

**PANHANDLE REGIONAL PLANNING COMMISSION
BOARD OF DIRECTORS**

Minutes

April 22, 2021

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held at 1:30 p.m. on Thursday, April 22, 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:

- Juan Cantu, Lipscomb County Commissioner
- Steven Cortez, Hereford
- Buster Davis, Mayor, City of Gruver
- Christy Dyer, Randall County Judge
- Dr. William Hallerberg, Canadian River Municipal Water Authority
- John Howard, M.D, Donley County Judge
- John James, Collingsworth County Judge
- Kimberly Jones, Childress County Judge
- Sal Rivera, Sheriff, Castro County
- Winston Sauls, Borger
- Phillip Self, Greenbelt Municipal & Industrial Water Authority
- 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:

- Don Allred, Oldham County Judge
- Cleo Castro, Cactus
- Ronnie Gordon, Hartley County Judge
- Raul Hernandez, Amarillo
- Harold Keeter, Swisher County Judge
- Dan Looten, Carson County Judge
- Wayne Nance, Briscoe County Judge
- Ginger Nelson, Mayor, City of Amarillo
- Karen Price, Pampa
- Walter "Four" Price, Texas State Representative, District 87
- Yolanda Robledo, Alderwoman, City of Bovina
- Ricky White, Mayor, City of Friona

STAFF PRESENT: Mr. Dustin Meyer, Local Government Services Director; Mr. Trent Taylor, Finance Director; Ms. Sundee Rossi, Area Agency on Aging Operations Coordinator; Mr. Mike Peters, Regional 9-1-1 Network Director; Ms. Lori Gunn, Regional Services Coordinator; Ms. Melissa Tye Whitaker, Area Agency Managing Ombudsman; Ms. Sharee Bailey, Administrative Program Specialist; Ms. DeShayne Hall, Executive Assistant; Mr. Kyle Ingham, Executive Director

OTHERS PRESENT:

None

1. CALL TO ORDER

Mr. Winston Sauls called the meeting to order at 1:32 p.m. and noted that a quorum was not present at the beginning of the meeting but was obtained later. 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

Dr. Bill Hallerberg gave the invocation.

3. MINUTES

Mayor Buster Davis moved to approve the minutes from the meeting held on March 31, 2021, as received. Commissioner Juan Cantu seconded the motion; the motion carried by unanimous vote.

4. VOUCHERS

Commissioner Pat Sims moved to approve the vouchers for the month of March 31, 2021. Dr. Bill Hallerberg seconded the motion; the motion carried by unanimous vote.

5. 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 1, 2021 through March 31, 2021.

Judge Nancy Tanner moved to accept the PRPC's Investment Funds Quarterly Report for the period ended March 31, 2021, as presented. Mayor Kerry Symons seconded the motion; the motion carried by unanimous vote.

6. FOOD NET PROGRAM FUNDING AGREEMENT

Ms. Sundee Rossi reminded the Board that the Area Agency on Aging (AAA) operates the congregate and home delivered meal program for Potter and Randall counties. The program is named "Nutrition for Experienced Texans" and is referred to as the Food NET. The Program is dependent not only on Title III funds allocated through the AAA, but also funds from the United Way of Amarillo and Canyon and the City of Amarillo Community Development Block Grant (CDBG) Program. In November 2020, the AAA submitted an application to the United Way of Amarillo and Canyon for \$110,000, and was notified recently that the amount of the award for their fiscal year beginning on April 1, 2021 and ending on March 31, 2022, will be \$84,100.

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.

Dr. Bill Hallerberg moved that the Board of Directors authorize PRPC Board President and the Executive Director to execute the funding agreement for the United Way of Amarillo and Canyon to further the Food NET program.

7. FY2021 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 2020, the CJAC reviewed, discussed and amended their bylaws and begin the FY 2022 grant making process via an online discussion.

Applications for projects were solicited in December of 2020 by the Criminal Justice Division (CJD) of the Governor's Office during the state fiscal year 2022 grant cycle. On December 14th, PRPC staff distributed a Notice of Fund Availability to 492 eligible entities in the Panhandle Region. Workshops were held via video conference to assist applicants in their application composition and submission. There were 38 attendees combined between the workshops.

She stated that CJD set the application deadline for February 11, 2021. Eight grant applications under the VOCA and three grant applications under the VAWA category were received. The CJAC met on April 7th to hear oral presentations and prioritize applications for the Victim Services categories. CJD received eight grant applications under the JAG and one grant application under TP category and one application under JJ from the Panhandle Region. The CJAC met on April 13th to hear oral presentations and prioritize applications under the TP, JJ and JAG categories.

Final appropriations and grant funding determinations will be made by CJD and should be announced before September 1, 2021.

Mayor Buster Davis moved that the Board of Directors approve the CJAC's recommended Grant Prioritization List for the Victims of Crime Act, Violence Against Women Act, Edward Byrne Justice Assistance Grant, and the Juvenile Justice and Truancy Prevention applications and authorize their submission to CJD. Mayor Kerry Symons seconded the motion; the motion carried by unanimous vote.

8. CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) APPLICATION

Ms. Lori Gunn stated in August of last year, Panhandle jurisdictions maintaining law enforcement agencies received Coronavirus Emergency Supplemental Funding (CESF) totaling \$1,053,856.00 (\$386,677.00 of which was directly awarded to Amarillo). Most of these funds were used to cover costs associated with jails having to hold onto TIDC-bound inmates longer than scheduled because TIDC had suspended the acceptance of new inmates. CESF funds were also used to implement public health protocols and to disinfect law enforcement facilities to contain the virus spread and to better protect the occupants of those facilities.

These CESF funds originated with the federal CARES Act and in turn, schools, cities and counties have since received similar federal assistance to help them in dealing with COVID spread and to aid them in protecting their personnel capital.

Recently, the Governor's Office announced a CESF-funded program specifically for the State's Councils of Governments (COGs). In total, Texas expects to make approximately \$1.3 million available to the COGs; of which \$25,000 has been allocated to the PRPC. However, the PRPC will have to apply for these funds in order to receive them.

As currently proposed, the PRPC's funds will be used to reimburse the Commission for documented costs incurred with the public health measures that have been employed in-house since last February, for anticipated costs to be incurred between now and the end of September and to build a small cache of computers to support work-at-home options for employees who lack a serviceable personal computer. In order to submit the PRPC's CESF application by the **May 11 deadline**, it must first be authorized by the PRPC Board.

Sheriff Sal Rivera moved that the Board of Directors approve the submission of the PRPC's FY2021 Coronavirus Emergency Supplemental Funding application with the passage of the resolution. Mayor Pat Sims seconded the motion; the motion carried by unanimous vote.

9. REGION-1 CANADIAN-UPPER RED REGIONAL FLOOD PLANNING GROUP TECHNICAL CONSULTANT CONTRACT

Mr. Dustin Meyer stated The Region-1 Canadian-Upper Red Regional Flood Planning group is statutorily required to prepare and draft a Regional Flood Plan that covers a 44-county region from the Texas Panhandle to the Wichita Falls area.

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.

To that end, 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.*

At our last meeting in March, this body, functioning as the Region-1 political subdivision and administrative agent, selected and award the contract to Freese and Nichols. PRPC entered into contract negotiations and the contract, for your consideration, does align with the TWDB budgeted amount of \$923,500 for the technical sub-consultant.

Commissioner Juan Cantu moved that the Board of Directors authorize the Executive Director to execute a Technical Sub-Consultant Contract with Freese and Nichols to assist the Region-1 Flood Planning Group to develop the region's first Regional Flood Plan. Mayor Pat Sims seconded the motion; the motion carried by unanimous vote.

10. PROFESSIONAL RECRUITMENT SERVICES INTERLOCAL CONTRACT: CITY OF TULIA POLICE CHIEF

Mr. Dustin Meyer stated in recent years PRPC staff has assisted many cities in the Texas Panhandle with administrative services, ranging from contractual city management services to city manager searches to codification. One of the most increasingly demanded services is assistance with the recruitment of professional staff by cities. Recently, PRPC was approached by the City of Tulia related to conducting a professional search for a Police Chief.

The City of Tulia has inquired about PRPC's services and requested a proposal regarding the process to identify qualified Police Chief applicants. The Tulia City Council has considered the PRPC's scope of services as it relates to assistance with a professional search and has authorized an interlocal agreement to perform these services. The inclusion of this agenda item will allow the PRPC Board of Directors to consider entering into interlocal agreement with the City of Tulia for PRPC to continue to work with the City and assist them in this process.

Currently the search contract rate being used by PRPC will follow basic guidelines that can be modified based on locality preference. The contract will be focused so that the services can be rendered expeditiously and in a quality manner so that the City can resume normal operations quickly. Compensation will be rated at \$65.00 per hour with job postings and travel compensated additionally with a floor of \$3,000 and a ceiling of \$7,500 to ensure that both parties mutually benefit from the agreement.

The following options will be made available for inclusion in contracts:

Search Services

1. Develop a Job Description
2. Post the Position notice as directed by the City.
3. Receive copies of all applications submitted to the City and review them.
4. Set up interviews with qualified candidates.
5. Check references and internet history as directed by the City.
6. Make recommendation on a short list of qualified applicants.
7. Contract negotiations with a qualified applicant.
8. On-Site services as required by the City Council related to the Search.

Mr. Steven Cortez moved that the Board of Directors authorize the Executive Director to execute an Interlocal Cooperation Contract with the City of Tulia to conduct a formal Chief of Police Search. Mayor Kerry Symons seconded the motion; the motion was carried by unanimous vote.

11. EXECUTIVE SESSION PURSUANT TO SECTION 551.074 (PERSONNEL MATTERS) AREA AGENCY ON AGING

The Board entered into a closed Executive Session at 2:11 p.m. regarding a personnel matter of immediate importance under Texas Government Code Section 551.045 and additional legal discussions fall under Texas Government Code 551.071. No action was taken.

12. **TAKE APPROPRIATE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

The Board reconvened from Executive Session at 2:29 p.m. regarding a personnel matter under Texas Government Code Section 551.07 and 551.04 respectively. No action was taken.

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

A. Comments from the Executive Director.

14. **ADJOURNMENT**

There being no further business to come before the Board, the meeting was 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