

PANHANDLE REGIONAL PLANNING COMMISSION
BOARD OF DIRECTORS

Minutes

March 31, 2021

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held at 1:30 p.m. on Wednesday, March 31, 2021. Due to the current COVID-19 crisis this meeting was held in hybrid format by videoconference pursuant to Texas Government Code Section 551.127. Board members and individuals from the public who desired to attend in person, accessed the meeting at 415 South West Eighth Avenue, Amarillo, Potter County, Texas.

Mr. Winston Sauls, Chairman, presided.

MEMBERS PRESENT:

- Don Allred, Oldham County Judge
- Juan Cantu, Lipscomb County Commissioner
- Cleo Castro, Cactus
- Steven Cortez, Hereford
- Buster Davis, Mayor, City of Gruver
- Christy Dyer, Randall County Judge
- Dr. William Hallerberg, Canadian River Municipal Water Authority
- Raul Hernandez, Amarillo
- John Howard, M.D, Donley County Judge
- John James, Collingsworth County Judge
- Kimberly Jones, Childress County Judge
- Harold Keeter, Swisher County Judge
- Dan Looten, Carson County Judge
- Wayne Nance, Briscoe County Judge
- Karen Price, Pampa
- Sal Rivera, Sheriff, Castro County
- Yolanda Robledo, Alderwoman, City of Bovina
- Winston Sauls, Borger
- Tobe Shields, Mayor, City of Spearman
- Pat Sims, Commissioner, City of Dumas
- Kerry Symons, Mayor, City of Perryton
- Nancy Tanner, Potter County Judge

MEMBERS ABSENT:

- Ronnie Gordon, Hartley County Judge
- Ginger Nelson, Mayor, City of Amarillo
- Walter "Four" Price, Texas State Representative, District 87
- Phillip Self, Greenbelt Municipal & Industrial Water Authority
- Ricky White, Mayor, City of Friona

STAFF PRESENT: Mr. Dustin Meyer, Local Government Services Director; Mr. Trent Taylor, Finance Director; Mr. Marin Rivas, Workforce Development Director; Ms. Sundee Rossi, Area Agency on Aging Operations Coordinator; Mr. Mike Peters, Regional 9-1-1 Network Director; Mr. Shane Brown, Regional Emergency Communications & Preparedness Program Manager; Ms. Leslie Hardin, Workforce Development Contracts Coordinator; Ms. Sharee Bailey, Administrative Program Specialist; Ms. DeShayne Hall, Executive Assistant; Mr. Kyle Ingham, Executive Director

OTHERS PRESENT:

Mr. Paul Fleming, Edgin, Parkman, Fleming and Fleming, Ms. Carol Faulkenberry, Texas Department of Agriculture; Ms. Vicki Wilmarth, Wright Wilmarth Byrd PLLC

1. CALL TO ORDER

Mr. Winston Sauls called the meeting to order at 1:30 p.m. 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

Mr. Tobe Shields gave the invocation.

3. PUBLIC COMMENT

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

4. MINUTES

Judge Dan Looten moved to approve the minutes from the meeting held on February 25, 2021, as received. Commissioner Pat Sims seconded the motion; the motion carried by unanimous vote.

5. VOUCHERS

Dr. William Hallerberg moved to approve the vouchers for the month of February 2021. Mayor Buster Davis seconded the motion; the motion carried by unanimous vote.

6. 2020 AUDIT PRESENTATION AND ACCEPTANCE

Mr. Trent Taylor and Mr. Paul Fleming, CPA with Edgin, Parkman, Fleming and Fleming, PC, presented the Planning Commission's Comprehensive Annual Financial Report for the period ending September 30, 2020.

Judge John Howard moved to accept the Panhandle Regional Planning Commission's Comprehensive Annual Financial Report for the 12-month period ended September 30, 2020. Mayor Kerry Symons seconded the motion; the motion carried by unanimous vote.

7. PANHANDLE REGIONAL 9-1-1 NETWORK ADVISORY COMMITTEE APPOINTMENT

Mr. Mike Peters stated that the Panhandle Regional 9-1-1 Network Advisory Committee is composed of a representative from each of the region's 22 public safety answering points and three representatives from the telecommunication industry. The Procedures and Policies of the Panhandle Regional 9-1-1 Network Advisory Committee require members to serve staggered three-year terms, limited to two consecutive three-year terms.

Judge Don Allred moved to appoint John Worthington, Lipscomb County Sheriff and Melissa Anderson, Armstrong County Sheriff to serve on the Planning Commission's Regional 9-1-1 Network Advisory Committee. Commissioner Pat Sims seconded the motion; the motion carried by unanimous vote.

8. PANHANDLE REGIONAL 9-1-1 NETWORK QUARTERLY REPORTS

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 FY21 Q2 performance report covering December, January, and February.

There were 37,386 9-1-1 calls received from the 22 regional call centers of which 25,550 being wireless or 68%.

Staff monitored thirteen Public Service Answering Points (PSAPs) with no findings.

PSAP staff and PRPC staff performed 1,726 Network test calls.

There was one outage in Dallam County caused by an AT&T outage in South Texas.

The region received 1,311 text messages during this period, with the vast majority as test texts.

Currently working on projects to convert the Panhandle Answering Points to the AT&T Next Generation System.

Commissioner Juan Cantu moved to accept the performance report as submitted for the second quarter of FY 2021 covering December, January, and February. Mayor Buster Davis seconded the motion; the motion carried by unanimous vote.

9. PANHANDLE REGIONAL 9-1-1 COMPLIANCE REPORT

Mr. Mike Peters stated that the Commission on State Emergency Communications, CSEC, performs compliance risk assessments of all of the State Funded Programs in the State and our final compliance risk review has been received.

There were initially two risks assessed within the initial Panhandle Compliance Report.

1. The first risk was that there were an average number of telephone numbers in error in the 9-1-1 database of 0.60%. The target is below 0.44%.
2. The second risk related to the number of referred database errors left pending more than 30 days was 0.25%. The target was 0.24% or less.

This item was for informational purposes only and no action by the Board was required.

10. WORKFORCE DEVELOPMENT PROGRAM: BUILDING MAINTENANCE SERVICES CONTRACT FOR WORKFORCE SOLUTIONS PANHANDLE

Mr. Marin Rivas reminded the Board that last month, Workforce Development staff issued a Request for Proposals (RFP) for Comprehensive General Building Maintenance Services for the new Workforce Solutions Panhandle facility located at 3120 Eddy Street in Amarillo and, as an option, to additionally provide limited Maintenance Services for the Workforce Solutions Panhandle office located at 1315 West Wilson in Borger, under PRPC's procurement policies. The intent of the RFP was to solicit qualified individuals or firms to assist PRPC with general building maintenance of these leased properties from which Workforce Solutions Panhandle delivers services.

He stated that the RFP was sent to twelve entities with experience in Commercial Property Maintenance, and notices were published in the Texas Register and the Amarillo Globe-News. Two proposals were received: one from Mr. Brent Bralley, President of JKB Co., Inc. dba Accord Commercial Realty Services and one from Mr. Derek Brasher, Maintenance Manager of MMM Plumbing, Heating & A/C, Inc. dba A&R Mechanical. Two responses were received from Mr. Marcus Harris, Service Manager of Scottco and from Mr. Mark Belew, Owner of Servpro of West Amarillo, both stating that, upon review of the RFP, the scope of work being requested was outside of the services that their respective companies provided.

The proposal from Accord Commercial Realty included the minimum required services on all systems. The total cost for the services proposed by Accord Commercial Realty is \$1,050 per month, or \$12,600 annually.

Judge Don Allred moved to authorize the Executive Director to execute a contract with the JKB Company, Inc. dba Accord Commercial Realty Services for Comprehensive Building Maintenance Services for the Workforce Solutions Panhandle facilities located in Amarillo and Borger. Judge Harold Keeter seconded the motion; the motion carried by unanimous vote.

11. PANHANDLE REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (PANCOM) TOWER SITE PROFESSIONAL SERVICES PROCUREMENT – GEOTECHNICAL SUBSOIL TESTING SERVICES

Mr. Shane Brown stated that last month, PRPC advertised a Request for Qualifications (RFQ) for Geotechnical Subsoil Testing Services for two proposed tower sites in Wheeler and Collingsworth Counties. Statements of Qualifications (SOQs) were received from three different firms in response. The SOQs were evaluated and ranked by PRPC staff in accordance with the criteria published in the RFQ.

Dyess-Peterson Testing Labs was determined to be the most qualified firm to provide the services needed for this project. PRPC then requested and received a cost proposal from Dyess. Upon review, the proposal was found to be complete and consistent with Scope of Work described in the RFQ and with the fees we've paid for these type services in the past. A contract was drafted for review by Dyess who concurred with the agreement.

Commissioner Juan Cantu moved to authorize the Executive Director to execute a contract with Dyess-Peterson Testing Laboratory, Inc. for the subsoil testing and analysis services needed in order to complete the FY21 Statewide Emergency Radio Infrastructure grant funded PANCOM Tower Project in Wheeler and Collingsworth Counties. Judge Christy Dyer seconded the motion; the motion carried by unanimous vote.

12. FY2021 STATE HOMELAND SECURITY PROGRAM PROJECT PRIORITIZATION APPROVAL

Mr. Shane Brown informed the Board that on March 17, the Panhandle Regional Emergency Management Advisory Committee (PREMAC) met to evaluate the State Homeland Security Program (SHSP) proposals submitted for consideration under the Panhandle's FY21 SHSP grant program. In total, the PREMAC evaluated eight applications which have been prioritized and the approved list has to be submitted to the State by March 31, 2021. The prioritized list is shown below:

Project Title	Requested	LETPA %	% of Total	National Priority Status
FY21 Regional PANCOM M&O Project	\$255,537.00	NO	32.0%	Non-National Priority
FY21 Non-EMPG Emergency Operations Plan Update Project	\$25,295.00	NO	3.2%	Non-National Priority
FY21 PARIS Maintenance Project	\$60,966.00	YES	7.6%	Soft target and crowded places (5%)
FY21 Regional Planning & Coordination Project	\$99,232.00	NO	12.4%	Non-National Priority
FY21 Regional Cybersecurity Planning Project	\$50,439.00	NO	6.3%	Cybersecurity (7.5%)
FY21 Regional AFIS Enhancement: Database Server Project	\$97,005.00	YES	12.1%	Addressing Emerging Threats (5%)
FY21 Regional AFIS Enhancement: AFIS Workstations, Part 1 *	\$152,958.00	YES	19.1%	Information and intelligence sharing (5%)
FY21 Regional AFIS Enhancement: AFIS Workstations, Part 2	\$57,793.00	YES	7.2%	Information and intelligence sharing (5%)
Total:	\$799,225.00	46.1%	100.0%	

Mayor Kerry Symons moved to approve the FY21 State Homeland Security Program project prioritizations recommended by the Panhandle Regional Emergency Management Advisory Committee (PREMAC) for submission to the Public Safety Office of the Governor's Office by March 31, 2021. Sheriff Sal Rivera seconded the motion; the motion carried by unanimous vote.

13. TEXAS COMMUNITY DEVELOPMENT PROGRAM PROJECT MANAGEMENT SERVICES INTERLOCAL CONTRACT AMENDMENT

Mr. Dustin Meyer 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 on over 300 TxCDBG projects totaling more than \$75,000,000 of grant funds utilized for the infrastructure improvement of Panhandle Communities. The Texas Department of Agriculture (TDA), 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 2021/2022 TxCDBG program.

He stated that the Board has already approved 27 interlocal agreements for the development of application and at this time PRPC staff needs to bring one more to the Board for approval for the City of Shamrock. This is a no-cost interlocal agreement between PRPC and the City of Shamrock for the preparation of a 2021-22 TxCDBG application with a project administration section contingent upon future funding with details to be amended in later. The focus of this interlocal agreement is to allow PRPC to continue providing the same services as in previous cycles and meet TDA's requirements to establish formal relationships prior to the submission of applications.

Dr. William Hallerberg moved to authorize the Executive Director to execute an Interlocal Cooperation Contract with the City of Shamrock to provide TxCDBG application services at no cost with contingency for administrative services to be amended at the localities discretion if a project is funded. Judge Dan Looten seconded the motion; the motion carried by unanimous vote.

14. REGION 1 CANADIAN-UPPER RED REGIONAL FLOOD PLANNING GROUP FUNDING CONTRACT WITH THE TEXAS WATER DEVELOPMENT BOARD

Mr. Dustin Meyer stated that the Region-1 Canadian-Upper Red Regional Flood Planning Group covers a total of 44 counties, 29 full and 15 partial from the Texas Panhandle to Wichita Falls. Through PRPC, the Region-1 RFPG responded to the Texas Water Development Board's Request for Applications and submitted a funding application on January 21st, 2021. The draft funding contract outlines the complete Scope of Work for the Region-1 Flood Planning Group and culminates in a Final Regional Flood Plan to be submitted to the TWDB by January 10, 2023. The total committed funds for the 18-month planning effort is \$1,008,200.00.

He also stated that unlike the regional water planning groups in which administrative costs are not allowable, certain administrative costs directly spent supporting the RFPG, will be eligible for reimbursement through the TWDB grant contract according to 31 TAC Chapter

361 Rule § 361.72. The allocation allowed towards administrative costs is approximately \$5,000 per meeting, not to exceed \$60,000 for the full planning effort. Approximately, \$923,500 is anticipated to be utilized for the Technical Sub-Consultant with the remaining \$25,000 for planning member travel. The Region-1 Flood Planning Group is currently working their way through an RFQ process to select the technical consultant.

Mayor Kerry Symons moved to authorize the Executive Director to execute a funding contract with the Texas Water Development Board to perform the TWDB approved Region-1 Flood Planning efforts. Judge Harold Keeter seconded the motion; the motion carried by unanimous vote.

15. **REGION 1 CANADIAN-UPPER RED REGIONAL FLOOD PLANNING TECHNICAL CONSULTANT SERVICES SELECTION**

Mr. Dustin Meyer stated that in order to develop and adopt the state's first Regional Flood Plan, a consultant will be necessary to help provide the prerequisite technical services for the development and completion of the Scope of Work contained in the Texas Water Development Board funding contract. The TWDB Scope of Work includes: providing an assessment on existing flood risk, analysis of future flood risks, flood mitigation goals and flood mitigation strategies and projects among other tasks.

- *The Region-1 Flood Planning Group has worked through a Request for Qualifications process.*
- *On January 19, 2021, Region-1 issued a Request for Qualifications (RFQ) for professional services related to the development and creation of a Regional Flood Plan in accordance with 31 Texas Administrative Code Chapter 361 and the Panhandle Regional Planning Commission's procurement policies.*
- *The deadline to receive Statement of Qualifications (SOQ) was Thursday, February 18, 2021. The RFQ was published and solicited to various newspapers and websites as well as directly solicited to fourteen individuals and firms.*
- *Four firms requested RFQ packets, however Region-1 received only one Statement of Qualifications from Freese and Nichols.*
- *At the Region-1 meeting on March 11, 2021 the Flood Planning group felt that Freese and Nichols was highly qualified to perform the necessary technical services and recommended that the PRPC Board award the consultant contract related to the TWDB funding contract for Regional Flood Planning to Freese and Nichols.*

He stated that since the Region-1 Flood Planning body does not have the capacity to directly enter into a professional services contract, PRPC, functioning as the body's political subdivision and administrative agent will need to award the contract to Freese and Nichols on behalf of Region-1 and enter into contract negotiations. PRPC has worked with Freese and Nichols to develop the Regional Water Plan going back to 2001 and most recently concluded with the 2021 Plan, and have found their work to be timely, on budget and of the highest quality.

Judge Don Allred moved to select Freese and Nichols to provide technical consulting services on behalf of the Region-1 Canadian-Upper Red Flood Planning Group and to enter into contract negotiations to fulfill the Texas Water Development Board funding contract. Dr. William Hallerberg seconded the motion; the motion carried by unanimous vote.

16. **EMERGENCY ITEM: CLOSED EXECUTIVE SESSION PURSUANT TO SECTION 551.074 (PERSONNEL MATTER) AREA AGENCY ON AGING**

The Board entered into a closed Executive Session at 2:39 p.m. regarding an unexpected personnel matter of immediate importance posted on March 30, 2021 under Texas Government Code Section 551.045 and additional legal discussions fall under Texas Government Code 551.071.

17. **EMERGENCY ITEM: CONSIDER AND TAKE APPROPRIATE ACTION OF ITEMS DISCUSSED IN EXECUTIVE SESSION**

The Board reconvened from Executive Session at 3:03 p.m. regarding a personnel matter under Texas Government Code Section 551.07 and 551.04 respectively. Judge Don Allred moved that the Planning Commission turn over to law enforcement agencies any evidence against the former employee. Dr. William Hallerberg seconded the motion; the motion carried by unanimous vote.

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

- A. Mr. Kyle Ingham thanked Board members for the commitment to attending the hybrid meeting.

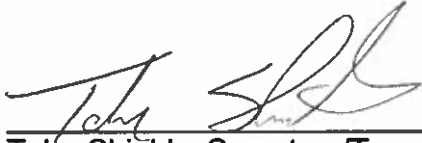
19. **ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 3:08 p.m.



Winston Sauls, Chairman
Panhandle Regional Planning Commission
Board of Directors

ATTEST:



Tobe Shields, Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors