

PANHANDLE REGIONAL PLANNING COMMISSION

BOARD OF DIRECTORS

Minutes

October 26, 2017

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held on Thursday, October 26, 2017, at 1:30 p.m. in the PRPC Board Room, 415 South West Eighth Avenue, Amarillo, Potter County, Texas.

Judge John Howard presided.

MEMBERS PRESENT:

- Don Allred, Oldham County Judge
- Juan Cantu, Lipscomb County Commissioner
- Cleo Castro, Cactus
- Buster Davis, Mayor, City of Gruver
- Irene Favila, Hereford
- Bob Gober, Councilman, City of Canadian
- Dr. William Hallerberg, Canadian River Municipal Water Authority
- Saul Hernandez, Amarillo
- Dr. John Howard, Donley County Judge
- John James, Collingsworth County Judge
- Dan Looten, Carson County Judge
- Jay Mayden, Childress County Judge
- Pat Sims, Mayor, City of Dumas
- Nancy Tanner, Potter County Judge
- Ricky White, Mayor, City of Friona

MEMBERS ABSENT:

- Ronnie Gordon, Hartley County Judge
- Ernie Houdashell, Randall County Judge
- Harold Keeter, Swisher County Judge
- Wayne Nance, Briscoe County Judge
- Ginger Nelson, Mayor, City of Amarillo
- Karen Price, Pampa
- Walter "Four" Price, Texas State Representative, District 87
- Sal Rivera, Sheriff, Castro County
- Amelia Salazar, Alderwoman, Palisades Village
- Winston Sauls, Borger
- Phillip Self, Greenbelt Municipal & Industrial Water Authority
- Kerry Symons, Mayor Pro-Tem, City of Perryton

STAFF PRESENT: Mr. Dustin Meyer, Local Government Services Director; Mr. John Kiehl, Regional Services Director; Mr. Mike Peters, Regional 9-1-1 Director; Ms. Lori Gunn, Regional Services Coordinator; Ms. Sundee Rossi, Area Agency on Aging Coordinator; Mr. Shane Brown, Regional Emergency Communications and Preparedness Programs Manager; Ms. Cindy Boone, CPA, Finance Director; Ms. Rebecca Rusk, Executive Assistant; Mr. Kyle Ingham, Executive Director

1. **CALL TO ORDER**

Judge John Howard 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**

Judge John Howard gave the invocation.

3. **MINUTES**

Mayor Ricky White moved to approve the minutes from the meeting held on September 28, 2017, as received. Judge Nancy Tanner seconded the motion; the motion carried by unanimous vote.

4. **VOUCHERS**

Ms. Irene Favila moved to approve the vouchers for the month of September, 2017. Judge Nancy Tanner seconded the motion; the motion carried by unanimous vote.

5. **2017 REGIONAL THREAT AND HAZARD IDENTIFICATION RISK ASSESSMENT (THIRA) AND STATE PREPAREDNESS REPORT (SPR) APPROVAL**

Judge John Howard stated that this agenda item was listed as item 14 on the agenda, however, in order for John Kiehl to participate in a conference call, this item needed to be moved to the first of the agenda.

Mr. John Kiehl stated that there are several planning requirements each region in Texas must meet annually in order to remain eligible to receive State Homeland Security Program (SHSP) funding. The first two call for updates to the region's Threat and Hazard Identification Risk Assessment (THIRA) and State Preparedness Report (SPR). This year, both updates are due to the Homeland Security Grants Division (HSGD) of the Office of the Governor; the agency that administers the SHSP in Texas, by October 31. The third and final required plan is the Texas Homeland Security Strategic Plan (THSSP) Regional Implementation Plan which has to be submitted to the HSGD by November 30. The Panhandle Regional Emergency Management Advisory Committee (PREMAC) met on October 24 to finalize the development of the region's 2017 THIRA and SPR.

Mr. Kiehl informed the Board that the THIRA is used by the region to establish its Desired Outcomes and Capability Targets. FEMA has established a National Preparedness Goal that defines what it means for the "whole community" to be prepared for all types of disasters and emergencies. To support the goal, FEMA has also identified 32 core capabilities which essentially serve as building blocks to achieving the goal. These core capabilities cover the 5 mission areas specified in the goal and Mr. Kiehl reviewed in detail those missions. He also discussed the main elements of the THIRA with the Board.

Mr. Kiehl stated that the SPR is used to identify the resources necessary to achieve the region's Capability targets and to rate our current capability levels. They PREMAC did so by identifying the types and numbers of resources required to attain the each capability target and then determined how many of those resources currently exist. The difference between what is needed and what exists represents the gap for each capability.

In developing the THSSP Implementation Plan, the PREMAC will examine the gaps in the resource requirements identified with the SPR and then use that information in part to identify the programs or projects needed to fill high priority gaps.

Dr. Bill Hallerberg moved to approve the Panhandle region's 2017 Threat and Hazard Identification Risk Assessment and State Preparedness Report, as developed by the PREMAC, and authorize the submission of these documents to the State. Judge John James seconded the motion; the motion carried by unanimous vote.

6. **PRPC INVESTMENT FUND QUARTERLY REPORT**

Ms. Cindy Boone, CPA, stated that pursuant to the Public Funds Investment Act, which was passed by the Texas Legislature in 1987 and amended in 1995 and 1997, PRPC adopted written investment policies on August 23, 1996 for funds under our control. In accordance with this Act, the investment officer of PRPC, which is the Finance Director, is required to submit to the Board of Directors a quarterly report of investment transactions. Ms. Boone presented the report for the period of July 1, 2017 through September 30, 2017.

Judge Don Allred moved to accept the PRPC's Investment Funds Quarterly Report for the period ended September 30, 2017, as presented. Judge Nancy Tanner seconded the motion; the motion carried by unanimous vote.

7. **PANHANDLE REGIONAL 9-1-1 NETWORK QUARTERLY PERFORMANCE REPORT**

Mr. Mike Peters stated that as stipulated in the agreement between Panhandle Regional Planning Commission and the Commission on State Emergency Communications (CSEC), the Panhandle 9-1-1 Network must establish and accomplish certain goals and objectives. In order to check progress throughout the year, we are required to submit to CSEC a quarterly performance report that includes 9-1-1 call volumes, monitoring results, network outage reports, system testing, and the status of equipment replacement. The following items make up the key points of the FY17 Q4 performance report covering June, July and August.

- 12 Public Service Answering Points (PSAPs) were monitored with no findings.
- 2,406 Network test calls were made by PSAP staff and PRPC employees.
- The Program experienced no outages during this period.
- There were 69,466 9-1-1 calls with 86% being wireless.
- Text to 9-1-1 implementation was completed during this quarter.

Mayor Pat Sims moved to accept the Panhandle Regional 9-1-1 Network's FY2017 Fourth Quarter Performance Report, as presented. Judge Dan Looten seconded the motion; the motion carried by unanimous vote.

8. MINORITY ELECTED OFFICIAL BOARD MEMBER APPOINTMENT

Mr. Kyle Ingham stated that the Planning Commission's Bylaws call for three seats on the Board of Directors to be held by minority local elected officials from area cities and counties. The three elected official seats are in addition to the five minority citizen representative positions on the Board. The minority local elected officials' seats are filled by direct Board appointment.

Commissioner Juan Cantu of Lipscomb County, Alderwoman Amelia Salazar of Palisades Village and Sheriff Sal Rivera of Castro County currently hold the three elected official positions. The term of Alderwoman Salazar is expiring. Staff has visited with Amelia, and she has expressed a desire and willingness to continue serving on the PRPC Board of Directors.

Ms. Irene Favila moved to re-appoint Alderwoman Amelia Salazar to a three-year term on the PRPC Board of Directors. Mayor Ricky White seconded the motion; the motion carried by unanimous vote.

9. MINORITY CITIZEN REPRESENTATIVE BOARD MEMBER ELECTION

Mr. Kyle Ingham stated that the Planning Commission Bylaws call for representation of minority citizens on the Board of Directors. These designated minority seats are filled through a minority election process. The seat held by Irene Favila of Hereford, for PSA-3 (Briscoe, Castro, Deaf Smith, Parmer and Swisher Counties) has expired. In order to elect a representative from this area, the Board of Directors needs to consider calling a meeting of minority citizens from Planning and Service Area 3.

Judge Dan Looten moved to call the following meeting of minority citizens in order to elect a minority representative to serve on the PRPC Board of Directors:

PSA-3: Tuesday, December 5 at 6:00 p.m. at Deaf Smith County Courthouse

Judge Don Allred seconded the motion; the motion carried by unanimous vote.

10. TEXAS ASSOCIATION OF REGIONAL COUNCILS SERVICE FEES

Mr. Kyle Ingham reminded the Board that the Texas Association of Regional Councils (TARC) is a voluntary association composed of Texas' 24 regional councils. Each council is represented on the TARC Board of Directors by its chairman or official representative. TARC's activities are grouped under the following three activity centers: Executive Management and Intergovernmental Relations; Conferences and Events; and TARC Resource Center. The Planning Commission's 2016-2017 TARC services fees were \$8,111.24, and we anticipate the fees remaining the same for 2017-2018.

Judge Jay Mayden moved to authorize payment of the Panhandle Regional Planning Commission's 2017-2018 TARC Association service fees. Mayor Buster Davis seconded the motion; the motion carried by unanimous vote.

11. FOOD NET PROGRAM FUNDING APPLICATION

Ms. Sundee Rossi reminded the Board that the Panhandle Area Agency on Aging (AAA) began administering a program named "Nutrition for Experienced Texans" and is referred to as the Food NET. The Food NET program provides seniors in the Amarillo/Canyon community with a nutritious meal, and an opportunity for socialization whether at the congregate site or through visits from the home delivered meal drivers. The program aides in the seniors ability to remain independent in the community and affords them a continued quality of life.

This nutrition program is dependent not only on the 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 United Way of Amarillo and Canyon operates on a funding cycle that begins April 1 and ends on March 31 of each year.

The AAA proposes to submit an application to the United Way of Amarillo and Canyon with a request of \$110,000.00. This funding will allow Food NET to continue serving the nutritionally at-risk, low and moderate-income elderly and disabled adults residing in Potter and Randall counties.

Judge Nancy Tanner moved to authorize the submittal of an application to the United Way of Amarillo and Canyon to partially support the delivery of meals to qualified individuals in need in Amarillo and Canyon. Dr. Bill Hallerberg seconded the motion; the motion carried by unanimous vote.

12. **GROUNDWATER MANAGEMENT AREA #1 ADMINISTRATIVE SERVICES AGREEMENT RENEWAL**

Mr. Dustin Meyer reminded the Board that in 2003, the legislature passed HB 1763 creating Groundwater Management Areas (GMA) throughout the state. The GMAs are comprised of members from each of the Groundwater Conservation Districts located within the GMA boundaries. The GMA that serves most of the Texas Panhandle is the GMA#1. In 2007, the leadership of the GMA#1 recognized the need for more continuity in the process and a more efficient record keeping system.

As a result of this desire PRPC staff developed a proposal for the service and presented it to the GMA #1 that evolved into the current contract. This relationship has proven to be mutually beneficial to both the GMA#1 and the PRPC over the past several years, so the GMA #1 has requested that the PRPC continue to offer the necessary administrative services for them. The duties involved with providing the administrative services include agenda development and the required posting, mailing the agenda to the members of the GMA and interested parties, minute taking at the meetings and record keeping of all documents associated with the GMA #1.

The terms of the contract provide for the compensation of \$65.00 per hour to the PRPC for the services provided to the GMA. The four individual groundwater conservation districts that make up the GMA #1 have agreed to be invoiced for 25% of the cost of the service. In consideration of the nature of the planning cycle being a multi-year process, it has been requested that the administrative contract also be written as a multi-year contract to allow for more continuity. The term of this contract is for 48 months and is also written to allow for the contract to cover periods predating and postdating the contract period where services may be rendered outside the contract start and end dates.

Commissioner Juan Cantu moved to authorize the Executive Director to execute a renewal of an interlocal cooperation contract to provide administrative services for the Groundwater Management Area #1. Judge Jay Mayden seconded the motion; the motion carried by unanimous vote.

13. **TxDOT DEMONSTRATION PROJECT CONTRACT AWARD**

Mr. Dustin Meyer stated that in February of 2017 the PRPC Board of Directors authorized the submission of an application to the Texas Department of Transportation under the Public Transportation Coordination Demonstration Project grant program. This application was for the development of a phone application aimed at providing public transportation information inclusive of route times and locations to the general public for the major public transportation providers in the region. Additionally, this past August, the PRPC Board approved formal partner agreements with the City of Amarillo Public Transit, Panhandle Community Services, Jan Werner Adult Day and LeFleur Transportation to allow for partnerships in the Demonstration Project in the form of data collection, participation, planning and information.

TxDOT has favorably reviewed the application proposal and TxDOT staff presented a recommendation for funding to the TxDOT Commission in August. At the time of the application, it was anticipated that \$70,000 of regional planning funds from TxDOT would adequately fund a comprehensive research project to develop a public education campaign around the development of a phone application aimed at making public transportation usage in the region easier.

However, over the course of the past six weeks PRPC staff has worked with TxDOT staff to revise a project work plan and budget that would satisfy TxDOT requirements. In working with TxDOT staff, the project has evolved to include a 2-year project timeline and a \$160,000 TxDOT project budget over the course of the proposed Public Transportation Coordination Demonstration Project. The project will also necessitate a PRPC matching component of \$20,000 in-kind contributions, sourced from Community Development, over the 2-year project period.

Judge Don Allred moved to authorize the Executive Director to execute an agreement with the Texas Department of Transportation (TxDOT) for the Planning Commission to implement a demonstration project under the TxDOT Regional Coordination Planning Program. Judge Wayne Nance seconded the motion; the motion was carried by unanimous vote.

14. **REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE PY2018 GRANT PROGRAM OPERATING PROCEDURES APPROVAL**

Ms. Lori Gunn stated that each year the PRPC receives funds from the Office of the Governor's Criminal Justice Division to administer a Criminal Justice Grant Program. The activities of the Program are overseen by the Criminal Justice Advisory Committee (CJAC) and the PRPC Board of Directors.

The Criminal Justice Division requires each region to develop and maintain Operating Procedures which clearly identify the process by which the Criminal Justice Grant Program will operate under the direction and oversight of the CJAC. At the beginning of each year the CJAC reviews its Operating Procedures for effectiveness and to lay out the ground rules for the coming year. Each year the Operating Procedures must be approved by the PRPC Board of Directors.

The CJAC met on October 17th about the proposed changes to the FY2019 Operating Procedures. Ms. Gunn reviewed the updates and changes the CJAC had in detail with the Board.

Mayor Ricky White moved to approve the Regional Criminal Justice Advisory Committee Operating Procedures as presented. Mayor Pat Sims seconded the motion; the motion carried by unanimous vote.

15. **PANHANDLE REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (PANCOM) TOWER SITE LEASE AGREEMENT - DAWSON**

Mr. Shane Brown stated that the PRPC staff continues to look for opportunities to increase revenues for the PANCOM system as a means of reducing our reliance on federal funding to keep the system operational. Currently, State Homeland Security Program (SHSP) funding is used to cover around 50% of the system's annual operating costs, with the balance coming from 9-1-1 and the local Fair Share contributions provided by the region's cities and counties. However, the Panhandle's SHSP allocations have been declining by 2% - 3% per year over the past three years and we expect that trend to continue. So, every dollar we're able to generate from another source is one less federal or local dollar required to keep PANCOM maintained.

Ten years ago, the PRPC purchased a radio tower in Gray County; we own the tower but lease the land the tower sits on. Earlier this month, Mr. Dustin Dawson, out of Salem, Arkansas, called to inquire about space availability on this tower. He wants to install a VHF repeater at about 175-feet high for a business operation. If you'll recall, last March the Board authorized the PRPC to rent space on this same tower to the FBI.

We can accommodate another tenant on the tower at 175-feet without creating interference with our PANCOM/9-1-1 equipment or with the FBI's equipment and without compromising the loading of the tower. Being mid-way up the tower, which is typically not the most desired section (the prime real estate is on the upper reaches of the tower), the rent for this space will be lower than the rent being paid by the FBI. The rate quoted Mr. Dawson was \$250 a month with a 3% annual escalation clause that will kick in on the third anniversary of the lease. The rent formula includes a base (for use of the site's shelter and electricity) plus a height factor (cost per foot above ground level). PRPC staff believes this to be a fair arrangement and Mr. Dawson agrees.

Dr. Bill Hallerberg moved to authorize the Executive Director to execute a tower site lease agreement with Dawson for tower space in Gray County to serve Panhandle Regional Interoperable Communications System users in the area. Councilman Bob Gober seconded the motion; the motion carried by unanimous vote.

16. **PANHANDLE REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (PANCOM) TOWER SITE MEMORANDUM OF AGREEMENT – HUTCHINSON COUNTY**

Mr. Shane Brown reminded the Board that in August, they authorized the PRPC to purchase a privately-owned radio tower in Hutchinson County and to enter into a lease with the individual who owns the property under the tower. Both transactions have now been successfully completed.

The PRPC and Hutchinson County have both maintained equipment on this tower for a number of years now. The PRPC has been paying for its space. The previous tower owner allowed the County to keep its equipment on the tower free-of-charge as a service to the public. The County's equipment is used to support an inter-county radio system that enables the County EMC to communicate with various County departments.

When we first heard this tower was being put up for sale, PRPC staff contacted the County to discuss the matter. We were both concerned about the prospects of a commercial tower company buying the tower and then increasing the PRPC's rent and imposing a new rent on the County.

For that reason, the County had considered purchasing the tower. However, in our discussions; since it's a critical element of the PANCOM system, we suggested it would be more appropriate if the PRPC were to purchase the tower and then allow the County to keep its equipment on it at no-cost. At the time; courtesy of 9-1-1, the PRPC had the resources necessary to buy the tower; the County would've had to make room its budget to purchase the tower.

As we explained to you in August, the Hutchinson County tower is strategically located to communicate well with towers in adjoining counties so it's essential to the PANCOM system. Hutchinson County has dutifully supported PANCOM with its Fair Share contributions since the process of requesting local funding support for the system was instituted. A number of cities and counties in the region continue to provide the PRPC with no-cost space on their towers for PANCOM equipment.

Mr. Brown reviewed a draft memorandum of agreement (MOA) between the PRPC and Hutchinson County which provides the County with the continued no-cost use of this tower. The primary purpose of the MOA is to identify and separate our respective liabilities so that we're each solely responsible for the equipment we have on this tower. The MOA also helps to limit our costs for the tower site's land lease. Our agreement with the land owner currently sets the annual lease cost at \$2,500 and that rate is locked in for the next 25 years. However, if for any reason the cost were to increase, this MOA provides that the County will cover any lease costs in excess of \$2,500 per year.

Staff has asked the County Judge to review this document. She is comfortable with presenting the MOA to her Commissioners and believes the Court will willingly authorize its acceptance.

Judge Don Allred moved to authorize the Executive Director to execute a Memorandum of Agreement (MOA) with Hutchinson County for tower space to serve Panhandle Regional Interoperable Communications System users in the Northcentral Texas Panhandle. Judge John James seconded the motion; the motion carried by unanimous vote.

17. **MISCELLANEOUS NON-ACTION INFORMATION ITEMS**

- A. PRPC Board Members executed the 2017-2018 membership dues solicitation letters.
- B. Chairman Howard appointed the following individuals to serve on the Executive Committee with himself: Mayor Ricky White, Dr. Bill Hallerberg, Mayor Pro-Tem Kerry Symons and Mr. Cleo Castro.
- C. Chairman Howard appointed the following individuals to serve on the 2017-2018 Board of Directors Audit Committee: Mayor Buster Davis, Judge Jay Mayden, Alderwoman Amelia Salazar, Mr. Phillip Self and Mayor Pat Sims.
- D. Chairman Howard designated Judge Jay Mayden as the TARC voting delegate; with himself, Kyle Ingham and John Kiehl serving as alternates.
- E. Chairman Howard designated Judge Harold Keeter as the voting delegate to the Corporation for Texas Regionalism Board.
- F. Discussions concerning the establishment of a regular meeting date and time for the 2017-2018 PRPC Board of Directors took place. It was the Board's consensus to continue to hold the PRPC Board of Directors meetings on the fourth Thursday of the month at 1:30 p.m.
- G. Mr. Kyle Ingham reported on the results of a report issued by the State Auditor's Office on September 30, 2017 on the Regional Planning Commissions in Texas.
- H. Mr. Kyle Ingham reported on the recent and upcoming Planning Commission sponsored regional meetings.

18. **ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 2:30 p.m.



John Howard, M.D., Chairman
Panhandle Regional Planning Commission
Board of Directors

ATTEST:



William L. Hallerberg, Ph.D., Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors