

**PANHANDLE REGIONAL PLANNING COMMISSION
BOARD OF DIRECTORS**

Minutes

February 24, 2022

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held at 1:30 p.m. on Thursday, February 24, 2022. 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.

MEMBERS PRESENT:

- Don Allred, Oldham County Judge
- Cleo Castro, Cactus
- Steven Cortez, Hereford
- Buster Davis, Mayor, City of Gruver
- Christy Dyer, Randall County Judge
- Ronnie Gordon, Hartley County Judge
- Dr. Bill Hallerberg, Canadian River Municipal Water Authority
- Dr. John Howard, Donley County Judge
- John James, Collingsworth County Judge
- Harold Keeter, Swisher County Judge
- Dan Looten, Carson County Judge
- Wayne Nance, Briscoe County Judge
- Oscar Ostos, Amarillo
- Walter "Four" Price, Texas State Representative, District 87
- 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
- Nancy Tanner, Potter County Judge
- Ricky White, Mayor, City of Friona

MEMBERS ABSENT:

- Juan Cantu, Lipscomb County Commissioner
- Kimberly Jones, Childress County Judge
- Ginger Nelson, Mayor, City of Amarillo
- Karen Price, Pampa
- Yolanda Robledo, Alderwoman, City of Bovina
- Kerry Symons, Mayor, City of Perryton

STAFF PRESENT: Mr. Trent Taylor, Finance Director; Ms. Lori Gunn, Regional Services Interim Director; Mr. Dustin Meyer, Local Government Services Director; Mr. Marin Rivas, Workforce Development Director; Mr. John Schaumberg, 9-1-1 Geographic Information Systems Program Coordinator; Ms. Kathryn English, AAA Operations Coordinator, Ms. Heather Reid, Workforce Development Contract/Accounting Manager; Ms. Delaney Pruett, Regional Emergency Planner; Mr. Alex Guerrero, Local Government Services Program Manager; Ms. DeShayne Hall, Executive Assistant; Mr. Kyle Ingham, Executive Director

OTHERS PRESENT:

N/A

1. CALL TO ORDER

Judge Dan Looten called the meeting to order at 1:31 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**

Judge John Howard gave the invocation.

3. **MINUTES**

Commissioner Pat Sims moved to accept the minutes from January 27, 2022 meeting. Mr. Winston Sauls seconded the motion; the motion carried by unanimous vote.

4. **VOUCHERS**

Mayor Ricky White moved to approve the vouchers for the month of January 2022. Judge Nancy Tanner seconded the motion; the motion carried by unanimous vote.

5. **WORKFORCE DEVELOPMENT PROCUREMENT: FUEL PURCHASE AGREEMENTS**

Mr. Marin Rivas informed the board, one of the most important services we provide to Workforce Development Program participants is transportation assistance. Funds are primarily used to purchase gasoline to help clients search for work, retain employment and participate in training.

Every few years, as required by the Texas Workforce Commission (TWC), staff issues a solicitation seeking vendors to supply prepaid fuel cards that would be limited to fuel purchases and not redeemable for cash. The solicitation states that PRPC makes no guarantee regarding the number of cards to be bought or the amounts. Following the last solicitation, PRPC issued "Letters of Understanding," with the two vendors offering the most advantageous terms to PRPC, Toot'n Totum and Valero Payment Services Company, to allow customers access to fuel throughout the entire region.

The two vendors, Toot'n Totum and Valero Payment Services Company, both sufficiently meet these criteria, as shown on the attached summary. Although neither of the vendors offer fuel outlets in all communities, purchasing cards from a combination of the vendors would provide coverage in most of our region's cities.

For reference based on historical expenditures, during the calendar year of 2018, PRPC's Workforce Development programs purchased \$85,250 in fuel from these two vendors. During the calendar year of 2021, the purchases totaled \$65,275. Funds to cover these costs have and would continue to come from existing Workforce Development grants.

Staff proposes to purchase cards from Toot'n Totum for distribution to customers in Amarillo and rural communities where outlets are located due to the lower cost per card (i.e. no applicable fees). Staff also proposes to purchase cards from Valero Payment Services Company, for distribution to customers in cities with only Valero outlets, as there is a \$0.25 fee per card.

Dr. Bill Hallerberg moved to authorize the board of directors to approve the purchase of fuel cards from the two vendors. Mr. Winston Sauls seconded the motion; the motion carried by unanimous vote.

6. **DEPARTMENTAL REPORT: AREA AGENCY ON AGING**

Ms. Kathryn English presented a brief summary of the new programs, funding streams and regional activities are currently in place this year. The AAA has received additional funding since the onset of the pandemic in order to support older adults and improve the outcomes of remaining healthy, independent, and reducing food insecurity.

The AAA has remained committed to improving best practices, strategically planning new programs, and being intentional with how we are delivering services with the goal of not only being responsive but proactive in addressing the ever-changing needs of our clients across the Panhandle.

No action was needed for agenda item.

7. **FY 2022/2023 SOLID WASTE IMPLEMENTATION CONTRACT WITH KEEP TEXAS RECYCLING**

Ms. Lori Gunn reminded the board, each biennium the PRPC receives funds from the Texas Commission on Environmental Quality (TCEQ) to administer a Regional Solid Waste Management Program. In January, the PRPC Board of Directors passed a resolution in favor of PRPC applying for funding to administer the Marketing & Transportation program and the board approved the priority list to be sent to TCEQ for final approval. In years past, the PRPC has made an application and received funding under this grant program to fund the Regional Marketing and Transportation Program.

The main purpose of the program is to facilitate the shipment of baled recyclable materials and loose scrap metal from the region to various end-market/intermediate buyers. During this biennium PRPC has expanded the scope of the project to include temporary support for the KTB/KTR program as a means of maintaining the PEP program even while state-led efforts are being made to restore and improve market availability in Texas.

The project will provide \$10,000.00 over the biennium to Keep Texas Recycling which operates Keep Texas Recycling (formerly Cooperative Teamwork and Recycling Assistance). CTRA has been working with the PEP members since 1999. These funds will be used to support KTR during the downturn of the commodity markets as KTR continues to work for the PEP across the region. If the PEP communities were to collectively divert 300 tons of materials through their programs for each of the next two years; its projected, based on current and forecasted market values, that together they'd generate around \$15,000 - \$20,000 in proceeds per year. In addition, given the average cost of landfill disposal is conservatively estimated at \$30-\$35 a ton, the 600 tons of waste diverted would also yield approximately \$21,000 in avoided costs for the two-year period.

Judge Don Allred moved to authorize the board of directors to allow the Executive Director to execute the FY 22/23 interlocal agreement with Keep Texas Beautiful. Representative Walter "Four" Price seconded the motion; the motion carried by unanimous vote.

8. FY22 STATE HOMELAND SECURITY GRANT PROGRAM PURCHASE AUTHORIZATION AND EQUIPMENT DISTRIBUTION APPROVALS

Ms. Lori Gunn reminded the board, the purpose of this agenda is two-fold. First, PRPC staff is requesting Board authorization to issue purchase orders for new Automated Fingerprint Identification System (AFIS) equipment and software which is being paid for with funding we've received under an FY22 State Homeland Security Program (SHSP) grant. Second, the Board is being asked to consider the Panhandle Regional Emergency Management Advisory Committee's (PREMAC) recommendations concerning the agencies that should receive this new AFIS equipment and software.

AFIS is a law enforcement tool used to match fingerprints to people. It automates the otherwise time-intensive task of manually processing fingerprints taken from crime suspects or crime scenes. It is a powerful and effective investigative tool capable of quickly sifting through large fingerprint databases to produce a relevant candidate list of potential matches. Amarillo PD, Randall and Potter SO, Gray PD and Borger PD all report that since they've started using the AFIS; they've been able to close cases that have been cold for decades. Their normal case closure rates have also increased significantly. However, the AFIS is simply a piece of equipment. The secret to a good AFIS program is having a staff of well-trained fingerprint examiners that can visually correspond and match crime scene prints to a set found in the database.

The server and two of the workstations will be going to City of Amarillo as that was approved by the funding agency at the time the grant was approved. The only question then is where the three other workstations should go. The PREMAC considered that question last December and is recommending that Randall County Sheriff's Office, Potter County Sheriff's Office and Parmer County Sheriff's Office each receive one new workstation. If this recommendation is approved, the PRPC will develop agreements to transfer ownership of the equipment and software over to Amarillo, Randall SO, Potter SO and Parmer SO once it's been purchased and properly installed.

Mayor Ricky White moved to authorize the PRPC staff to issue a purchase order to SPEX Forensics for the software and related services (installation) needed to complete the PRPC's State Homeland Security Program (SHSP)-funded FY22 AFIS Upgrade projects and authorize PRPC staff to proceed with the purchase of the computer equipment needed to complete the PRPC's SHSP-funded FY22 AFIS Upgrade projects utilizing the DIR State contracts and approve the distribution of new workstations to the Randall County Sheriff's Office, the Potter County Sheriff's Office and the Parmer County's Sheriff's Office. Commissioner Pat Sims seconded the motion; the motion carried by unanimous vote.

9. CONTRACTOR AGREEMENT; REGIONAL SERVICES TRAINING

Mr. Kyle Ingham reminded the board of directors, the Panhandle Regional Planning Commission values continuity of expertise in program areas because the nature of many programs in the organization builds upon the historical implementation of previous iterations of similar programs. As such, transferring expertise as employees move towards retirement is part of normal business. However, on occasion specific retirements can lead to a gap in expertise and transfer of knowledge after a retirement may be appropriate. John Kiehl is retiring from PRPC on February 28, 2022 after a 35-year career and in doing so a wealth of expertise and information will go with him. To ensure that his replacement has unmitigated access to his years of knowledge for a transitional period a contractual relationship is a viable option.

To ensure fairness to both PRPC and John a contract has been drafted that would compensate John \$15,000 for six months of contractual services in assisting the new Regional Services Director in transitioning into her new role. It is likely that John will take on other projects as a consultant, but it is believed that this allows for appropriate time for PRPC and compensation to provide assistance to PRPC to help ease the transition from a highly tenured Director.

Dr. Bill Hallerberg moved to authorize the Executive Director to enter into contract with John Kiehl for consulting services related to Regional Services Operations. Judge John James seconded the motion; the motion carried by unanimous vote.

10. FAIR HOUSING MONTH PROCLAMATION

Mr. Alex Guerrero reminded the board of directors the Panhandle Regional Planning Commission (PRPC) is under contract with the Texas Department of Agriculture to provide community and economic planning activities for the Texas Panhandle. Through the Community and Economic Development Assistance Fund (CEDAF) contract, PRPC receives a grant to provide technical assistance to communities in the Panhandle regarding community and economic development programs.

Under the requirements of the contract, PRPC is required to conduct a Fair Housing Activity in the region. Title VIII of the Civil Rights Act of 1968, The Fair Housing Act, prohibits discrimination in the sale or rental of units in the private housing market against any person on the basis of race, color, religion, sex, national origin, age, physical/mental handicap, or familial status (i.e. children under 18) and provides for relief including the award of monetary damages where discriminatory housing practices are found. The proclamation presented will fulfill PRPC's requirement to conduct a Fair Housing Activity and will raise the awareness of the importance of equal housing opportunities in the Panhandle.

Mayor Buster Davis moved to approve that the Board of Directors adopt the Fair Housing Proclamation, which designates March 2022 as Fair Housing Month and encourages equal housing opportunities to all citizens in the Panhandle. Mr. Winston Sauls, seconded the motion; the motion carried by unanimous vote.

11. LOCAL PROJECT MANAGEMENT SERVICES INTERLOCAL CONTRACT-AMERICAN RESCUE PLAN FUNDING

Mr. Dustin Meyer reminded the Board as part of the American Rescue Plan Act of 2021 (H.R. 1319) the Department of Treasury is responsible for the disbursement of the Coronavirus State and Local Fiscal Recovery Funds (CLFRF). These funds are direct federal aid to counties throughout the United States to respond to the COVID-19 public health emergency or its negative economic impacts. Funding allocation is based on the county's overall population. Within the last couple of months counties throughout the Texas Panhandle have begun receiving the first payment of the CLFRF funding.

Currently, the use and eligibility of funding for the Coronavirus State and Local Fiscal Recovery Funds are determined through 31 CFR Part 35 which has just recently been finalized and the Final Rule becomes effective April 1, 2022. The CLFRF funding has identified 2 CFR 200 as the authority for procurement and the interlocal cooperation process is identified as an allowable form of procurement for professional services provided by one political subdivision to another.

No action needed for agenda item. Updating board of directors on status.

12. REGIONAL PUBLIC TRANSPORTATION COORDINATION PLANNING APPLICATION AND CONTRACT

Mr. Dustin Meyer reminded the board PRPC has been in the Public Transportation arena since 2006 with the adoption of the Region's first Regional Transportation Coordination Plan. Since then, much has been accomplished through the partnership of PRPC Staff and the Advisory Committee, the Panhandle Regional Organization to Maximize Public Transportation (PROMPT). In 2022, the fourth iteration of the Comprehensive Plan was adopted which set forth new goals for another 5-year planning process.

With the adoption of the 2022-2026 Regionally Coordinated Public Transportation Plan, the PRPC and PROMPT set forth specific areas of focus to conduct in-depth research that includes increasing outreach to transportation users, exploring new opportunities for multi-modal connections within the existing transit system, identifying opportunities for coordination and centralization of service or resource pooling, and improving connectivity between transportation agencies and resources.

This month, TxDOT informed PRPC that they would receive \$17,500 to continue work on the coordinated transportation planning process for the 2022 program year based upon state-wide metrics data. LGS Staff have prepared and submitted an application to receive these funds and anticipates that a project grant agreement (PGA) with TxDOT to receive funds will be received by March 1st, 2022. These funds will allow PRPC staff to continue to hold PROMPT meetings, continue public involvement, and begin work on planning and assessments for individual needs identified in the 2022 Regionally Coordinated Transportation Plan.

Judge Don Allred moved to authorize the Executive Director of the PRPC to submit the application for continuation funding and execute the project grant agreement with the Texas Department of Transportation to receive the Public Transportation Coordination Project planning grant funding to continue activities associated with the regionally coordinated transportation planning process. Judge Harold Keeter seconded the motion; the motion carried by unanimous vote.

13. PRPC PROCUREMENT POLICIES AMENDMENT

Mr. Trent Taylor reminded the board, in order to be compliant with the TWC procurement manual, a change is necessary in our PRPC Procurement Policies. From time to time state and/or federal agencies have requested that specific language on a topic addressed in the Procurement Policies be reviewed and possibly considered for revision or inclusion in the Policies to bring them in line with a state or federal requirement interpretation. Staff does not approach the consideration of bringing Procurement Policy revisions to the Board for consideration lightly because these revisions can affect the day to day operations of the organization and possibly the responsibilities of Staff.

We are proposing adding a new section in the PRPC Procurement policy under 3-206:

d. Legal Services:

- (1) Legal services are not required to be procured under Chapter 2254 of the Texas Local Government Code.
- (2) Legal Services under Texas Workforce Development Programs shall not be exempted under this Procurement Policy under Chapter 2254 of the Texas Local Government Code and shall be conducted in a manner prescribed in this Procurement Manual and the Texas Workforce Commission Financial Manual for Grants and Contracts Supplement on Procurement.

Mayor Buster Davis moved to approve the updates to the PRPC Procurement Policy to reflect new language that brings PRPC into compliance with existing TWC procurement policies. Mr. Steven Cortez seconded the motion; the motion carried by unanimous vote.

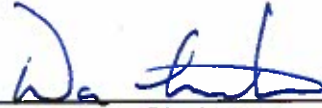
14. MISCELLANEOUS NON-ACTION INFORMATION ITEMS

- A. Comments from the Executive Director.
- B. Report on the following recent Planning commission sponsored regional meetings:
 - PWPG Executive Committee Meeting – February 15, 2022

- Region 1 – RFPG Full Committee Meeting – February 23, 2022
 - Panhandle Workforce Development Board – February 23, 2022
- C. Announcement of tentatively scheduled Planning Commission sponsored regional meetings:
- Panhandle Workforce Consortium’s Governing Body – February 24, 2022
 - Regional 9-1-1 Advisory Committee Meeting – February 25, 2022

15. **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 2:49 p.m.



Judge Dan Looten, Chairman
Panhandle Regional Planning Commission
Board of Directors

ATTEST:



Sheriff Sal Rivera, Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors