MINUTES

JOINT MEETING OF THE
LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL
BOARD OF DIRECTORS & MEMBERSHIP

THURSDAY, JANUARY 26, 2012 - 12:00 P.M.
LRGVDC TRANSPORTATION CENTER
510 PLEASANTVIEW DR. - WESLACO, TEXAS
PRESIDING: MAYOR PRO-TEM EDDY GONZALEZ, PRESIDENT

President Eddy Gonzalez called the meeting to order at 12:15 p.m. and asked Mr. Ken Jones to call roll for the Board and the Membership. Upon conclusion of roll call it was ascertained that a quorum was present for both the Board and the Membership. President Gonzalez then moved to item 2. – Consider Approval of Meeting Minutes. Regarding item 2.A. – Membership Meeting of May 26, 2011 Hon. Norma G Garcia made a motion for approval of the May 26, 2011 Membership Minutes as presented. Mayor David Simmons seconded the motion, and upon a vote the motion carried unanimously. Regarding item 2.B. – Board Meeting of November 17, 2011, Mayor David Simmons made a motion for approval of the November 17, 2011 Board Minutes as presented. Mayor Tony Martinez seconded and upon a vote the motion carried unanimously.

Upon conclusion of action on the minutes, President Gonzalez moved to item 3.A. – Public Comment. Mr. Sergio Castro was recognized and informed the Board of the 22nd South Central ARC User Group Conference in March 2012. Next Ms. Lydia Jeffrey was recognized and informed the Board of issues regarding communicating with Valley Metro staff and lack of bus service on Saturdays. Next Mr. Robert Jeffrey was recognized and informed the Board of issues regarding McAllen Express service, difficulties becoming qualified for Paratransit service and the need for different bus service on Saturdays so he can attend church services. Commissioner Sofia Benavides requested staff provide follow-up reports regarding staff’s efforts to address the transit issues the Jeffry’s mention during Public Comment. Mr. Jones suggested an additional agenda item early in the agenda to address Valley Metro ridership issues. The next members of the public to comment all addressed concern regarding the HUD Disaster Recovery Funding and strongly encouraged the Board to adhere to the HUD Section 3 program that requires recipients of certain HUD financial assistance, to the greatest extent possible, to provide job training, employment, and contract opportunities for low – or very low income residents in connection with projects and activities in their neighborhoods, they were: Aurora Zuniga, TOD/Equal Voice Network; Emi Zuniga, TOD/Equal Voice Network; Jesus Garcia, ARISE; Juanita Zavala, ARISE; Ron Rogers, Equal Voice Cameron County; Juanita Valdez Cox, La Union del Pueblo Entero & Equal Voice Network; Berna Salinas, ARISE; Manuela Luna, Spanish Palm Subdivision; Martha Herrera, Hidalgo Park; Rocio Antonio, ARISE; Ann Williams Cass, Projecto Azteca/Equal Voice; Daniel Diaz, Lupe.

Upon conclusion of Public Comments the President moved to item 3.B. – Board Member Recognition. President Gonzalez recognized former City of Alamo Commissioner Roel Landa and presented him with a plaque recognizing his service to the LRGVDC Board of Directors.
President Gonzalez then moved to item 3.C. – Consider Amendments to LRGVDC Bylaws RE: Articles X, XI, XII, & XVI. Mr. Jones was recognized and reminded the Board that the Executive Committee reviewed the bylaws and recommended revisions as a result of HB 2160. In accordance with the bylaw amendment process, these revisions were presented to the Board of Directors prior to being considered for action by the Membership. Mr. Jones then went through each revision and the reason for it. **Mayor Steve Brewer made a motion to approve the amendments to the LRGVDC Bylaws as presented. Mr. Don Medina seconded the motion, and upon a vote the motion carried unanimously.**

President Gonzalez next moved to item 3.D. – Consider Annual Work Program and Budget Committee Recommendation; Item 1. – Adoption of FY 2012 Annual Work Program and Item 2. – Adoption of FY 2012 Annual Budget. The Hon. Norma G. Garcia, Annual Work Program (AWP) and Committee Chair was recognized and stated that the AWP & Budget Committee met on January 18th and no changes to the AWP were recommended from the Membership. Ms. Garcia then summarized the draft 2012 Budget and also noted that no changes to the budget were recommended from the Membership. Upon conclusion of the report **Mayor Pro-temp Armando Garza made a motion for approval of both the 2012 Annual Work Program and the 2012 Annual Budget. Mayor Steve Brewer seconded the motion and upon a vote the motion carried unanimously.**

Upon conclusion of action the President moved to item 3.E. – Consider Approval RE: Quarterly and Annual Investment Reports and recognized Mr. Jones. Mr. Jones summarized the reports and upon conclusion **Commissioner Rudy Rodriguez made a motion for approval of the Quarterly and Annual Investment Reports as presented. Mr. Don Medina seconded the motion and upon a vote the motion carried unanimously.**

President Gonzalez next moved to item 3.F. – Consider Selection of Independent Auditor and recognized Mr. Victor Morales. Mr. Morales stated that the LRGVDC went out for SOQ’s for Independent Audit Services on October 30, 2011 and received two responses, one response from Long Chilton, LLC and the other from Oscar Gonzalez, CPA. These responses were reviewed by the LRGVDC Finance, Human Resources and Procurement Departments and staff recommended Oscar Gonzalez, CPA. Staff was seeking Board authorization for the Executive Director to execute a contract with the recommended firm. **The Hon. Norma G. Garcia made a motion to approve the selection of Oscar Gonzalez, CPA as the Independent Auditor and for Mr. Ken Jones, LRGVDC Executive Director to enter into a contract with them. Mr. Don Medina seconded the motion, and upon a vote the motion carried unanimously.**

The President next moved to item 4. - Report from Area Agency on Aging and recognized Mr. Joe Gonzalez. Regarding item 4.A.1. – Consider Approval to Accept Funding from the Houston Better Business Bureau to Expand the Senior Medicare Patrol Program. Mr. Gonzalez stated that the Houston Better Business Bureau (HBBB) is the State Grantee from the Administration on Aging for the Senior Medicare Fraud Patrol. Since the ending of the grant from the National Hispanic Council on Aging to a local organization the program is non-existent in the Valley. The HBBB, as the State Grantee, would like to continue the program in the Valley and has chosen to work with the Area Agency on Aging because of its Elder Rights program. The amount offered was $41,300 for a nine month period. No matching funds were required and this has a potential for continuation funding. **Mr. Don Medina made a motion for approval to accept funding from the HBBB to expand the Senior Medicare Patrol Program. Commissioner Rudy Rodriguez seconded the motion, and upon a vote the motion carried unanimously.** Upon conclusion of action President Gonzalez moved to item 4.B. – Program Status Reports and Mr. Gonzalez stated that those reports were in the Board folders for review.
President Gonzalez next moved to item 5. - Report from Economic Development Department and recognized Ms. Terrie Salinas. Regarding item 5.A.1. – Consider Approval RE: Bylaws for Regional Small Cities Coalition. **Council Member Norie Gonzalez Garza made a motion for approval of the Bylaws for the Regional Small Cities Coalition as presented. The Hon. Norma G. Garcia seconded the motion, and upon a vote the motion carried unanimously.** Upon conclusion of action President Gonzalez moved to item 5.A.2. – Status on Regional Small Cities Coalition Committee and Ms. Salinas summarized their recent activities.

President Gonzalez next moved to item 5.B.1. – Regional Economic Adjustment Plan (EAP) Status Report and Ms. Salinas provided information on S&B Infrastructure, Inc.’s Public Meeting Schedule.

President Gonzalez then moved to item 6. - Report from Transportation Department, item 6.A.1. – Consider Approval RE: Free Fare Extension and recognized Mr. Rodney Gomez, Valley Metro Program Administrator. Mr. Gomez stated that the LRGVDC Transit Department was proposing to extend the fare-free period offered on Routes 10, 13, 20, 30, and 31. Initially, the fare-free period was to expire on December 31, 2011 as part of an introductory period to allow passengers to become accustomed to the new JARC route alignments and service hours. The recommendation is to extend the fare-free period until the end of the fiscal year, September 30, 2012. This will continue to encourage an increase in ridership. **Mayor Tony Martinez made a motion for approval of the Free Fare Extension. Mayor Steve Brewer seconded the motion, and upon a vote the motion carried unanimously.**

Upon conclusion of action the President moved to item 6.A.2. – Consider Approval RE: Amendment to Transit Criminal Background Check Policy. Mr. Gomez stated that the LRGVDC Transit Department is proposing two revisions; the first will include temporary employees offered temporary positions at Valley Metro to have background checks completed. Currently, temporary employees are only screened by their temporary agency and do not undergo a second background check throughout their temporary employment, the second revision will give authority to Valley Metro to conduct background checks throughout the year on all transit employees. This will ensure a continued safe work environment and reduce liabilities. **Council Member Norie Gonzalez Garza made a motion for approval of the amendments to the Transit Criminal Background Check Policy as presented. Mr. John Mendoza seconded the motion, and upon a vote the motion carried unanimously.**

Upon conclusion of action President Gonzalez moved to item 6.A.3. – Consider Approval RE: Amendment to DOT Physical Exam Policy. Mr. Gomez informed the Board that the Transit Department was proposing a revision to the current Physical Exam Policy to include a statement clarifying that the cost of a second exam, if the driver fails to pass the LRGVDC paid initial physical exam, would be the responsibility of the employee. **Mr. John Mendoza made a motion for approval of the amendment to the DOT Physical Exam Policy as presented. Commissioner Jim Darling seconded the motion, and upon a vote the motion carried unanimously.**

President Gonzalez next moved to item 6.A.4. – Consider Approval RE: Amendment to Operating Policies & Procedures Manual. Mr. Gomez stated that Transit Department staff was proposing an addition to the current Operating Policies and Procedures Manual to include a Bike Rack Policy statement that makes the passenger assume all risks and responsibilities when securing their bicycle onto the bus using the bike rack. Step by step instructions will also be provided to the passenger for safely securing their bicycle. **The Hon. Norma G. Garcia made a motion for approval of the amendment to the Operating Policies & Procedures Manual as presented. Mr. John Mendoza seconded the motion and upon a vote the motion carried unanimously.**

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Upon conclusion of action President Gonzalez moved to item 6.A.5. – Program Status Reports. Mr. Gomez briefly went over the Valley Metro Status Reports on Ridership and the Regional Transportation Advisory Panel (RTAP), and also informed the Board of a new route begun on January 3, 2012, route 45 to Harlingen San Benito, Los Fresnos and Brownsville.

President Gonzalez next moved to item 7. - Report from Regional Planning & Services and recognized Ms. Marcie Oviedo. Ms. Oviedo noted that item 7.A.1. - Water Resources status reports were in the Board folders. President Gonzalez moved to item 7.A.2. - Solid Waste Management and Ms. Oviedo noted that that Status Report was in the Board folders.

The President next moved to item 7.B. – HUD Disaster Recovery Funding; item 1. – Consider Ratification of Executive Committee Action RE: Submission of Needs Assessment and LRGVDC Housing Application to General Land Office (GLO) for Hurricane Dolly Round 2.2 Funding. Ms. Oviedo noted that at the November 2011 meeting the Board authorized the Executive Committee to review and consider approval to submit the Housing Needs Assessment and Application to the General Land Office (GLO) for Housing Disaster Recovery funding. Upon conclusion of the public hearings the Housing Advisory Committee met and provided a recommendation to the Executive Committee. The Executive Committee approved the Needs Assessment and Application as presented and recommended by the Housing Advisory Committee and that action required ratification by the full Board of Directors. Mr. Reid Bruce, URS, was recognized and gave a presentation that outlined the objectives and plan of action for the Needs Assessment. Upon conclusion of the presentation and discussion Commissioner Sofia Benavides made a motion to ratify the Executive Committee Action on the submission of the Needs Assessment and the LRGVDC Housing Application to the GLO for Hurricane Dolly Round 2.2 Funding. Mr. Don Medina seconded the motion and upon a vote the motion carried unanimously.

Upon conclusion of action President Gonzalez moved to item 7.B.2. – Consider Authorization for Executive Committee to Act RE:

a. LRGVDC Contract with GLO Regarding City of Brownsville’s Round 1 Disaster Recovery Housing Program and Request for Authorization to Release RFQ for Construction Services. Mayor Pro-tem Armando Garza suggested that a pool of Section 3 businesses be created for the Cameron County projects. Commissioner Sofia Benavides made a motion to ratify the Executive Committee action on the LRGVDC Contract with GLO regarding the City of Brownsville’s Round 1 Disaster Recovery Housing Program and Request for Authorization to release the RFQ for Construction Services.

b. Contract with URS for Implementation Assistance for Brownsville Round 1 Disaster Recovery Housing Program. Mayor Steve Brewer made a motion to ratify the Executive Committee action on the contract with URS for Implementation Assistance for Brownsville Round 1 Disaster Recovery Housing Program. Commissioner Sofia Benavides seconded the motion, and upon a vote the motion carried unanimously.

c. Adoption of City of Brownsville’s Housing Guidelines with Revisions for Round 1 Funding in Brownsville. Mayor Pro-tem Armando Garza requested additional organizations to be added on page 3 under Program Market (section 3.1.11. b), specifically Proyecto Juan Diego and Brownsville Community Health Center. Mayor Pro-tem Garza asked for clarification on item 6.1.iii regarding Application Criteria regarding assisting applicants with the application process and meeting the 45 day deadline. Mr. Jones noted that LRGVDC and URS staff would provide assistance and the overall goal was to have this
process completed by September. Mayor Pro-tem Garza noted that also under Program Marketing, item 3.1 VI., the current verbiage stated that “every effort will be made to make applications available in English and Spanish”, and that this Board made a motion that information shall be provided in English and Spanish. Mayor Steve Brewer stated that there was no doubt that the intent was to provide information in English and Spanish for this area. **Mayor Steve Brewer made a motion to ratify the Executive Committee action on the City of Brownsville’s Housing Guidelines with revisions for Round 1 funding in Brownsville. Commissioner Sofia Benavides seconded the motion and upon a vote the motion carried unanimously.**

Upon conclusion of action on the ratification items the President moved to item 7.B.3. – Consider Recommendation RE: Selection for Construction services for Implementation Assistance for Brownsville Round 1 Disaster Recovery Housing Program and recognized Mr. Victor Morales. Mr. Morales stated that RFQ’s were released for construction services and ten proposals were received and discussed by the Review Committee. After considering the responses the Review Committee unanimously recommended prequalification of three firms to provide bids for construction services for eligible applicants, those firms were: James W. Turner Construction, Community Development Corporation of Brownsville, and E-Con Group. Mr. Morales provided an explanation as to why American Home Builders, Grande Valley Builders, Inc. and Terra Homes were disqualified. **Mayor Steve Brewer made a motion for approval of the selection for Construction Services for implementation assistance for Brownsville Round 1 Disaster Recovery Housing Program. Commissioner Sofia Benavides seconded the motion, and upon a vote the motion carried unanimously.** Upon conclusion of action President Gonzalez moved to item 7.B.4. – Program Status Report on 2nd Round Disaster Recovery Funding and recognized Ms. Oviedo who briefly went over that report.

President Gonzalez next moved to item 8. – Homeland Security and recognized Mr. Manuel Cruz. Regarding item 8.A.1. – Consider Approval RE: HSAC Recommendations FY 2012 Homeland Security Grant Program Projects and recognized Mr. Manuel Cruz. Mr. Cruz stated that the Homeland Security Advisory Committee (HSAC) met to review and select projects for the upcoming FY 2012 Homeland Security Grant Program. The HSAC recommended approval to continue with previously approved FY2011 regional investment justifications (projects) which are Interoperable Communications, Critical Infrastructure, and Regional Response Team. **Commissioner Celeste Sanchez made a motion for approval of the FY 2012 Homeland Security Grant Program Projects as presented. Mr. Gale Armstrong seconded and upon a vote the motion carried unanimously.** Upon conclusion of action the President moved to item 8.A.2. – Status Reports and Mr. Cruz provided a summary of the Homeland Security Status Reports.

President Gonzales then moved to item 8.B.1. – Consider Approval RE: Criminal Justice Advisory Committee Membership (Tabled 10/27/11). **Council Member Norie Gonzalez Garza made a motion to take this item off the table. Mr. Don Medina seconded the motion, and upon a vote the motion carried unanimously.** Mr. Cruz informed the Board that the Criminal Justice Advisory Committee (CJAC) convened on October 5, 2011 to conduct a yearly review of the Committee Membership and accept the newly appointed CJAC Officers, Ms. Delhma A. Jetton as Chair, Mrs. Angie Saenz Castillo as Vice Chair and Mr. Roger Truitt to fill the vacancy under Hidalgo County Juvenile Services. Mr. Cruz asked the Board if they would like to make any further recommendations. **Mayor Steve Brewer made a motion to recommend Mr. Brad Shields for the Cameron County vacant slot in the Prosecution/Courts discipline, Norma G. Garcia to replace Nancy Trevino and Tony Barco to replace Pablo J. Almaguer both in the Hidalgo County Citizen discipline slots in addition to the recommendations made by the CJAC. Mayor Tony Martinez seconded the motion, and upon a vote the motion carried unanimously.** Upon conclusion of action President Gonzalez moved to item 8.B.2. – Program Status Reports. Mr. Cruz
summarized the reports and noted there were new requirements for 2012 Justice Assistance grants.

President Gonzalez next moved to item 9. - 9-1-1 Department and recognized Mr. Sergio Castro who noted that the status reports were in the Board folders.

The President moved to item 10. - Regional Police Academy and Training Center; item A. - Consider Approval RE: Memorandum of Understanding between STC and the LRGVDC Regional Police Academy and Training Center and recognized Mr. Paul Williams. Mr. Williams stated that the purpose of this MOU was to offer the Basic Peace Officer Course at the Border Regional Training Facility in Hidalgo, however the MOU was currently being reviewed by STC staff and Mr. Williams requested this item be tabled until the next meeting. **Commissioner Sofia Benavides made a motion to table this item. Council Member Norie Gonzalez Garza seconded the motion and upon a vote this item was tabled.** Mr. Williams noted that the Status Reports were in the Board folders for review.

President Gonzalez next moved to item 11. - Old or New Business; there being none, President Gonzalez moved to item 12. – Executive Session: Annual Evaluation and Salary Consideration of Executive Director. It was the consensus of the Board to go into Executive Session at 2:13 p.m. **At 2:25 p.m. the Hon. Norma G. Garcia made a motion to return to regular session. Mayor Pro-temp Armando Garza seconded the motion and upon a vote the meeting was back in regular session. Commissioner Sofia Benavides made a motion to increase the Executive Director’s salary by 4% for 2012. Mayor Steve Brewer seconded the motion and upon a vote the motion carried unanimously.**

There being no further business to come before the Board President Gonzalez adjourned the meeting at 2:25 p.m.

\[Signature\]

**MAYOR PRO-TEM EDDY GONZALEZ, PRESIDENT**

ATTEST:

\[Signature\]

**HON. NORMA G. GARCIA, 1ST VICE-PRESIDENT**

\[Signature\]

Deborah Morales, Recording Secretary