

PANHANDLE REGIONAL PLANNING COMMISSION

BOARD OF DIRECTORS

Minutes

April 22, 2010

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held on Tuesday, April 22, 2010, at 1:30 p.m. in the PRPC Board Room, 415 South West Eighth Avenue, Amarillo, Potter County, Texas.

Councilwoman Zelda Lang, Chair, presided.

MEMBERS PRESENT:

- Don Allred, Oldham County Judge
- Mr. Tom Bailiff, Greenbelt Municipal & Industrial Water Authority
- Vernon Cook, Roberts County Judge
- Pete DeSantiago, Perryton
- Ronnie Gordon, Hartley County Judge
- Jack Hall, Donley County Judge
- Harold Keeter, Swisher County Judge
- Zelda Lang, Councilwoman, City of Dalhart
- Wayne Nance, Briscoe County Judge
- Gene Parker, Randall County Commissioner
- Tom Simons, Deaf Smith County Judge
- Arthur Ware, Potter County Judge
- Jed Welch, Commissioner, City of Canyon

MEMBERS ABSENT:

- Jeff Brain, Mayor, City of Borger
- Juan Cantu, Lipscomb County Commissioner
- Brian Gillispie, Mayor, City of Spearman
- Bob Gober, North Rolling Plains RC&D
- Saul Hernandez, Amarillo
- John James, Collingsworth County Judge
- Debra McCartt, Mayor, City of Amarillo
- Jay Mayden, Childress County Judge
- Harvey Perez, Hart
- Tom Velasquez, Wheeler
- Tresa Whaley, Vega

STAFF PRESENT: Ms. Cindy Boone, Finance Director; Mr. Greg Green, Regional 9-1-1 Network Director; Mr. Mike Peters, Regional 9-1-1 Network Coordinator; Mr. John Kiehl, Regional Services Director; Mr. Dave Cann, Emergency Communications Manager; Mr. Sean Hardman, Criminal Justice Coordinator; Mr. Kyle Ingham, Local Government Services Director; Mr. Doug Nelson, Economic Development Director; Ms. Melissa Henderson, Local Government Services Coordinator; Ms. Stacey Urbanczyk, Area Agency on Aging Coordinator; Ms. Rebecca Rusk, Executive Assistant; Mr. Gary Pitner, Executive Director

OTHERS PRESENT: Mr. Paul Simpson, U.S. Representative Mac Thornberry's Office; Mr. Howard Holland, Texas Department of Transportation; Mr. Kenneth Petr, Texas Department of Transportation

1. CALL TO ORDER

Councilwoman Zelda Lang, Chair, called the meeting to order and stated that the Board is one member short in establishing a quorum. She requested to move to agenda item 15 and see if another member arrives in order to reach a quorum.

2. INVOCATION

Commissioner Jed Welch gave the invocation.

3. **MISCELLANEOUS**

Mr. Greg Green and Mr. Mike Peters gave a presentation of the Panhandle Regional Next Generation 9-1-1 System Equipment and IP Network. Commissioner Gene Parker arrived at 2:20 p.m. and Councilwoman Lang noted that a quorum was present.

4. **MINUTES**

Judge Tom Simons moved to approve the minutes from the meeting held on March 25, 2010 as received. Commissioner Gene Parker seconded the motion; the motion carried by unanimous vote.

4. **VOUCHERS**

Judge Vernon Cook moved to approve the vouchers for the month of March, 2010. Judge Ronnie Gordon seconded the motion; the motion carried by unanimous vote.

5. **PRPC INVESTMENT FUNDS QUARTERLY REPORT**

Ms. Cindy Boone, CPA, 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. Ms. Boone presented the report for the period of January 1 through March 31, 2010.

Judge Don Allred moved to accept the report as presented. Judge Harold Keeter seconded the motion; the motion carried by unanimous vote.

6. **NATIONAL ASSOCIATION OF REGIONAL COUNCILS**

Mr. Gary Pitner reminded the Board that the PRPC has traditionally been active members in both the Texas Association of Regional Councils and the National Association of Regional Councils (NARC). Membership in these associations has benefited the Planning Commission by allowing both Board Members and Staff to meet with peers, to share ideas and discuss common problems.

In addition to conducting workshops and conferences, the National Association serves as a voice in Washington D.C. for our region as well as other regions across the nation. The National Association also provides the Planning Commission with a great deal of information in the form of newsletters, etc. which allows staff to remain up-to-date on programs and issues which affect the Panhandle.

The Planning Commission has been billed for 2010-2011 National Association of Regional Councils dues. The total dues for 2010-2011 are \$5,000.

Judge Tom Simons moved to approve payment of FY11 Planning Commission dues to the National Association of Regional Councils. Judge Ronnie Gordon seconded the motion; the motion carried by unanimous vote.

7. **FY11 STATE PLANNING ASSISTANCE RESOLUTION**

Mr. Gary Pitner stated that each regional council in Texas currently receives an annual allocation of "State Planning Assistance Funds" as authorized in Chapter 391 of the Texas Local Government Code. The PRPC's FY11 State Planning Assistance Fund allocation amounts to \$63,521.

Staff would propose to expend the FY11 allocation to the PRPC for substantially the same purposes for which those funds were expended in FY10. That means the FY11 allocation of \$63,521, would be expended to partially meet matching requirements for the Area Agency on Aging (\$21,028), to partially meet matching requirements for the Contract Procurement Center (\$34,095), and to partially fund local government grant writing assistance activities (\$8,399).

In order for the Planning Commission to pursue these State Planning Assistance funds as instructed by the Governor's office, a resolution must be considered and passed by

the Board of Directors. The resolution serves to formally authorize the preparation and the submittal of a FY11 application.

Judge Arthur Ware moved pass a resolution authorizing the submission of the Planning Commission's FY11 State Planning Assistance Grant application. Commissioner Gene Parker seconded the motion; the motion carried by unanimous vote.

8. **RURAL TRANSPORTATION PLANNING ORGANIZATION RESOLUTION**

Mr. Kyle Ingham informed the Board that in 2009, the Texas Department of Transportation (TXDOT) was subject to Sunset Review. As part of that Sunset Review, TXDOT was encouraged to begin "moving many decisions from Austin to regions". One of the concepts floated by TXDOT and the 81st Texas Legislature was the possible creation of Rural Planning Organizations (RPO) that would mirror their urban counterparts, Metropolitan Planning Organizations (MPO). In Amarillo we are familiar with the Amarillo MPO that conducts four and ten year project planning activities and ultimately makes determinations relating to the specific project types and locations for TXDOT funded projects in the MPO area.

In the 81st Texas Legislature, House Bill 2589 and Senate Bill 1417 included language that would enable the creation of RPOs along Council of Government (COG) boundaries. These bills were retracted while in committee. However, the proposed 2010 TXDOT Planning and Project Development Rules include, for the first time, both a definition and authority of Rural Planning Organizations.

PRPC Staff has supported the concept of RPOs because they would, if substantiated by legislation or rulemaking, provide local officials an opportunity to have input into the regional funding and planning processes of the local TXDOT District. The PRPC Board of Directors passed Resolution #09-08-19-01 supporting the concept of RPOs and stating that if RPOs become recognized by legislation or rule making that PRPC intends on establishing a Panhandle RPO.

The entire Amarillo TXDOT District is included in the PRPC Region, and as such will be the most straightforward to be served by an RPO. The RPO in the Amarillo TXDOT District could appropriately be called the Panhandle Rural Transportation Planning Organization (PRPO). In discussions with local officials and TXDOT Staff it has been determined that representation from each county in the 17 county district should be included on the PRPO along with municipal representatives. As such it is recommended that each County Judge have a seat on the PRPO along with 8 municipal representatives selected based on geographic distribution along major highways. In order to allow each County Judge to have a seat on the PRPO, Counties will be provided a sample resolution recognizing the creation of the PRPO and authorizing their Judge to serve on the body.

Mr. Ingham reviewed a resolution for the Board to consider which would authorize the establishment of an RPO. He also stated that the primary responsibilities of the PRPO will be as follows:

- Advisory group to the Amarillo Texas Department of Transportation District office in long-term regional transportation planning including the development of Long-Range Transportation Planning Recommendations for Non-Metropolitan areas (§15.7.1).
- Advisory group to the Amarillo Texas Department of Transportation District office in Short-Range transportation planning including the development of the region's Rural Transportation Improvement Plan for Non-Metropolitan areas (§15.11.k.2).
- Advisory group to the Amarillo Texas Department of Transportation District office in other matters affecting transportation and TXDOT related issues in the Texas Panhandle (§15.7.1).

Judge Vernon Cook moved to pass a resolution authorizing the establishment of a Rural Planning Organization (RPO) designed to provide formal local elected official input to transportation planning decisions within the 17 Panhandle county service area of the Amarillo District of the Texas Department of Transportation. Judge Tom Simons seconded the motion; the motion carried by unanimous vote.

9. **DOWNTOWN AMARILLO LOAN CONSORTIUM MEMORANDUM**

Mr. Gary Pitner stated that the past several years have seen a renewed community interest in the development and redevelopment of downtown Amarillo. In February 2006, the Amarillo City Commission appointed a 15 member "Downtown Development Committee." That committee was tasked with developing a strategic action plan for the city's center. With the assistance of a downtown planning consultant and after a lengthy development process involving downtown stakeholders and citizens, the "Downtown Amarillo Strategic Action Plan" was adopted by the Amarillo City Commission in the spring of 2008.

In 2006 a tax increment reinvestment zone (TIRZ) was established as a public financing tool to assist in Amarillo's downtown development efforts. In mid 2008, at the request of the Amarillo City Commission, a new non-profit corporation – Downtown Amarillo, Inc. (DAI) was created to lead, guide and direct the implementation of the "Downtown Amarillo Strategic Action Plan." Both DAI and the TIRZ are currently engaged in a broad range of efforts to develop downtown. Such efforts include but are not limited to a potential convention hotel adjacent to the Amarillo Civic Center, housing development, streetscape improvements, downtown design standards, parking/land use studies and public infrastructure improvements.

In an effort to collectively contribute to the financing of downtown Amarillo development projects, seven local banks have come together to create the "Downtown Amarillo Loan Consortium." The lenders' desire is to provide short term commercial loans for new construction and redevelopment of vacant or underutilized real estate in Downtown Amarillo to assist the community in the revitalization of the downtown area.

The Downtown Loan Consortium has asked the PRPC to provide certain administrative functions related to the operations of the Consortium. Those tasks include:

- the provision of basic loan program information to prospective borrowers
- meeting with prospective borrowers for the purpose of determining eligibility
- creating a loan application and loan report that would include a review of eligibility, creditworthiness, repayment ability, special conditions and collateral requirements; and
- providing the participating lenders with a detailed loan file for final credit decisions.

The PRPC will play no role related to decisions to approve or reject loan requests. Such decisions will be at the sole discretion of the participating lending institutions.

The PRPC shall, at the initial application of the borrower, collect a \$2500 processing fee. If the loan of the borrower is not approved, the PRPC shall retain \$500 of the fee and return the balance to the applicant; if the loan is approved, PRPC shall retain 100% of the fee as an origination fee

Judge Wayne Nance moved to authorize the Executive Director to execute a Memorandum with seven local banking institutions composing the Downtown Amarillo Loan Consortium which calls for the Planning Commission to provide certain administrative functions related to the operation of the Loan Consortium. Commissioner Gene Parker seconded the motion; the motion carried by unanimous vote.

10. **FY11 REGIONAL CRIMINAL JUSTICE PROGRAM PRIORITIZATION APPROVAL**

Mr. Sean Hardman stated the Panhandle Regional Criminal Justice Advisory Committee (CJAC) met on April 20th to consider and prioritize the grant applications from the Panhandle that were submitted to the Criminal Justice Division (CJD) of the Office of the Governor under the FY2011 General Victim Assistance – Direct Services Programs. Federal funding is authorized for these projects under the Victims of Crime Act (VOCA) and under the S.T.O.P. Violence Against Women Act (VAWA).

Nine different Panhandle organizations filed for a total of 14 applications for FY11 Victim Services funding. Of those nine organizations, four applied for 2 grants or more. This is now allowed since the CJAC put a \$45,000 cap on grant requests. When the CJAC developed this cap, they also established a tier system in which an agency's second application would be scored in the "2nd tier" after all of the other

agency's applications have been scored and prioritized. This insures that all of the agency's number one priority grants are scored before other agency's second level applications.

The total amount of FY11 funding requested is \$545,145.00. Mr. Hardman presented the following prioritized list to the Board as recommended by the CJAC:

TIER #1

| FY11 Victim Services Applications | Averaged Ranking | Prioritized Ranking | Funds Requested |
|--|------------------|---------------------|-----------------|
| Panhandle Crisis Center (Hansford, Lipscomb, Ochiltree) | 2.50 | 1 | \$ 45,000.00 |
| The Bridge (All 26 Counties) | 3.39 | 2 | \$ 45,000.00 |
| Hutchinson Co. Crisis Center (Carson, Hutchinson) | 4.19 | 3 | \$ 45,000.00 |
| Tralee Crisis Center (Carson, Childress, Collingsworth, Donley, Gray, Hemphill, Roberts & Wheeler) | 4.33 | 4 | \$ 45,000.00 |
| Deaf Smith Co. Crisis Center (Castro, Oldham, Parmer) | 5.22 | 5 | \$ 45,000.00 |
| Family Support Services (Armstrong, Potter, Randall) | 5.83 | 7 | \$ 44,972.00 |
| Panhandle Assessment Center (All 26 Counties) | 5.83 | 7 | \$ 45,000.00 |
| Safe Place, Inc. (Dallam, Hartley, Moore, Sherman) | 5.83 | 7 | \$ 45,000.00 |
| Potter County | 8.00 | 9 | \$ 45,000.00 |

Total of FY11 Victim Services Projects Prioritized: \$ 404,972.00

Tier #2

| FY11 Victim Services Applications | Averaged Ranking | Prioritized Ranking | Funds Requested |
|--|------------------|---------------------|-----------------|
| Panhandle Crisis Center (Hansford, Lipscomb, Ochiltree) | 1.83 | 10 | \$ 27,779.00 |
| Tralee Crisis Center (Carson, Childress, Collingsworth, Donley, Gray, Hemphill, Roberts & Wheeler) | 2.17 | 11 | \$ 33,184.00 |
| Hutchinson Co. Crisis Center (Carson, Hutchinson) | 2.88 | 12 | \$ 21,911.00 |
| Family Support Services (Armstrong, Potter, Randall) | 3.00 | 13 | \$ 43,473.00 |

Total of FY11 Victim Services Projects Prioritized: \$ 126,347.00

Tier #3

| FY11 Victim Services Applications | Averaged Ranking | Prioritized Ranking | Funds Requested |
|---|------------------|---------------------|-----------------|
| Panhandle Crisis Center (Hansford, Lipscomb, Ochiltree) | 1.00 | 14 | \$ 13,826.00 |

Total of FY11 Victim Services Projects Prioritized: \$ 13,826.00

Judge Tom Simons moved to approve the prioritization of area victim services FY11 grant applications submitted to the Criminal Justice Division of the Governor's Office. Judge Harold Keefer seconded the motion; the motion carried by unanimous vote.

11. **COMMUNITY DEVELOPMENT PROJECT MANAGEMENT SERVICES INTERLOCAL CONTRACT**

Ms. Melissa Henderson stated that PRPC Staff has worked with Panhandle Communities to implement infrastructure improvement projects through the Community Development Block Grant (TxCDBG) Program since 1983.

The City of Pampa was awarded a late 2009 TxCDBG contract due to additional funding being appropriated to the program by the 81st Legislature. The funds from the grant will assist the city with needed water line replacement in the South portion of town. PRPC staff assisted the City of Pampa in the preparation of their application requesting funding from TDRA and the City has requested that PRPC's services be secured for the general administration of this contract.

Judge Don Allred moved to authorize the Executive Director to execute an Interlocal Cooperation Contract with the City of Pampa for the Planning Commission to provide Texas Community Development Program project management services. Judge Vernon Cook seconded the motion; the motion carried by unanimous vote.

12. **2008 PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANT PROGRAM EQUIPMENT PURCHASE**

Mr. Dave Cann stated that PRPC staff has begun implementing the second phase of the Public Safety Interoperable Communications Program Implementation Plan (PSIC PIP) and PSIC Sub-recipient Agreement, previously approved by the Board of Directors, calling for the procurement and installation of four-band call-channel repeater systems at four PANCOM sites. This is a PSIC-funded pilot project that may result in similar equipment installations at approximately 30 additional PANCOM sites.

Staff is considering a request to the state to reduce the pilot project installations to two sites, and divert two of the 4-band repeater systems to the PANCOM Mobile Communications Vehicle that was recently added to the PANCOM program plan to satisfy recent guidance from federal (NECP) and state (SCIP) plans.

PRPC procurement policy requires approval by the Board of Directors for all purchases that exceed \$25,000. One large Purchase Order for this project is ready at this time:

| PO # | Vendor | Description | Amount |
|----------|---------------------|--------------------------------|--------------|
| 840001-1 | Omega (Midland DIR) | 16 P25 Repeaters (4 each band) | \$109,166.20 |

Judge Vernon Cook moved to authorize the purchase of communication system repeaters under the 2008 Public Safety Interoperable Communications Grant Program. Commissioner Gene Parker seconded the motion; the motion carried by unanimous vote.

13. **ADMINISTRATIVE REGULATION AMENDMENT**

Mr. John Kiehl reminded the Board that PRPC Administrative Regulation #36 established the Panhandle Regional Emergency Management Advisory Committee (PREMAC) and set out the committee's Scope of Authority. The responsibilities of the PREMAC have increased through the years as the State's homeland security/emergency management program has expanded. Consequently, the Regulation has already been amended on two occasions. With the additional governance duties required for the region's Interoperable Emergency Communications Grant Program (IECGP), there is a need to consider amending the Regulation once again. Mr. Kiehl reviewed the necessary amendments with the Board.

Commissioner Jed Welch moved to approve amendments to Administrative Regulation No. 36, Panhandle Regional Emergency Management Advisory Committee Procedures and Policies to update and clarify the Committee's roles and responsibilities. Commissioner Gene Parker seconded the motion; the motion carried by unanimous vote.

14. PROJECT REVIEW AND COMMENT

a. TX-R-20100330-0017-01

Canyons Senior Living, L.P.
Section 221 (d)(4) Substantial
Rehabilitation Program

Ms. Stacey Urbanczyk presented the application for review. The Canyons Retirement Community is requesting \$7,778,000 from the U.S. Department of Housing and Urban Development for the rehabilitation of 111 senior living units within the Canyons residential project targeting low-income residents. The application is for construction/renovation cost.


15. MISCELLANEOUS NON-ACTION INFORMATION ITEMS

A. Mr. Gary Pitner reported on the recent and upcoming Planning Commission sponsored regional meetings.


16. ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 3:25 p.m.

ATTEST:



Debra McCard, Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors



Zeida Lang, Chairman
Panhandle Regional Planning Commission
Board of Directors