

PANHANDLE REGIONAL PLANNING COMMISSION

BOARD OF DIRECTORS MEETING

Minutes

December 8, 2022

The meeting of the Board of Directors of the Panhandle Regional Planning Commission was held at 1:30 p.m. on Thursday, December 8, 2022, in the banquet hall at the AmTech Career Academy at 3601 Plains Blvd, Amarillo, Potter County. This meeting was held in hybrid format by videoconference pursuant Texas Government Code Section 551.127 with more than three counties in the State of Texas being represented on the Board.

MEMBERS PRESENT:

- Don Allred, Oldham County Judge
- Steven Cortez, City of Hereford
- Buster Davis, Mayor, City of Gruver
- Ronnie Gordon, Hartley County Judge
- Dr. John Howard, Donley County Judge
- John James, Judge, Collingsworth County
- Kimberly Jones, Childress County Judge
- Harold Keeter, Swisher County Judge
- Greg Lewellen, Mayor, City of Friona
- Dan Looten, Carson County Judge
- Wayne Nance, Judge, Briscoe County
- Oscar Ostos, Citizen Representative, Amarillo
- Walter "Four" Price, Texas State Representative, District 87
- Karen Price, Citizen Representative, City of Pampa
- Winston P. Sauls, City of Borger
- Tobe Shields, Mayor, City of Spearman
- Phillip Self, Greenbelt Municipal & Industrial Water Authority
- Pat Sims, Moore County Commissioner
- Nancy Tanner, Potter County Judge

MEMBERS ABSENT:

- Juan Cantu, Lipscomb County Commissioner
- Cleo Castro, Citizen Representative, City of Cactus
- Christy Dyer, Judge, Randall County
- Dr. Bill Hallerberg, Canadian River Municipal Water Authority
- Ginger Nelson, Mayor, City of Amarillo
- Sal Rivera, Sheriff, Castro County
- Kerry Symons, Mayor, City of Perryton

STAFF PRESENT: Mr. Trent Taylor, Director of Finance; Mr. Alex Guerrero, Local Government Services Director; Ms. Amber Gerber, Local Government Program Specialist; Mr. Connor Neale, Local Government Services Program Specialist; Ms. Paige Goodell, Local Government Services Program Specialist; Mr. Marin Rivas, Workforce Development Director; Mr. Mike Peters, 9-1-1 Network Director; Mr. Christian Campbell, Dispute Resolution Program Specialist; Ms. Heather Reid, Workforce Development Contracts/Accounting Manager; Ms. Lori Gunn, Regional Services Director; Ms. Lori Wolf, Receptionist; Ms. Melissa Whitaker, Executive Assistant

OTHERS PRESENT: Mr. Carter Estes, Ms. Kaitlyn Willis

1. CALL TO ORDER

Mr. Tobe Shields called the meeting to order at 1:30 p.m. and noted that a quorum was present.

2. INVOCATION

Mr. Pat Sims gave the invocation.

3. **PUBLIC COMMENT**

No public comments were made.

4. **MINUTES**

Mr. Pat Sims moved to accept the minutes from October 27, 2022. Judge Dan Looten seconded the motion; the motion carried by unanimous vote.

5. **VOUCHERS**

Judge Don Allred moved to approve the vouchers for the month of October 2022. Mr. Buster Davis seconded the motion; the motion carried by unanimous vote.

6. **DISPUTE RESOLUTION CENTER INTERLOCAL COOPERATION CONTRACT FOR ALTERNATIVE DISPUTE RESOLUTION FUNDING PROVIDED IN TEXAS GOVERNMENT CODE 135**

Mr. Christian Campbell informed the board as discussed in the last meeting, in accordance with section 135 of the Texas Local Government Code, PRPC is reaching out to the 26 County Courts of the Panhandle to try and establish an interlocal agreement whereby the Dispute Resolution Center (DRC) is agreeable to provide dispute resolution services for the county courts. The County can agree through the use of an interlocal agreement to remit county funds to DRC in accordance with the following sections of the Texas Local Government Code:

135.101: \$213 on filing any civil case except a probate, guardianship, or mental health case. \$35 on any action other than an original action for a case. 7.0423% to county dispute resolution fund.

135.102: \$223 on filing any probate, guardianship, or mental health case. \$75 on any action other than an original action for a case. 6.7265% to county dispute resolution fund.

135.103: In addition to all other fees and court costs, a person shall pay a local consolidated filing fee of \$33 on filing of any civil case in a justice court. 15.1515% to county dispute resolution fund.

Several counties are currently in various stages of adopting the Interlocal

Agreement with the Panhandle Dispute Resolution Center to utilize funds allocated for dispute resolution services in accordance with Texas Local Government Code 135. Counties that have passed or are considering this agreement include: Gray, Hartley, and Parmer Counties.

Staff recommends that the Board of Directors consider approval of the interlocal agreement with the above referenced counties in relation to dispute resolution and Texas Government Code 135 by authorizing the Executive Director to execute this document. Mr. Walter "Four" Price motioned to authorize the execution of the interlocal agreement. Judge Don Allred seconded the motion; the motion carried by unanimous vote. Ms. Yolanda Robledo abstained from voting.

7. **2023 TEXAS HOMELAND SECURITY STRATEGIC PLAN-PANHANDLE REGIONAL IMPLEMENTATION PLAN RESOLUTION**

Ms. Lori Gunn informed the board each year, in preparation for the annual State Homeland Security Program (SHSP) grant program, the region must develop three unique but related plan updates. They are 1) the Threat & Hazard Risk Identification and Analysis (THIRA); 2) the Stakeholder Preparedness Review (SPR); and, 3) the Texas Homeland Security Strategic Plan (THSSP) Regional Implementation Plan. The intent of these plans is to identify the homeland and preparedness issues and needs of chief concern to the Panhandle. The plans are then used to inform the prioritization of projects aimed at addressing those issues when the next allocation of SHSP funding is made to the region.

The planning process progresses along this path.

THIRA This document identifies the most serious and credible hazard risks to the region and plausibly measures their effects on people and

property. Panhandle-appropriate targets are then established for each of the 32 Core Capabilities that will be used to Prevent, Protect, Mitigate, Respond, and/or Recover from the effects of those hazards.

SPR This document assesses the region's capacity to fulfil the Capability targets set with the THIRA. It attempts to quantify the number of resources needed to achieve the targets and to inventory the resources that are currently available in the region. The difference between assets needed and assets on-hand become the gaps to be prioritized within the THSSP Regional Implementation Plan.

THSSP Imp. Plan The Implementation Plan is used to highlight the gaps of the SPR within the parameters of the goals and objectives of the THSSP. Needs are called out with the items identified in the Planning, Organization, Equipment, Training & Exercise (POETE) sections of the document.

Last year, the State notified us that going forward, the THIRAs would only have to be updated every third year; unless of course, we wished to do so more often. Now that we worked under a pandemic for over two years, the PREMAC decided that for 2022, they wanted to add it to the THIRA this year. That decision made the overall planning process much easier this year. That's because if the THIRA doesn't change significantly; then, neither will the SPR. This year, we only had to update the SPR's gap information and as a result of the COVID; there really wasn't much there to change. When the PREMAC met on October 25th, they reviewed both plans and approved their submission to the State, in large part; as they had been written and approved last year. The 2022 THIRA and 2022 SPR both had to be submitted to the Texas Office of Homeland Security by November 31, 2022. The PREMAC also spent time reviewing and updating the THSSP Implementation Plan. There have been some recent changes made to the SHSP program that will complicate the Implementation Plan development process this year.

Six National Priorities have emerged over the past two years and all the Councils of Governments in Texas must now ensure that at least 30% of their FY23 SHSP allocation is invested across these six priority areas. They include:

- 1) Enhancing Community Preparedness & Resilience (at least 3% of the FY23 allocation);
- 2) Protection of Soft Target/Crowded Places (at least 3% of the FY23 allocation);
- 3) Intelligence and Information Sharing & Analysis (at least 3% of the FY23 allocation);
- 4) Enhancing Cybersecurity (3% under competitive area);
- 5) Combating Domestic Violent Extremism (3% under competitive area); and
- 6) Enhancing Election Security.

In addition, the region must ensure that at least 30% of the annual allocation is spent on Law Enforcement Terrorism Prevention Activities (LETPA). In addition, to complicate matters further; our regional allocation continues to decline year-after-year. Therefore, to a certain extent, we have to work backwards and integrate projects that meet the SHSP percentage requirements into the Implementation Plan. There are consequences for not meeting any or all of those requirements; that would result in the loss of funding to the region. Now, the Implementation Plan is due to the State by December 31, 2022. When the PREMAC meets on November 29th, they will review and approve the Implementation Plan; ahead the Board's December meeting.

The staff recommends the board approve the recommendation from the PREMAC concerning the approval of the region's 2023 THSSP Implantation Plan. Mr. Buster Davis moved to approve the plan by passing the attached resolution. Judge Ronnie Gordon seconded the motion; the motion carried by unanimous vote.

8. TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION DEVELOPMENT AND MANAGEMENT SERVICES INTERLOCAL CONTRACTS

Ms. Paige Goodell informed the board the 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 330 TxCDBG projects totaling more than \$80,000,000 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 2023/2024 TxCDBG program. 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. In anticipation of PRPC Staff preparing approximately 15 TxCDBG applications this cycle, staff has determined that it would be necessary for the board to consider the interlocal agreements, associated with the application preparation, in multiple groupings for two reasons. 1. The public hearings are staggered to ensure that staff can be in each community during an application cycle. 2. With over 15 entities applying, there could be issues with board voting membership having to recuse themselves if all projects were presented together. To this end, the following interlocal agreements are being presented to the Board in December of 2022:

- a. Claude
- b. Adrian
- c. Kress
- d. Dalhart
- e. Shamrock
- f. Vega
- g. Happy
- h. Oldham County

These are no-cost interlocal agreements between PRPC and the respective entity for the preparation of a 2023-24 TxCDBG application. They also include a project administration section, contingent upon future funding with details to be amended later. The focus of these interlocals 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.

PRPC staff recommends that the Board of Directors authorize the Executive Director to execute interlocal cooperation contracts with the above-mentioned communities, respectively, and the PRPC to provide TxCDBG application services at no cost with contingency for administrative services to be amended at the locality's discretion, if the project is funded. Judge John Howard moved to authorize the Executive Director to execute the interlocal cooperation contracts. Mr. Pat Sims seconded the motion; the motion carried by unanimous vote. Judge Don Allred abstained from voting.

9. APPLICATION DEVELOPMENT FOR THE 2023 DOWNTOWN REVITALIZATION PROGRAM INTERLOCAL CONTRACTS

Ms. Paige Goodell informed the board 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 Fund Program; Fire, Ambulance, and Service Truck (FAST) Fund; State Urgent Need (SUN) disaster relief and the Downtown Revitalization Program. The Downtown Revitalization Program stated objectives are 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. There are several cities that have already expressed interest in preparing an application to seek to improve the blighted conditions through infrastructure improvements in their downtown areas. Following the format that has become the new standard for TxCDBG applications; an interlocal agreement has been developed for PRPC to assist communities with

an application to the Downtown Revitalization 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 has two parts:

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

Part 2 – An option for an amendment to be considered 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 below cities to enter into an interlocal agreement with PRPC for application development activities to ensure programmatic compliance. Cities interested in applying to the Downtown Revitalization program for 2023 include the Cities of: Canyon, Dalhart, Fritch, Kress, Hereford and Tulia.

PRPC staff recommends that the Board of Directors authorize the Executive Director to execute an Interlocal Cooperation Contract between the above noted communities respectively and the PRPC to provide TxCDBG Downtown Revitalization application services at no cost with contingency for administrative services to be amended at the localities' discretion if their project is funded. Judge John James moved to authorize the Executive Director to execute an Interlocal Cooperation Contract with the above noted communities. Mr. Walter "Four" Price seconded the motion; the motion carried by unanimous vote. Mr. Greg Lewellen abstained from voting.

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

Mr. Alex Guerrero informed the board 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 master parks planning. 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 Spearman related to conducting a professional search for a Chief of Police. The City of Spearman has inquired about PRPC's services and requested a proposal regarding the process to identify qualified applicants for a Chief of Police position. Additionally, the City 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 Spearman for PRPC to continue to work with 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 set floor and ceiling 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.

PRPC staff recommends that the PRPC Board of Directors authorize the Executive Director to execute an Interlocal Cooperation Contract with the City of Spearman to conduct a formal Chief of Police search. Mr. Buster Davis moved to authorize the Executive Director to execute an Interlocal Cooperation Contract with the City of Spearman. Mr. Greg Lewellen seconded the motion; the motion carried by unanimous vote. Mr. Tobe Shields abstained from voting.

11. **UPDATE AND ASSOCIATED ACTION FOR FY 2021 INNOVATIVE COORDINATED ACCESS AND MOBILITY (ICAM) RIDE-SHARE VOUCHER PILOT PROGRAM PROJECT**

Mr. Alex Guerrero informed the board PRPC has established the Panhandle Regional Organization to Maximize Public Transportation (PROMPT) to guide the regional public transportation planning process. This body is comprised of representatives from the public transportation sector, rider groups, the service providers that see customers riding public transportation, and other special interest groups. The regional planning efforts undertaken by PRPC have identified transportation for non-emergency medical appointments as a need since the first iteration of the transportation plan in 2006. In December 2021, the Panhandle Regional Organization to Maximize Public Transportation (PROMPT) board authorized the submission of an application through the Federal Transit Administration (FTA) 2021 Innovative Coordinated Access and Mobility (ICAM) program for the development and pilot of a ride-share voucher program. Project elements include the full development of a voucher program for transit riders to use a ride share service or taxi when a ride is unavailable on the traditional transit service. Additionally, this includes the purchase of an ADA accessible vehicle to be utilized during the pilot phase of the program and planning funds for PRPC Staff to develop a turn-key voucher program including staffing plans, intake forms, agreements with vendors, etc. The application was developed through the planning process of the Regionally Coordinated Transportation Plan. Project partners in coordination on this project will include the City of Amarillo and Panhandle Community Services, along with the members of the PROMPT board. At this stage, the application for the ride-share voucher program has been preliminary accepted for funding and the next phases of acceptance requires requisite paperwork to be signed by the Executive Director to establish PRPC on the Transit Award Management System (TrAMS), and the Electronic Clearing House Operation (ECHO) services through FTA. Additionally, upon the acceptance of submittal documentation, a subsequent funding contract will be available for execution and approval.

PRPC staff recommends that the Board of Directors authorize the Executive Director to sign and approve submittal of the required paperwork for the TrAMS and ECHO systems and subsequent execution of the FTA contract agreement contingent on acceptance of the required submittal documentation. Judge Don Allred moved to authorize the Executive Director to sign and approve submittal of the required paperwork for the TrAMS and ECHO systems and subsequent execution of the FTA contract agreement contingent on acceptance of the required submittal documentation. Mr. Steven Cortez seconded the motion; the motion carried by unanimous vote.

12. **2022 REGIONAL INFRASTRUCTURE ACCELERATOR PROGRAM CONTRACT AWARD**

Mr. Alex Guerrero informed the board in April 2022, LGS staff prepared an application to the Build America Bureau's 2022 Regional Infrastructure Accelerator (RIA) Program. The Build America Bureau has been in operation since 2016 and is affiliated with the US Department of Transportation. This program was established as part of the Fixing America's Surface Transportation (FAST) Act and is focused on providing technical assistance to cities, counties, special districts, and other entities to rehabilitate and repair surface transportation facilities. Facilities include county roads, municipal roads, non-TxDOT owned bridges, etc. PRPC would be committing to provide technical assistance in the form of environmental reviews, engineering procurement, planning studies, and preparation of applications to funding programs. Staff has coordinated a partnership with the South Plains Association of Governments (SPAG) in order to expand the boundaries of this regional program. PRPC has successfully collaborated with these regions in the past in revolving loan programs, economic development, and transportation. Expanding the region to include 46

counties will provide better opportunities for cross-region collaboration on projects, possible project bundling opportunities, and better success of projects for funding. In August 2022, the PRPC was 1 of the 5 agencies selected in a nation-wide competition. Our awarded application is to establish an RIA program in the Panhandle and South Plains regions of Texas. The Federal Highway Administration (FHWA) has been assigned to administer the funding of this program over the next two years in the amount of \$454,852.00 with no matching requirement from the grant recipient. Approximately, \$50,000.00 of the budget will be dedicated to contractual services with SPAG for their assistance with the RIA program.

PRPC staff recommends that the Board of Directors authorize the Executive Director to execute the RIA Cooperative Agreement Award through the Federal Highway Administration. Judge Dan Looten moved to authorize the Executive Director to execute the RIA Cooperative Agreement Award through the Federal Highway Administration. Mr. Pat Sims seconded the motion; the motion carried by unanimous vote.

13. PRPC BOARD MEMBER RECOGNITION

The PRPC Board of Directors has been composed of devoted individuals who have contributed many years to providing leadership to this organization, to their citizens, their cities, counties, and the State of Texas. We would like to express our appreciation to three individuals who have contributed a combined total of 60 years to serving on the Panhandle Regional Planning Commission Board of Directors.

The Honorable John James has served a total of 13 years on the PRPC Board of Directors between 2009 and 2022. He served as the Secretary / Treasurer in 2013, the Vice Chairman in 2014, and the Board Chairman in 2015.

The Honorable Wayne Nance has served a total of 16 years on the PRPC Board of Directors between 2006 and 2022. He served as the Secretary / Treasurer in 2009, the Vice Chairman in 2010, and the Board Chairman in 2011.

The Honorable Don "Donnie" Allred has served a total of 31 years on the PRPC Board of Directors between 1991 and 2022. He served as the Secretary / Treasurer in 1996, the Vice Chairman in 1997, and the Board Chairman in 1998.

The staff would like to present tokens of our appreciation for their many years of service and efforts to improve the quality of life of their constituents and of the Texas Panhandle Region.

Information item only, no action necessary.

14. MISCELLANEOUS NON-ACTION INFORMATION ITEMS

A. Deputy Director, Mr. Michael Peters, updated the board on the health status of Executive Director, Mr. Dustin Meyer, in which he was progressing well and continuing to work from home part-time. Mr. Michael Peters stated that the former Aging employee, Josie Mayorga, has accepted a plea deal through Judge Reno's court on December 5th, 2022 and her sentencing will proceed sometime in 2023. Mr. Michael Peters reminded the board members that the next Texas Municipal League meeting will be held on January 19th, 2023 and is sponsored by the City of Friona. The next board meeting will be held January 26th, 2023.

B. Report on the following recent Planning Commission sponsored regional meetings:

- 11/1/2022 – Region-A Panhandle Water Planning Group Sub-Agriculture Committee Meeting
- 11/1/2022 – Region-A Panhandle Water Planning Group Full Committee Meeting
- 11/8/2022 – Panhandle Regional Organization to Maximize Transportation Meeting

- 11/1/2022 – Regional 9-1-1 Advisory Committee Meeting
- 11/15/2022 – PSA 2 Minority Board Member Election Borger City Hall
- 11/16/2022 – Texas Panhandle Inspectors Association Meeting
- 11/16/2022 – PSA 5 Minority Board Member Election Pampa City Hall
- 11/17/2022 – Economic Development Advisory Committee Meeting
- 11/17/2022 – PSA 1 Minority Board Member Election Cactus City Hall
- 11/29/2022 – Panhandle Regional Emergency Management Advisory Committee Meeting
- 11/30/2022 – Regional Solid Waste Management Advisory Committee Meeting
- 12/7/2022 – Panhandle Workforce Development Board Meeting
- 12/7/2022 – Region 1 Canadian-Upper Red Regional Flood Planning Group Committee Meeting

C. Announcement of tentatively scheduled Planning Commission sponsored regional meetings:

- 12/8/2022 – Panhandle Workforce Development Board Consortium Governing Body Meeting
- 12/13/2022 – Rolling Plains Organization for Rural Transportation Meeting
- 1/19/2023 – Panhandle Mass Casualty Attack Response Workshop located at Borger's Dome Civic and Convention Center

15. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 2:18 p.m.

Mayor Tobe Shields, Chairman
Panhandle Regional Planning Commission
Board of Directors

ATTEST:

Judge Nancy Tanner, Secretary/Treasurer
Panhandle Regional Planning Commission Board of Directors