for Community Development Block Grant funds to support the provision of child care services in Amarillo. Mr. Saul Hernandez seconded the motion; the motion carried by unanimous vote.

8. **WORKFORCE DEVELOPMENT PROGRAM OPERATION AND SERVICE DELIVERY CONTRACT RENEWAL**

Mr. Marin Rivas stated that PRPC's current contract renewal with the Huxford Group LLC for the delivery of workforce development and child care program services will end on September 30, 2016. The five-year contract is subject to renewal for an additional and final year, given acceptable performance.

The company has met or exceeded all of our expectations for program performance, funds utilization and contract compliance during the first eleven months of this year. The organization's last audit resulted in an unmodified, "clean" opinion, and documented that the company possesses adequate unencumbered resources to cover potential disallowed costs, should they be incurred.

The Board's fiscal monitoring review resulted in no major fiscal findings regarding Huxford Group's operations. The Fiscal Integrity Report conducted by an outside Certified Public Accountant had no fiscal compliance issues. The same CPA conducted a Risk Assessment on 17 factors with the report indicating no items rating as "high risk". Our local Program Monitoring Reviews for the past year by Board staff resulted in no significant program

findings regarding Huxford's operations. The Board staff also completed the Program Risk Assessment indicating no items rating as "high risk".

This renewal's contracted amount for operations is estimated to be approximately \$3,200,000. Huxford Group would also be responsible for obligating the use of about \$7,800,000 in additional funds for client training, supportive services and child care as a part of this agreement. Most of these funds would be retained at PRPC as the administrator for distribution. The contract would be for the period of October 1, 2016 through September 30, 2017, and funds to cover associated costs would be available from the Texas Workforce Commission (TWC) and also from local child care matching funds.

Mr. Rivas informed the Board that indications at this time from both federal and state levels are that such delivery contracts in the future shall be for no more than four years. Therefore, any future agreements for the workforce development delivery serves will likely be structured for four-year periods. However, it is unclear how this change to four years might or might not impact the current effort to renew the Huxford contract for year five. Mr. Rivas stated that staff will develop language in the fifth year renewal of the current contract in such a manner to accommodate such interpretations regarding this matter.

Judge Harold Keeter moved to approve the renewal of a contract with the Huxford Group, LLC to operate the Panhandle Workforce Center and to deliver workforce development and child care program services. Judge Ronnie Gordon seconded the motion; the motion carried by unanimous vote.

9. **WORKFORCE DEVELOPMENT PROGRAM MOBILE WORKFORCE CENTER VEHICLE ACCEPTANCE**

Mr. Marin Rivas stated that the Workforce Development Board of Southeast Texas in Beaumont purchased a freightliner Recreational Vehicle (RV) unit in 2006 and customized it for use as a computer lab utilizing federal and state funds awarded to them by the Texas Workforce Commission. After a relatively short-term use to assist customers affected by Hurricane Katrina, the Board determined that the unit was no longer needed in the area and the unit was parked. In discussions at statewide events in the last few months, the unit was offered to a couple of other workforce development boards who might be interested in accepting it as a transfer of property.

While the unit is currently equipped with computers that would be included in the transfer, it will require a new exterior "wrap" which would replace the logo of the Southeast Texas WDB with that of the new owner. Mr. Rivas reviewed the specifications of the unit with the Board.

The Panhandle Workforce Development Board (PWDB) staff proposes to accept the transfer of this unit to our area in order to better serve customers residing in areas outside of Amarillo and the two communities of Borger and Hereford which house a physical workforce center facility. The PWDB would task its Contractor, Workforce Solutions Panhandle, with hiring a full-time staff who would both operate the vehicle and provide Workforce Development program services once the vehicle was positioned in the scheduled community location.

The vehicle would be stored in an Amarillo RV storage facility when not in use and would also be available for special events in Amarillo, Borger and Hereford as needed.

Mayor Ricky White moved to authorize the Executive Director to execute an agreement with the City of Amarillo for Community Development Block Grant funds to support the provision of child care services in Amarillo. Mr. Saul Hernandez seconded the motion; the motion carried by unanimous vote.

10. **TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION DEVELOPMENT AND MANAGEMENT SERVICES INTERLOCAL CONTRACTS**

Mr. Kyle Ingham reminded the Board that PRPC staff has worked with Panhandle communities to implement infrastructure improvement projects through the Community Development Block Grant (TxCDBG) Program since 1983. Since that time, PRPC staff has provided administrative assistance to 275 TxCDBG projects totaling more than \$62,000,000 of grant funds utilized for the infrastructure improvement of Panhandle Communities. The Texas Department of Agriculture (TDA), formerly many other names, has long been the funding agency of this program in the State of Texas, and they are in the process of soliciting applications for the 2017/2018 TxCDBG program.

Mr. Ingham stated that in an interesting development that changes decades of precedence, the TDA has issued guidance indicating that they want to see the procurement of professional services associated with the TxCDBG program occur prior to the development of applications for the 2017/2018 cycle. This is a unique interpretation of the new 2 CFR 200 related to the development of a "statement of work" pertaining to

projects ultimately funded. While PRPC staff believes that the specific rule in question has been in existence for over 20 years, it is important to follow the guidance of the funding agency. To this end, staff believes that it is prudent to establish interlocal agreements with cities and counties that wish to utilize PRPC for the development of applications for the 2017/2018 TxCDBG cycle. PRPC has cleared through TDA that interlocal agreements will be allowable in-lieu of competitive procurement processes if a city or county wishes to do so.

The complication of securing professional services prior to the development of an application is that no actual project exists so it is difficult to detail the services to be provided. Fundamentally, PRPC staff hopes to keep the application development process at no cost for the communities it is working with and still allow the community to choose to utilize PRPC for administration if a project is funded. To this end, an interlocal agreement has been developed that a community may enter into with PRPC that details the no cost application development and identifies a future consideration of administrative services if a project is funded. However, the specifics of an administration contract are identified to be determined at a later date at the locality's discretion through an amendment if a TxCDBG project is funded for a specific entity. The following interlocal agreements were presented to the Board:

- a. City of Wellington
- b. City of Hedley
- c. City of Texline
- d. City of Childress
- e. City of Follett
- f. City of Turkey
- g. City of Canyon

Each of these is a no-cost interlocal agreement between PRPC and the respective entity for the preparation of a 2016 TxCDBG application with a project administration section contingent upon future funding with details to be amended in later. The focus of these interlocals is to allow PRPC to continue providing the same services as in previous cycles and meet TDA's new guidance on establishing formal relationships prior to the submission of applications

Sheriff Sal Rivera moved to authorize the Executive Director to execute interlocal cooperation contracts with various Panhandle area local governments for the Planning Commission to provide Texas Community Development Program grant application development and potential project management services. Dr. Bill Hallerberg seconded the motion; the motion carried by unanimous vote.

11. ECONOMIC DEVELOPMENT ADVISORY COMMITTEE APPOINTMENTS

Mr. Kyle Ingham informed the Board that the Economic Development Advisory Committee was established to provide general guidance and policy direction to the Economic Development District. Each county, designated as a distressed area under Economic Development Administration (EDA) guidelines, has a representative on the Committee. Members serve three-year staggered terms and this year our committee will consist of fourteen members. The body has been as large as 21 based on year-to-year fluctuations in per-capita income, so five seats will be held for ex-officio members continuing with three year terms that have not yet expired from previously Distressed Counties.

All counties are eligible for funding as long as they meet the EDA distressed criteria (unemployment and per capita income) at the time of the project grant application.

The makeup of the committee this year will be representatives from the fourteen counties designated as distressed at the time of the renewal of the PRPC Planning Grant application. They include the following counties: Briscoe, Castro, Childress, Dallam, Deaf Smith, Donley, Gray, Hall, Moore, Oldham, Parmer, Potter, Sherman and Swisher along with the other noted ex-officio members continuing terms for continuity and the likelihood that their counties will be again noted as distressed in the near future. The following nominees were submitted for the Board's approval:

Dion Miller, Swisher County; Chris Alexander, Parmer County; Jason Harrison, Potter County; Kathy Allen, Sherman County; Michael Kitten, Deaf Smith County; Randy Stark, Briscoe County; Russell Graves, Childress County; Mike Running, Moore County; Woodrow Richardson, Hall County; B.J. Potts, Castro County; Clay Rice, Gray County; David Dockery, Donley County; Keila Bain, Oldham County; and a vacancy to be filled by a representative from Dallam County. Ex-officio members include: Doris Stallings, Collingsworth County; Liz Kendall, Armstrong County; Suzanne Bellsnyder, Hansford County; Beverly Benton, Hutchinson County; Kristen Moudy, Wheeler County; Shawn

Campbell, Ochiltree County; Shane Spencer, Hemphill County; and Melanie Davis, Lipscomb County.

Dr. Bill Hallerberg moved to approve the nominees submitted to serve on the Economic Development Advisory Committee. Mr. Winston Sauls seconded the motion; the motion carried by unanimous vote.

12. ADMINISTRATIVE REGULATION AMENDMENT

Ms. Lori Gunn reminded the Board that the Regional Criminal Justice Grant Program is overseen by the Regional Criminal Justice Advisory Committee (CJAC). The CJAC was established and is regulated by the PRPC Administrative Regulation Number 34, which speaks to the Committee's purpose, authority, membership and meeting schedule.

The Office of the Governor's Criminal Justice Division (CJD) contracts with PRPC each year to administer this regional program. The FY2017 contract with CJD now includes specific requirements that both municipalities and counties be represented on the CJAC membership. The PRPC administrative regulation, therefore, needs to be amended to be consistent with the revised state requirements.

Judge Nancy Tanner moved to amend Administrative Regulation No. 34, Panhandle Regional Criminal Justice Advisory Committee Procedures and Policies, to update the Committee's membership structure. Sheriff Sal Rivera seconded the motion; the motion carried by unanimous vote.

13. MISCELLANEOUS NON-ACTION INFORMATION ITEMS

A. Ms. Emily Nolte reported on the 2016 Panhandle Emergency Preparedness Conference.

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

14. 2016 MEMBERSHIP MEETING

The Planning Commission's 2016 Annual Membership Meeting convened.

15. ELECTION OF 2016-2017 PANHANDLE REGIONAL PLANNING COMMISSION BOARD OFFICERS


Mr. Gary Pitner reported that the nominating committee, which consisted of Judge Harold Keeter and Councilwoman Amelia Salazar is recommending the following slate of officers for 2016-2017:

Kerry Symons, Mayor Pro-Tem, City of Perryton – Chairman
John Howard, M.D., Donley County Judge – Vice Chair
Ricky White, Mayor, City of Friona – Secretary/Treasurer

Judge Harold Keeter moved to elect the slate of officers as recommended by the nominating committee. Judge Ronnie Gordon seconded the motion; the motion carried by unanimous vote.

16. ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 5:50 p.m.


Kerry Symons, Chairman
Panhandle Regional Planning Commission
Board of Directors

ATTEST:


Ricky White, Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors