

PANHANDLE REGIONAL PLANNING COMMISSION

BOARD OF DIRECTORS

Minutes

May 28, 2009

The regular meeting of the Board of Directors of the Panhandle Regional Planning Commission was held on Thursday, May 28, 2009, at 1:30 p.m. in the PRPC Board Room, 415 South West Eighth Avenue, Amarillo, Potter County, Texas.

Judge Jay Mayden, Chairman, presided.

MEMBERS PRESENT:

- Don Allred, Oldham County Judge
- Mr. Tom Bailiff, Greenbelt Municipal & Industrial Water Authority
- Juan Cantu, Lipscomb County Commissioner
- Vernon Cook, Roberts County Judge
- Ronnie Gordon, Hartley County Judge
- David Hale, Mayor, City of Perryton
- Jack Hall, Donley County Judge
- Saul Hernandez, Amarillo
- John James, Collingsworth County Judge
- Harold Keeter, Swisher County Judge
- Zelda Lang, Councilwoman, City of Dalhart
- Jay Mayden, Childress County Judge
- Debra McCartt, Mayor, City of Amarillo
- Wayne Nance, Briscoe County Judge
- Martha Rincon, Commissioner, City of Hereford
- Tom Simons, Deaf Smith County Judge
- Tom Velasquez, Wheeler
- Arthur Ware, Potter County Judge

MEMBERS ABSENT:

- Pete DeSantiago, Perryton
- Bob Gober, North Rolling Plains RC&D
- David Logan, Commissioner, City of Canyon
- Gene Parker, Randall County Commissioner
- Harvey Perez, Hart
- Tresa Whaley, Vega

OTHERS PRESENT: Mr. Paul Simpson, U.S. Representative Mac Thornberry's Office; Ms. Lorie Vincent, Executive Director, High Ground of Texas

STAFF PRESENT: Mr. Sean Hardman, Regional Services Assistant Director; Mr. John Kiehl, Regional Services Director; Mr. Doug Nelson, Economic Development Director; Mr. Kyle Ingham, Local Government Services Director; Mr. Greg Green, Regional 9-1-1 Network Program Director; Ms. Rebecca Rusk, Executive Assistant; Mr. Gary Pitner, Executive Director

1. CALL TO ORDER

Judge Jay Mayden, Chairman, called the meeting to order and noted that a quorum was present.

2. INVOCATION

Judge Vernon Cook gave the invocation.

3. MINUTES

Judge John James moved to approve the minutes from the meeting held on April 30, 2009, as received. Mayor Debra McCartt seconded the motion; the motion carried by unanimous vote.

4. **VOUCHERS**

Judge Tom Simons moved to approve the vouchers for the month of April, 2009. Judge Vernon Cook seconded the motion; the motion carried by unanimous vote.

5. **PRPC BOARD MEMBER RECOGNITION**

Chairman Mayden presented a plaque to Martha Rincon, Commissioner, City of Hereford, in recognition of her service on the PRPC Board of Directors.

6. **"HIGH GROUND OF TEXAS" PRESENTATION**

Ms. Lorie Vincent, High Ground of Texas Executive Director gave a presentation regarding the regional economic development activities of the High Ground of Texas and the organization's 20th anniversary.

7. **PRPC BOARD MEMBER ELECTION**

Mr. Gary Pitner informed the Board that Mark Irwin did not seek re-election to his post as Gruver Mayor. Mr. Irwin had been serving a term on the PRPC Board of Directors which was to expire in 2010. Therefore, a vacancy now exists on the Planning Commission's Board of Directors.

The PRPC Bylaws call for vacancies which occur under such circumstances to be filled at special called meetings of local elected officials from the affected geographic area of the Panhandle. In this case, the affected area would be Planning and Service Area 2 (Hansford, Hemphill, Hutchinson, Lipscomb, Ochiltree and Roberts Counties). At this special called meeting, a local elected official would be elected to complete Mr. Irwin's unexpired term.

Mr. Tom Velasquez moved to call a special meeting of local elected officials from Planning and Service Area 2 on Tuesday, June 9, 2009, at 10:30 a.m. at Spearman City Hall to elect a representative to serve on the PRPC Board of Directors. Mayor David Hale seconded the motion; the motion carried by unanimous vote.

8. **PRPC BUILDING RENOVATION PROJECT – SITE IMPROVEMENT CONTRACT CHANGE ORDER**

Mr. Gary Pitner stated that one of the primary tasks associated with our building renovation project involves exterior site improvements. Those improvements are intended to simultaneously address an existing structural problem, failing sidewalks, handicap accessibility, hardscape improvements and landscaping. Cruz Construction, Inc. of Amarillo was awarded the contract to carry out the PRPC site improvement project and has made substantial progress toward project completion.

The plans for the exterior site improvements call for the removal and replacement of the existing walking surface tile which surrounded the building on three sides. The removal of the old tile proved more difficult than expected and resulted in a very uneven slab surface on which to install the new tile. In order to address the additional work necessary to appropriately prepare the surface for the new tile, the contractor (Cruz Construction, Inc.) has prepared a series of change orders as follows for the Board's consideration.

#5	Additional Mud Bed	\$7,097
#6	Additional Tile	\$1,903
#7	Color Concrete Credit	<\$2,600>

Mr. Pitner stated that the net change for this change order totals \$6,400.

Judge Don Allred moved to approve the change orders to the existing site improvement contract with Cruz Construction Inc. Judge Harold Keeter seconded the motion; the motion carried by unanimous vote.

9. PRPC BUILDING EMERGENCY ELECTRICAL POWER GENERATOR PURCHASE

Mr. Gary Pitner reminded the Board that our building renovation project includes the addition of a 200KW emergency electrical power generator. Such a backup power supply for the building has become necessary as a result of the location of critical 9-1-1 communications equipment and regional interoperable radio equipment in our building.

As our renovation project has progressed, we have explored a variety of approaches related to the purchase and installation of the emergency electrical power generator. Those approaches have included the conduct of a separate bidding process for the procurement and installation of the generator, issuing a change order with our current site improvement contractor (Cruz Construction, Inc.) to accomplish the work or taking advantage of the Houston-Galveston Area Council Local Government Cooperative Purchasing Program to purchase the generator.

Staff has determined that the most cost efficient and timely approach to the procurement of the generator would be through the Houston-Galveston Area Council Local Government Cooperative Purchasing Program. The generator would then be installed by a local electrical contractor who is currently under contract with the PRPC to do power generator installation work at radio sites across the region.

The required power generator, fuel tank and associated controls are available under the Cooperative Purchasing Program for \$48,115. The proposed power generation system has been approved by the Planning Commission's consulting electrical engineer.

Judge Don Allred moved to authorize the purchase of a 200KW diesel powered emergency electrical power generator through the Houston-Galveston Area Council Cooperative Purchasing Program to be utilized to provide back-up power for the PRPC building. Judge Ronnie Gordon seconded the motion; the motion carried by unanimous vote.

10. PRPC BUILDING RENOVATION PROJECT – EMERGENCY ELECTRICAL POWER GENERATOR INSTALLATION CONTRACT CHANGE ORDER

Mr. Gary Pitner stated that in January of this year, PRPC conducted a sealed-bid procurement process [IFB GEN2009] to select a licensed electrical contracting firm to provide and install as many as twenty-eight 17KW standby power generators at various communication sites in the Panhandle during calendar years 2009 and 2010.

The Board of Directors approved award of the work to low bidder AAA Electric Company at the board's February 26, 2009 meeting. The value of the awarded work was \$233,199.00. The award provides for scheduling of the work by multiple Purchase Orders.

The previous agenda item authorized the direct purchase of a 200KW generator (using HGAC's state-level competitive contract with Cummins Power). A change order to the contract with AAA Electric Company would provide for the installation of the generator.

Judge Tom Simons moved to approve a change order to an existing power generator installation contract with AAA Electric of Amarillo to install a 200KW diesel powered emergency electrical power generator at the PRPC building. Councilwoman Zelda Lang seconded the motion; the motion carried by unanimous vote.

11. CONTRACT PROCUREMENT CENTER APPLICATION

Mr. Doug Nelson stated that the Department of Defense (DoD), in an effort to expand its industrial base and increase competition for its requirements for goods and services, established the Procurement Technical Assistance Cooperative Agreement Program (PTACAP) in 1985. The purpose of the PTACAP program is to financially assist eligible entities in providing marketing and technical assistance to business firms. Doing so helps companies sell their goods and services to the DoD, federal agencies, state administrations, and local governments. The PTACAP assists the DoD in its acquisition goals, improves the general economy, and generates employment in the region by assisting business firms in obtaining and operating under government contracts. For FY2010, the PRPC is submitting a cooperative agreement application that covers the first of two option periods. The PRPC Contract Procurement Center application, under this cost sharing program, will have a total program cost of \$115,000. This amount includes \$66,412 of support from the DoD and a required match of \$48,588 from PRPC.

Mr. Nelson reminded the Board that the PRPC Contract Procurement Center began operation in October of 1986. Historically, the funding for the PRPC Contract Procurement Center has come from several sources: Job Training Partnership Act (JTPA), Economic Development Administration (EDA), local revenue, client fees, and the DoD. The PRPC Contract Procurement Center currently has an active clientele of ninety-three (93) businesses. Since inception, eight hundred and sixty-three (863) contracts worth one hundred eighty-five (\$185) million dollars have been awarded to businesses assisted by the PRPC Contract Procurement Center. An estimated four thousand two hundred and fifty (4,250) jobs have been created and/or retained through this effort. The PRPC Contract Procurement Center meets the PTACAP objective of providing marketing and technical assistance to business firms in selling their goods and services to the DoD and other governmental entities.

Judge Harold Keeter moved to authorize the Executive Director to submit an application in the amount of \$66,412 to the Department of Defense, Defense Logistics Agency to partially support the continued operation of the PRPC's Contract Procurement Center. Mayor Debra McCartt seconded the motion; the motion carried by unanimous vote.

12. PANHANDLE REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (PANCOM) EQUIPMENT PURCHASE

Mr. John Kiehl stated that staff is continuing to install PANCOM site equipment at various PANCOM sites around the region. These expenditures will be funded by the region's 2008 Homeland Security Grant Program (SHSP 2008). In the past, the board has authorized procurement of "communication shelter" buildings to house PANCOM repeater site equipment at various tower sites, and in most cases we have arranged the tower site lease so that the site owner provides electrical power to the shelter.

At PANCOM site HALS/BRIQ at Turkey, however, our lease does not allow installation of a building but requires instead the use of "communications outdoor cabinets" to house our equipments. Two cabinets are required – one for the HALS subsystem to serve southern Hall County, and one for the BRIQ subsystem to serve that part of eastern Briscoe County that is below the Caprock.

In early April, PRPC advertised for bids for appropriate cabinets. Sealed bids were opened at 4:00 p.m. on April 30th. Three bids were received timely; all appeared responsive:

Bidder	Location	Equipment Cabinet	Option A Transfer Switch	Exceptions
DDB Unlimited Inc	Wynnewood OK	\$5,585.50	not bid	60A Load Center, NET30Days
Thermo Bond Buildings, LLC	Elk Point SD	\$6,097.00	\$ 670.00	Gray paint, 3/8 thk IP2000 Insulation
Shelter One of Texas	Ponder TX	\$3,968.00	\$ 585.00	None taken

Product information provided by all three bidders was impressive, and all appeared to be fine products. Per the Invitation for Bid, PRPC entered into negotiation of additional details with low-bidder Shelter One of Texas. Based on that negotiation, staff and the vendor established the following purchase order detail:

Item 1	Quantity 1	Equipment Cabinet	\$3,968.00
Item 2	Quantity 1	Cabinet with Generator Transfer Switch	<u>\$4,553.00</u>
			Total \$8,521.00

Commissioner Juan Cantu moved to approve the purchase order for equipment related to the on-going rollout of the Panhandle Regional Interoperable Communications System. Judge John James seconded the motion; the motion carried by unanimous vote.

13. AMERICAN RECOVERY AND REINVESTMENT ACT – JUSTICE ASSISTANCE GRANT APPLICATION RESOLUTION

Mr. John Kiehl explained in detail the Justice Assistance Grant (JAG) Program under the American Recovery and Reinvestment Act with the Board. He also discussed the efforts made by staff to submit a regional grant application on behalf of area local governments for JAG funds.

Mr. Kiehl stated that the Criminal Justice Division had notified the Planning Commission and informed staff that PRPC is not an eligible applicant for these funds and are therefore unable to submit an application on behalf of our area local governments. No action was taken by the Board.

14. **PANHANDLE REGIONAL 9-1-1 NETWORK QUARTERLY PERFORMANCE REPORT**

Mr. Greg Green reminded the Board that as stipulated in the agreement between Panhandle Regional Planning Commission and the Commission on State Emergency Communications (CSEC), we 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 equipment replacement status. Mr. Green stated that the following items make up the key points of the FY09 Q2 performance report.

- The Network delivered 20,925 9-1-1 calls to region 9-1-1 call centers.
- Wireless 9-1-1 calls made up 61.65% of total call volume.
- 13 Public Service Answering Points (PSAPs) were monitored with no findings.
- 2,155 Network test calls were made by PSAP staff and PRPC employees.
- The Program experienced seven network outages and two equipment outages.

Judge Harold Keeter moved to accept the performance report as presented. Judge Wayne Nance seconded the motion; the motion carried by unanimous vote.

15. **PANHANDLE REGIONAL 9-1-1 NETWORK FY06-07 STRATEGIC PLAN AMENDMENT**

Mr. Greg Green informed the Board that use of Revenue is the budgeting category designated by the Commission on State Emergency Communications (CSEC) for unexpended revenue. Within 2 years following the end of a fiscal year any remaining funds must be transferred to this category.

Funds in the use of revenue category are to be eliminated in one of two ways:

1. Remitted to the entity operating the 9-1-1 answering point in the most populated county participating in a regional 9-1-1 plan.
2. Returned to CSEC's general revenue account.

According to the 2000 demographics, Hutchinson County is the largest county participating in the Panhandle Regional 9-1-1 Network making the Borger Police Department eligible for this funding. FY06-07 unexpended funds in the region totaled \$49,940.02. This amount represents 1.6% of the overall two-year biennial budget (\$3,066,712).

Judge John James moved to approve an amendment to the Regional 9-1-1 Network FY06-07 Strategic Plan to allow certain regional funds to be remitted to the City of Borger for purposes deemed eligible by the Commission on State Emergency Communications. Judge Vernon Cook seconded the motion; the motion carried by unanimous vote.

16. **PANHANDLE REGIONAL 9-1-1 NETWORK FY10-11 STRATEGIC PLAN APPROVAL**

Mr. Greg Green stated that pending the conclusion of the legislative session, the Commission on State Emergency Communications has completed its projection of funds to be allocated to 9-1-1 statewide and provided the PRPC 9-1-1 Program with initial allocation figures. Prior to receiving funds for FY10-11, staff must submit, and have approved, a plan for FY10 through FY14 and an equipment replacement plan for FY10 – FY20.

By statute, revenue generated by the 9-1-1 Service Fee (\$.50 per phone, per month) must be reallocated back to the region from which it was collected. Historically, these funds comprise two-thirds of the funding necessary to operate the 9-1-1 Program.

Surcharge, revenue collected from the Texas Infrastructure Equalization Surcharge (1% of intrastate long distance charges), are funds distributed at the discretion of CSEC to fund 9-1-1 programs in less-populated areas and supplement equipment purchases across the State.

One year ago, the PRPC 9-1-1 Program submitted a projected budget for the upcoming biennium. At the writing of this memo, CSEC is planning to allocated 90% of the submitted figure in FY 2010 and 85% in FY 2011.

Projected funds to be allocated for FY10-FY11 include:

	FY10	FY11
Program & Administration	\$ 1,126,623	\$ 1,068,578
Equipment	\$ 994,558	\$80,850
Total	\$ 2,121,181	\$ 1,149,428

Summary of strategic plan request for funds:

	FY10	FY11
Program	\$1,465,014	\$1,615,758
Administration \$ 252,322	\$ 258,195	
Equipment	\$ 994,558	\$ 80,850
Total	\$2,711,894	\$1,954,803
Total additional surcharge needed:	<u>\$ 590,713</u>	<u>\$ 805,375</u>

Judge Tom Simons moved to approve the Panhandle Regional 9-1-1 Network FY10-11 Strategic Plan. Mayor David Hale seconded the motion; the motion carried by unanimous vote.

17. PANHANDLE REGIONAL 9-1-1 NETWORK FUNDING REQUEST

Mr. Greg Green stated that on May 11, 2009, the South Plains Association of Governments convened a meeting of 9-1-1 entities serving the greater West Texas area for the purpose of discussing the potential of a collaborative effort relating to Next Generation 9-1-1, specifically, the sharing of IP network resources. Representatives from the following organizations were in attendance: Concho Valley Council of Governments; Nortex Regional Planning Commission; Panhandle Regional Planning Commission; Permian Basin Regional Planning Commission; South Plains Association of Governments; West Central Texas Council of Governments; Abilene/Taylor County Emergency Communications District; Lubbock Emergency Communications District; and Commission on State Emergency Communications (CSEC).

The group agreed on the merits of working together to share resources, but recognized the timelines, budgets, and administrative processes of the membership would require significant evaluation and planning to give any collective effort an opportunity to succeed.

Kelli Merriweather, CSEC Director of Programs, indicated that she was aware of 9-1-1 master planning projects currently underway at 5 other councils of governments in Texas, all of which were located adjacent to, or east of Interstate 35. Ms. Merriweather also pointed out that surcharge funding is available and requests for such will be considered by the CSEC Commissioners at their July 14, 2009 meeting.

Ms. Merriweather further indicated her confidence that a request reflecting a collaborative planning effort of behalf of a number of West Texas 9-1-1 stakeholders could be considered favorably by the CSEC Commissioners.

Requests for surcharge funding are due to CSEC on or before June 15, 2009. PRPC has accepted the lead role in procurements efforts on behalf of the aforementioned entities, as well as the following organizations who, since the meeting, have indicated a willingness to participate: Potter Randall Emergency Communications District; Midland Emergency Communications District; Wichita-Wilbarger Emergency Communications District; and Ector County Emergency Communications District.

Mr. Green stated that staff was prepared to request that the Board approve the request for equalization surcharge to the Commission on State Emergency Communications for the purpose of funding consultant serves relative to this project. However, the CSEC has informed staff that the money has been withdrawn. No action was taken by the Board.

18. FY09 REGIONAL SOLID WASTE PROJECT CONTRACT APPROVAL

Mr. John Kiehl stated that the PRPC receives funding from the Texas Commission on Environmental Quality (TCEQ) to support an annual competitive solid waste grants program. These grant funds are intended to be used in making improvements at the local/regional level that will reduce the Panhandle's reliance on landfills as the sole means of meeting the region's solid waste disposal needs.

Eligible applicants submit their proposals to the PRPC and those requests are then prioritized by the PRPC's Regional Solid Waste Management Advisory Committee (RSWMAC). The RSWMAC's prioritization recommendations are then presented to the PRPC Board for consideration of approval.

In a typical year, the PRPC will receive requests for solid waste funding that exceed the amount of grant funding available. Such was the case for the 2009 competition. In 2009, the PRPC received 14 applications requesting a total of \$398,500; there was only \$306,580 in 2009 grant funds available. One of those projects was eventually removed from the competition at the request of the applicant. Of the 13 applications considered by the RSWMAC, 12 were fully funded leaving a little under \$100 to support the 13th project; that being the application from the City of Quitaque. When the RSWMAC concluded its grant prioritization process, the committee designated Quitaque's project as the primary recipient of any funds not used by the 12 projects that were being fully funded. The PRPC Board approved that designation when it approved the RSWMAC's 2009 Solid Waste Grant funding recommendations.

Quitaque's project proposal involved the purchase of a front-end loader that would be used in support of its waste metal recycling, wood waste diversion and alley clean-up program. As part of the City's oral presentation, Quitaque's representative noted that if the loader was purchased, there might be an occasion when the equipment would be used for non-solid waste purposes. This presented a bit of problem since all grant-funded equipment has to be used strictly in support of the goals of the solid waste grant program.

PRPC staff has been staying in close contact with Quitaque as we've been implementing the other 12 projects and keeping the City apprised of the growing amount of unused grant funds. As part of those discussions, we worked out a tentative agreement that if funding could be found, the City would pay for half the cost of the front-end loader with the grant funds picking up the balance of the cost. In so doing, the City would then be able to use the equipment 50% of the time for activities that are not directly related to the solid waste grants program. Assuming that the project would eventually be funded, we've also been assisting the City in "shopping" for a good, serviceable used loader and we've found several different units that fit that description. The used loaders are priced in the general range of \$30,000.00.

In order for Quitaque's project to be funded, the PRPC Board must first approve the issuance of a 2009 Solid Waste Grants Program contract to the City of Quitaque. The TCEQ will then have to finally approve the project.

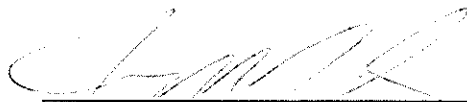
Judge Wayne Nance moved to authorize the Executive Director to execute a FY09 Regional Solid Waste Project contract with the City of Quitaque. Judge Don Allred seconded the motion; the motion carried by unanimous vote.

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

- A. Mr. Gary Pitner reported on the status of proposed action related to regional councils currently being considered by the Texas Legislature.
- B. Mr. Gary Pitner reported on the recent and upcoming Planning Commission sponsored regional meetings.

20. **ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 3:20 p.m.



Jay Mayden, Chairman
Panhandle Regional Planning Commission
Board of Directors

ATTEST:



Wayne Nance, Secretary/Treasurer
Panhandle Regional Planning Commission
Board of Directors

