

PANHANDLE REGIONAL PLANNING COMMISSION

BOARD OF DIRECTORS

Minutes

April 23, 2020

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held at 1:30 p.m. on Thursday, April 23, 2020. Due to the current COVID-19 crisis this meeting was held by videoconference pursuant to Texas Government Code Section 551.127.

Dr. William Hallerberg 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
- Dr. William Hallerberg, Canadian River Municipal-Water Authority
- Raul Hernandez, Amarillo
- Ernie Houdashell, Randall County Judge
- John Howard, M.D, Donley County Judge
- John James, Collingsworth County Judge
- Harold Keeter, Swisher County Judge
- Dan Looten, Carson County Judge
- Jay Mayden, Childress County Judge
- Wayne Nance, Briscoe County Judge
- Karen Price, Pampa
- Walter "Four" Price, Texas State Representative, District 87
- Sal Rivera, Sheriff, Castro County
- Yolanda Robledo, Alderwoman, City of Bovina
- Winston Sauls, Borger
- Phillip Self, Greenbelt Municipal & Industrial Water Authority
- Pat Sims, Commissioner, City of Dumas
- Tobe Shields, Mayor, City of Spearman
- Nancy Tanner, Potter County Judge

MEMBERS ABSENT:

- Ronnie Gordon, Hartley County Judge
- Kerry Symons, Mayor, City of Perryton
- Ginger Nelson, Mayor, City of Amarillo
- Ricky White, Mayor, City of Friona

STAFF PRESENT: Mr. Dustin Meyer, Local Government Services Director; Mr. Mike Peters, Regional 9-1-1 Network Program Specialist; Ms. Lori Gunn, Regional Services Coordinator Program Coordinator; Mr. Trent Taylor, Finance Director; Ms. Melissa Carter, Area Agency on Aging Director; Ms. Josie Mayorga, Area Agency on Aging Benefits Counselor; Ms. Sundee Rossi, Area Agency on Aging Operations Coordinator; Ms. Melissa Tye Whitaker, Ombudsman; Ms. Rebecca Rusk, Executive Manager; Mr. Kyle Ingham, Executive Director

OTHERS PRESENT:

News Channel 10 Media

1. CALL TO ORDER

Dr. William Hallerberg 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

Commissioner Pat Sims gave the invocation.

3. PUBLIC COMMENT

In accordance with the Texas Open Meetings Act, Chairman Hallerberg asked if any members of the public were present to comment on agenda items. There being none, he continued the meeting.

4. MINUTES

Sheriff Sal Rivera moved to approve the minutes from the meeting held on March 20, 2020, as received. Commissioner Pat Sims seconded the motion; the motion carried by unanimous vote.

5. VOUCHERS

Judge Harold Keeter moved to approve the vouchers for the month of March, 2020. Mr. Winston Sauls seconded the motion; the motion carried by unanimous vote.

6. PRPC INVESTMENT FUND QUARTERLY REPORT

Mr. Trent Taylor 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. Mr. Taylor presented the report for the period of January 31, 2020 through March 31, 2020.

Ms. Irene Favila moved to accept the PRPC's Investment Funds Quarterly Report for the period ended March 31, 2020, as presented. Mayor Tobe Shields seconded the motion; the motion carried by unanimous vote.

7. PERSONNEL POLICIES AMENDMENT RATIFICATION

Mr. Kyle Ingham reminded the Board that the PRPC Personnel Policies are an important guide for not only our employees but our business functions and the funding agencies. In light of the changing world we have as a result of COVID-19, we need to add a policy for Unexpected or Extraordinary Circumstances. This should put us in compliance with 2 C.F.R. § 200.302, 2 C.F.R. § 200.333, and 2 C.F.R. § 431(b)(1))

At the 3/20/20 board meeting, the PRPC Board of Directors granted emergency authorization to the Executive Director to take action on the Board's behalf with consultation with the Executive Committee. This item falls under the COVID-19 response in order to keep the continuity of services at the PRPC as strong as possible.

Staff is recommending that we add section 9.17 to our personnel policies. Below is the proposed policy:

9.17 Unusual and Extraordinary Circumstances

9.17.01: In the event of natural disaster, terrorist attack, pandemic, martial law, government advised shelter-in-place order, or other society disrupting event; emergency leave with pay may be granted to regular employees by the Executive Director for a part or entirety of the event of (1) an illness, injury, or death in an employee's family; (2) an illness, injury, or quarantine of an employee; or (3) a directive of local, state, and or federal shelter-in-place (or similar) prevents an employee's ability work inclusive of work-from-home scenarios.

9.17.02 COVID-19 RESPONSE: PRPC shall comply with all federal, state and local laws and regulations addressing the COVID-19 pandemic, including but not limited to the Families First Coronavirus Response Act and the Coronavirus Aid, Relief and Economic Security Act in effect and applicable at the time of an employee-related action regulated by those laws.

In order to track compliance and reporting of the FFCRA the finance and human resource department will formally create pay codes specifically for the funds paid under the act and associated accounting procedures in the PRPC Accounting Policies. We acknowledge using these pay codes may exceed budgets for salaries and benefits under some of the funding streams.

Judge Don Allred moved to authorize the ratification of action taken by the Executive Director and Executive Committee and approve the updates to the PRPC Personnel Policy to reflect new language that updates PRPC's Personnel Policies and associated Accounting Policies into alignment with the changing environment. Mayor Tobe Shields seconded the motion; the motion carried by unanimous vote.

8. FY2020 REGIONAL CRIMINAL JUSTICE ASSISTANCE PROGRAM – VICTIMS OF CRIME ACT PROJECT & VIOLENCE AGAINST WOMEN ACT PROJECT, JUSTICE ASSISTANCE GRANT PROJECT, AND JUVENILE JUSTICE AND TRUANCY PREVENTION ACT PROJECT APPROVAL AND PRIORITIZATION

Ms. Lori Gunn reminded the Board that each year, the Office of the Governor’s Criminal Justice-Division (CJD) contracts with the PRPC to facilitate the distribution of the following Criminal Justice Assistance grant funds:

- **JAG (Edward Byrne Memorial Justice Assistance Grant Program)**
 - US Congressionally Appropriated through the US Department of Justice
- **JJTP – (Juvenile Justice & Truancy Prevention)**
 - Texas State 421 Funds; and
- **VOCA – (Victims of Crime Act of 1984 & 2005)**
 - US Congressionally Appropriated
- **VAWA – (Violence Against Women Act of 2005)**
 - US Congressionally Appropriated

In October 2019, the PRPC’s Criminal Justice Advisory Committee (CJAC) met to initiate the FY2021 grant competition for funding through CJD. The committee reviewed their bylaws; those were approval by the PRPC Board of Directors at the October meeting.

In December of 2019, the Criminal Justice Division (CJD) of the Governor’s Office solicited applications for projects during the state fiscal year 2021 grant cycle. On December 15th, PRPC staff distributed a Notice of Fund Availability to 527 eligible entities in the Panhandle Region. Workshops were held at the PRPC on January 14th and 16th to assist applicants in their application composition and submission. In addition, three individual workshops were conducted. There were 21 attendees combined between the workshops. CJD set the application deadline on February 27, 2020.

CJD received four grant applications under the VOCA and three grant applications under the VAWA category. The CJAC met on April 8th to hear oral presentation and prioritize applications for the Victim Services categories. CJD received seven grant applications under the JAG and one grant application under JJTP category from the Panhandle Region. The CJAC met on April 21st to hear oral presentations and prioritize applications under the JAG and JJTP categories.

Ms. Gunn presented the prioritizations as recommended by the CJAC in each of the funding categories, as follows:

**FY 2021 VOCA Grant Applications
Regional Budget Expectation (RBE) - \$1,005,299.92**

	Applicant	Project Title	Funds Requested	Funds Recommended
#1	47 th District Attorney's Office	Victim Assistance Program	\$189,958.00	\$189,958.00
#2	Deaf Smith County Crisis Center	Advocacy 2021	\$251,366.59	\$251,366.59
#3	Safe Place, Inc.	Victims Assistance	\$231,839.09	\$231,839.09
#4	Arrow Child & Family Ministries	Foster Care and Community Therapeutic Services	\$343,313.00	\$343,313.00
		Total FY 2021 Funding Requested	\$1,016,476.68	
		TOTAL FY 2021 FUNDING RECOMMENDED:		\$1,016,476.68
		Difference between Funds Recommended and RBE:		(\$11,176.76)

**FY 2021 VAWA Grant Applications
Regional Budget Expectation (RBE) - \$89,193.52**

	Applicant	Project Title	Funds Requested	Funds Recommended
#1	Randall County District Attorney's Office	Felony Domestic Violence Prosecutor	\$76,254.50	\$76,254.50
#2	Potter County Attorney's Office	Dedicated Domestic Violence Prosecutor and Domestic Violence Investigator	\$138,021.29	\$138,021.29
#3	47 th District Attorney's Office	Prosecutor of Domestic Violence	\$78,036.36	\$78,036.36
		Total FY 2021 Funding Requested	\$292,312.15	
		TOTAL FY 2021 FUNDING RECOMMENDED:		\$292,312.15
		Difference between Funds Recommended and RBE:		(\$203,118.63)

**FY 2021 JJ&TP Grant Applications
Regional Budget Expectation (RBE) - \$ 133,045.03**

	Applicant	Project Title	Funds Requested	Funds Recommended
#1	Dalhart ISD	Truancy Prevention - Intervention	\$129,801.34	\$133,045.03
		Total FY 2021 Funding Requested	\$129,801.34	
		TOTAL FY 2021 FUNDING RECOMMENDED:		\$133,045.03
		Difference between Funds Recommended and RBE:		\$0.00

**FY 2021 JAG Grant Applications
Regional Budget Expectation (RBE) - \$369,601.44**

	Applicant	Project Title	Funds Requested	Funds Recommended
#1	Donley County	Highway Safety	\$12,552.00	\$12,552.00
#2	City of Canyon	Technology Enhancement Project	\$31,179.00	\$30,571.91
#3	City of Hereford	Video Evidence Project	\$100,000.00	\$98,052.90
#4	City of Pampa	Virtual Firearms Training	\$77,000.00	\$75,500.73
#5	Swisher County	Highway Safety	\$37,292.45	\$36,566.33
#6	PRPC	Specialized Criminal Justice Gap Training	\$31,916.39	\$30,000.00
#7	Moore County	Investigator	\$86,357.57	\$86,357.57
		Total FY 2021 Funding Requested	\$376,297.41	
		TOTAL FY 2021 FUNDING RECOMMENDED:		\$369,601.44
		Difference between Funds Recommended and RBE:		(\$0.00)

Sheriff Sal Rivera moved to approve the prioritizations of the Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), Justice Assistance (Edward Byrne Memorial Justice Assistance Grant Program), and Juvenile Justice and Truancy Prevention Act (JJTP) grant applications from the Panhandle region and authorize their submittal to the Criminal Justice Division of the Governor's Office. Judge Don Allred seconded the motion; the motion carried by unanimous vote with Judge Harold Keeter, Judge Ernie Houdashell, Judge John Howard, Judge Nancy Tanner and Ms. Karen Price abstaining.

9. WORKFORCE DEVELOPMENT: UPDATE ON COVID-19 RELATED WORKFORCE PROGRAM RESPONSE

Mr. Marin Rivas informed the Board that as developments related to the COVID-19 virus pandemic quickly unfold on a daily and sometimes hourly basis, and Federal, State, Local, and City declarations are issued, the Workforce Development Director and staff are in close contact with the Workforce Solutions Panhandle (WSP) Contractor to discuss and formulate plans of action in response to these developments, which align with the Panhandle Response Plan. This includes providing Panhandle Workforce Development Board guidance for WSP in developing appropriate protocols for workforce services delivery and workforce center staff, allowing for as much flexibility as possible, while maintaining compliance with all directives, and forwarding relevant information from Federal, State, and Local agencies. In the event of emergency declarations, before any decisions are made or put in place, PRPC staff and WSP staff will meet to create new or modify existing plans of action for immediate implementation.

Mr. Rivas provided the Board with Coronavirus Aid, Relief, and Economic Security Act (CARES) information regarding Local Service Delivery, Unemployment Insurance, Child Care, Potential Local Delays and Cancellations, and Continuing Activities in Virtual Environment Through WSP. He also informed the Board that the new Mobile Career Services Vehicle was delivered to PRPC. Staff is hopeful to resume offering in-person services to our rural communities in the near future.

Mr. Rivas stated that this was informational item and no action was necessary by the Board.

10. EAST TEXAS COUNCIL OF GOVERNMENTS INTERLOCAL AGREEMENT

Mr. Dustin Meyer stated that PRPC was recently contacted by the East Texas Council of Governments (ETCOG) to potentially provide assistance to them as they have

unexpectedly experienced staffing shortage with regards to Community and Economic Development activities. The Executive Director David Cleveland has requested that PRPC utilize its experience in the above noted areas to assist ETCOG as they continue to operate Community and Economic Development programs during their staffing shortage.

ETCOG is actively working to replace staff in the above noted areas, however they have ongoing projects that they are needing assistance and guidance on moving forward. Additionally, ETCOG has asked that PRPC stay engaged with their organization as they hire and train staff in these areas. Prior to the staffing difficulties, the East Texas COG was in the process of undertaking an increased role in the Texas Department of Agriculture (TDA), Community Development Block Grant Program a program that PRPC personnel has extensive experience. ETCOG would like for PRPC to maintain contact over the course of the next 12-months to provide guidance and direction to them as they continue to train personnel and become better acquainted with the CDBG program and take on an increased role with regards to project management in this program.

An Interlocal Agreement has been cooperatively drafted that will allow PRPC staff to focus on services and assistance as requested by ETCOG and that can be rendered expeditiously and in a quality manner so that their organization can continue normal operations during this transition period. The contract is a time and materials basis agreement with compensation rated at \$65.00 per hour and travel compensated additionally. The contract has a ceiling of \$6,500 over the course of a 3-month period and the total contract shall not exceed \$25,000 on an annual basis. This agreement was considered and passed by the ETCOG Board of Directors on April 2, 2020.

Judge Dan Looten moved to authorize the Executive Director to execute an Interlocal Agreement with East Texas Council of Governments to provide professional services related to Economic Development activities. Mr. Winston Sauls seconded the motion; the motion carried by unanimous vote.

11. FIRE, AMBULANCE AND SERVICE TRUCK FUND APPLICATION DEVELOPMENT AND MANAGEMENT SERVICES INTERLOCAL CONTRACT

Mr. Dustin Meyer reminded the Board that PRPC staff has worked with Panhandle communities to write applications and implement various projects through the Community Development Block Grant (TxCDBG) Program since 1983. Through the CDBG program the Texas Department of Agriculture (TDA) offers many different funding opportunities that include: Community Development Infrastructure Improvement Program, Texas Capital Fund Infrastructure Program, Downtown Revitalization Program and the new Fire, Ambulance, and Service Truck Fund (FAST Fund) Program.

The FAST Fund Program was created in 2019 and has the stated objectives to provide funds for eligible vehicles to provide emergency response and special services to rural communities. The City of Tulia is interested in beginning work to develop an application that will seek to provide funding for new emergency vehicles and equipment in their community.

Following the format established during the TxCDBG application process conducted in the Fall of 2017, an interlocal agreement has been developed for PRPC to assist communities interested in developing applications to Texas Department of Agriculture programs particularly under the Community Development Block Grant umbrella.

In order to comply with TDA programmatic requirements as well as maintain the long-established tradition of conducting application preparation at no charge to communities in the region, a non-cost interlocal agreement has been developed for application development activities. The interlocal agreement will easily allow for an optional amendment to be considered upon notice of award that will allow PRPC to provide the project management services if so desired by the applicant.

This agenda item is to allow for the authorization of Part I being an interlocal agreement that will allow PRPC Staff to be working on application development for the City of Tulia. In structuring the interlocal agreement in such a manner, PRPC is able to continue the historical precedent of assisting cities and counties in the region with application development and stay in compliance with the funding agencies requirements.

Sheriff Sal Rivera moved to authorize the Executive Director to execute an interlocal contract amendment with the City of Tulia for the Planning Commission to provide Texas Community Development Program project management services related to their Fire, Ambulance, and Service Truck (FAST) Fund Application. Judge Don Allred seconded the motion; the motion carried by unanimous vote, with Judge Harold Keeter abstaining.

12. MAIN STREET PROGRAM APPLICATION DEVELOPMENT AND MANAGEMENT SERVICES INTERLOCAL CONTRACTS

Mr. Dustin Meyer stated that PRPC staff has worked with Panhandle communities to write applications and implement various projects through the Community Development Block Grant (TxCDBG) Program since 1983. Through the CDBG program the Texas Department of Agriculture (TDA) offers many different funding opportunities that include: Community Development Infrastructure Improvement Program, Community Enhancement Fund, Texas Capital Fund Infrastructure Program, Disaster Relief and the Downtown Revitalization and Main Street Program.

The Main Street Program stated objectives are the same as the Downtown Revitalization Program and is for the elimination of slum or blight conditions in the downtown areas of communities by providing assistance for public infrastructure improvements, especially sidewalks and ADA compliance. The only difference between the Downtown and Main Street programs is that Main Street has a separate pool of funds for communities that are designated as Main Street Communities. The City of Canyon has expressed an interest in moving forward with application preparation as they seek to improve areas in their downtown district through infrastructure improvements.

Following the format that has become the new standard for TxCDBG applications; an interlocal agreement has been developed for PRPC to assist the City of Canyon with an application to the Main Street Program. In order to comply with TDA requirements as well as maintain the long-established tradition of conducting application development at no charge to communities in the region, the interlocal agreement is two parts:

Part 1 - Application development will be conducted at no cost.

Part 2 – An option to for an Amendment to be consider contingent upon funding for Project Management Services.

Historically, these are all activities conducted by PRPC staff on projects and applications. However, in order to comply with TDA requirements it is necessary for the City of Canyon to enter into an interlocal agreement with PRPC for application development activities to ensure programmatic compliance.

Judge John Howard moved to authorize the Executive Director to execute an interlocal cooperation contract with the City of Canyon for the Planning Commission to provide Texas Community Development Program grant application development and potential project management services. Mr. Raul Hernandez seconded the motion; the motion carried by unanimous vote, with Judge Ernie Houdashell abstaining.

13. MISCELLANEOUS NON-ACTION INFORMATION ITEMS

- A. Mr. Kyle Ingham thanked all the members of the Board for participating in the meeting.
- B. Mr. Kyle Ingham reported on the recent and upcoming Planning Commission sponsored regional meetings.

14. ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 2:23 p.m.



William L. Hallerberg, Ph.D, Chairman
Panhandle Regional Planning Commission
Board of Directors

ATTEST:



Judge Dan Looten, Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors