MINUTES

MEETING OF THE
LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL
BOARD OF DIRECTORS

THURSDAY, February 23, 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. Upon conclusion of roll call it was ascertained that a quorum was present. President Gonzalez then moved to item 2. – Consider Approval RE: January 28, 2012 Meeting Minutes. Mr. Roberto Loredo made a motion for approval of the minutes as presented. Commissioner Joey Trevino seconded the motion and upon a vote the motion carried unanimously.

Upon conclusion of action on the minutes, President Gonzalez moved to item 3.A. – Public Comment and recognized Ms. Lydia Jeffrey. Ms. Jeffrey informed the Board of communication problems with the Valley Metro staff regarding scheduling her bus rides; she also made a request for assistance with COG funds to repair the heating and air conditioning system in her mobile home.

Ms. Cynthia Guerra, American Red Cross, was next recognized and informed the Board about various services the Red Cross provides and that they were celebrating 95 years of service to the Rio Grande Valley and American Red Cross month with a public event in Harlingen. Next Mr. Jose Medrano from the Equal Voice Network was recognized and asked that the members of the Board truly consider a contract to spend CDBG funds for a Brownsville project in the amount of over $1 million, and reminded the Board that those were federal dollars for an effective Section 3 Plan that should already be in place; that the Board would give serious consideration and support to adopting the Equal Voice Section 3 Plan now and avoid a perception of impropriety when the Round 2 Hurricane Dolly funds were released. He thanked those Board Members who already supported the Equal Voice Section 3 Plan that would create jobs, opportunities for small local contractors, create hiring and training opportunities for unemployed low income citizens, establish an oversight committee and ensure that this 2-year Valley-wide project had an effective Section 3 Plan that could be used as a model across the state if we all do the right thing and support the Equal Voice Section 3 Plan.

Next, President Eddy Gonzalez himself addressed the Board during the Public Comment section and stated that he wanted to also make reference to the discussions regarding HUD Section 3 and the positions that are being taken by some of the COG Board Members and the Housing Advisory Committee (HAC). President Gonzalez stated that the statement Mr. Medrano made that some of the Board Members are supportive of the Section 3 Plan was not true, that to the best of his knowledge all of the COG Board Members support a Section 3. The degree the Board was being asked to go into Section 3 was another matter and would need to be determined by the Board. The Board was still not in a position where it could make any recommendations because we are waiting for further information and instruction from the General Land Office (GLO) and until the Board knew what direction the GLO wanted to take, the Board cannot take a position in terms of exactly how
Section 3 will be implemented. President Gonzalez stated emphatically that Section 3 will be in the contract and repeated that once the Board and the HAC receive instruction from the GLO it will be addressed. President Gonzalez further added assurance that if possible the HAC would make recommendations to go even further than the GLO recommendations regarding providing employment opportunities to local low income workers and local contractors. President Gonzalez stated that he wanted to make sure, just like those who have come forward in previous Public Comment periods that the people of the Rio Grande Valley were provided the opportunity to work and earn a living from these HUD projects. The President stated that he took offense at emails and internet articles that stated that the HAC was not going to do this; the President expressed outrage that those accusations were made when the Board had not even received information or instructions from the GLO. President Gonzalez concluded that he wanted to take this opportunity and assure the COG and the public that he, the HAC, the Board and the COG staff were all being extremely mindful of how these HUD funds could benefit the Rio Grande Valley in the best way possible for all concerned and there was absolutely no truth to the disturbing information coming from Equal Voice Network.

Upon conclusion of Public Comments the President moved to item 3.B. – Follow-up on Public Comments Received January 26, 2012 and recognized Mr. Ken Jones. Mr. Jones stated that, as the Board will recall several members of the public representing Proyecto Azteca, Project Arise, LUPE and Equal Voice Network Coalition, as well as colonia residents requested the Boards’ support for adoption of a draft Section 3 Plan that was prepared by the Equal Voice Network and Workforce Board and submitted to LRGVDC’s Regional Housing Advisory Committee (HAC) for consideration. Mr. Jones provided a summary of the most frequently asked Section 3 questions that were provided by the Equal Voice Network Coalition as well as a copy of the draft Section 3 Plan that was referenced by those offering public comments and added that these documents were requested by the HAC to initiate discussion. Mr. Jones stated that in follow-up to those comments, he felt that all concerned were on the same page regarding the priority to meet and exceed, where possible, HUD’s Section 3 requirements and to maximize employment opportunities in the RGV during the implementation of Round 2.2 of the Hurricane Ike/Dolly Disaster Recovery Funding, which was approximately $122 million.

Mr. Jones explained that the previous discussions stemmed around what a Section 3 Plan would be comprised of as a recommendation to this Board for consideration from the HAC. At the last HAC meeting held in January there was discussion about the Plan and many members had questions on the cost of implementation, LRGVDC’s monitoring responsibilities during and after the funding timeframes, interaction of the workforce boards, etc. The committee felt that the best way to address these questions would be in a workshop format. Mr. Jones stated that last month he anticipated that at least one workshop would have been held prior to this Board meeting, however, all of the grant recipient COGs were encouraged by the GLO to delay developing a Section 3 Plan until the GLO could provide consistent state guidelines on this subject. As soon as that guidance was received the HAC could proceed accordingly. Mr. Jones added that since the January Board meeting the GLO scheduled a Round 2 Builders Conference on February 26th at which time questions on Section 3 Plan development and implementation could also be addressed. Mr. Jones concluded by emphasizing to all concerned the fact that to date the HAC did not have an approved application, nor an executed contract from GLO identifying the COG’s ultimate role and responsibilities as a grant recipient for these HUD Housing Funds and at the point of executing a contract staff will have sixty (60) days to adopt Housing Guidelines and a Section 3 Plan for Round 2.

Mayor Pro-temp Armando Garza added that, in an effort to clarify, he believe the comments were taken out of context. He didn’t think any comments were made stating that any of the LRGVDC Board Members do not support a Section 3 Plan, but what was stated was that some Board
Members do not support the Equal Voice Section 3 Plan that was proposed, not Section 3 in general. Mayor Pro-tem Garza further explained that he did not want this to become an issue where the Board felt it was being told that they do not want to comply with federal law, what was being stated was that Equal Voice developed a Section 3 Plan that complies with federal law.

Mayor Pro-tem Garza also wanted to clarify another point of confusion regarding the 30% and stated it was his hope to put 100% of the people in the Valley back to work with this funding, but wants to make sure that at least 30% of those workers would be low and very low income workers, which is what the law required.

Mayor Pro-tem Garza then asked if the Brownsville Section 3 Plan would be included in the contract being presented for consideration. Mr. Jones stated that they are two separate documents and was not required as part of the contract and that it will be in place prior to spending any of the CDBG funds. Mayor Pro-tem Garza stated that in the State's Analysis of Impediment (AI) it clearly stated that there was a lack of an effective Section 3 Plan, and then in the FAST Form, which this Board approved, the Board was committing to developing an effective Section 3 Plan. Mayor Pro-tem Garza did not see how Brownsville's Section 3 Plan could be deemed effective if the AI already said there was a lack of one, and he did not see how the Board could develop an effective one if we are going to continue with the one developed for Brownsville. Mr. Jones recognized what Mayor Pro-tem Garza was saying and added that the AI, the FAST Form Method of Distribution, even a conciliation agreement that was done with the State of Texas was referencing Round 2 Funds. The funds for Brownsville are Round 1 Funds with the short timeline, and added that the Section 3 Plan that will be adopted for Brownsville was not intended to be the regional fix for all rounds of the HUD Disaster Recovery Funding. Mr. Jones stated that we cannot delay, and he did not know how long it would take until we work through all of these details and fully yet a truly effective Section 3 Plan for the Round 2 funds, but the Board cannot expend that amount of time for the City of Brownsville project.

Mr. Don Medina added that this was the process whether we agree or disagree with the comments in the media. The concern he had was not to get to a point where we are in a timeline crunch where the Board would have to go back and ratify, and that is why the process is as long as it has been, because TDRA and GLO have been wanting to get all the information necessary to provide a successful project. Mayor Steve Brewer agreed and stated that the process was to go through the HAC, and for the HAC to make a recommendation to the COG Board. The process was not to vet this issue here and now.

President Gonzalez stated that there was another issue to discuss because it has become a concern. With all due respect to Mayor Pro-tem Armando Garza, President Gonzalez stated that he strongly felt that because of Mayor Pro-tem Garza's position with his employer and the strong position he was taking on this issue there were concerns; Hon. Norma G. Garcia asked to disclose the name of Mayor Pro-tem Garza’s employer so the Board would be aware of the issue. Mayor Pro-tem Garza stated that he works for Proyecto Azteca. President Gonzalez stated that Proyecto Azteca was very much involved with Section 3 and was pushing and pushing to have the Section 3 Plan they developed implemented for this project and stated that in his point of view that was a potential conflict of interest. Because of his job with Proyecto Azteca Mayor Pro-tem Garza should not be dealing directly with the HUD Disaster Recovery Funding issues.

Mayor Pro-tem Garza suggested having legal counsel review the matter but in his position with Proyecto Azteca or as Mayor Pro-tem of the City of San Juan he felt it was his duty, obligation and responsibility to see that low and very low income people in the Rio Grande Valley had the best opportunities possible. He stated he would fight for it at the Board table, at the State level and the federal level; and agreed that to calm the President’s concerns on the issue he welcomed a review
by legal counsel.

Upon conclusion of discussion on the Section 3 Plan portion of the Follow-up on Public Comments Received January 26, 2012 Mr. Jones addressed comments made by Ms. Lydia Jeffrey and Mr. Robert Jeffry regarding Valley Metro service. Mr. Jones brought the Board’s attention to a copy of a letter that was sent to the Jeffrey’s with an attachment that addressed each one of their concerns. Mr. Jones read and explained each of the responses for the Board that demonstrated the efforts Valley Metro staff has made to provide the best service possible to our passengers and expressed appreciation to the Jeffrey’s for utilizing LRGVDC’s bus system for 2,160 trips in 2011.

President Gonzalez then moved to item 3.C. – Presentation RE: Age Well Live Well Initiative and recognized Mr. Reggie Davidson, TX DADS Program Specialist. Mr. Davidson’s presentation highlighted the “Texercise” Program that encourages the elderly to exercise and lead a healthy, active life.

Upon conclusion of the presentation President Gonzalez next moved to item 3.D. – Consider Approval RE: 2011 Annual Productivity Report and recognized Mr. Jones. Mr. Jones stated that this report outlines the accomplishments achieved in 2011 and thanked the Board for their support. Mr. Roberto Loredo made a motion for approval of the 2011 Annual Productivity Report as presented. Mr. Don Medina seconded the motion and upon a vote the motion carried unanimously.

Upon conclusion of action the President moved to item 3.E. – Report from the Corporation on Texas Regionalism (CTR) and recognized Mr. Don Medina. Mr. Medina provided a summary of the CTR quarterly meeting he recently attended.

The President next moved to item 4. - Report from Area Agency on Aging and recognized Mr. Joe Gonzalez. It was the consensus of the Board to act on items 4.A.1, 2, and 3 at the same time:

Item 4.A.1. – Consider Approval RE: Additional Vendors to the Direct Purchased Services Pool Mr. Gonzalez stated that the Advisory Council recommended approval of 12 new vendors whose services would be utilized by case managers to provide for their clients during the year.

Item 4.A.2. – Consider Approval RE: Community-Based Care Transitions Program Memorandum of Understanding

Item 4.A.3. – Consider Approval RE: Community-Based Care Transitions Program Governance Agreement

Hon. Norma G. Garcia made a motion for approval of items 4.A.1., 4.A.2., and 4.A.3. as presented. Mayor Henry Hinojosa seconded the motion, and upon a vote the motion carried unanimously. Upon conclusion of action Mr. Gonzalez stated that the status report was 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: Submission of Economic Development Administration Application for “Center for International Economic Development Opportunities” (CIEDO) Ms. Salinas reported that earlier in the month Mr. Jones met with the Economic Development Administration (EDA) Area Director, Mr. Jorge Ayala in Austin to discuss a proposal to create a new regional program under the Lower Rio Grande Valley Economic Development District (LRGV EDD) and to have this program housed in a new wing of the LRGVDC. In order to construct this new facility the existing property would need to be included and utilized in this project as well. Mr. Jones will therefore be preparing a financial proposal that will include the existing balance amount and matching funds required for this grant application. The application was due on March 9, and this program will be the first of its kind and will hopefully become a model
project for other EDDs that are located along the US – Mexico Border. CIEDO will focus on marketing and increasing business opportunities and trade with other countries, especially with Mexico. There had been an influx of Mexican investors and this program would become a one stop shop for these businesses, in addition to providing information, business and financial referrals, training and data. **Hon. Norma G. Garcia made a motion for approval of the submission of the EDA application for the CIEDO. Mayor Steve Brewer seconded the motion, and upon a vote the motion carried unanimously.**

Upon conclusion of action President Gonzalez moved to item 5.A.2. – Consider Approval RE: Regional Small Cities Coalition Committee Officers. Ms. Salinas stated that Mr. Rolando Vela, Laguna Vista City Manager was nominated as Chairman; Ms. Bea Weaver, Los Indios City Administrator was nominated as Vice Chair; and Mr. Sunny Philip, La Feria City Manager was nominated as Secretary/Treasurer. These members accepted their nominations for a one year term. **Commissioner Joey Trevino made a motion to accept the nominations as presented. Mayor Pro-tem Armando Garza seconded the motion, and upon a vote the motion carried unanimously.**

The President next moved to item 5.A.3. – Unveiling of Vox Veritas Marketing Partnership with LRGVDC Economic Development Department (Rio Grande Guardian). Ms. Salinas informed the Board that under this program the EDD’s news stories and photos will appear in a special advertising supplement within the Rio Grande Guardian and sent via email to all media outlets in the Rio Grande Valley.

President Gonzalez next moved to item 5.B.1. – Regional Economic Adjustment Plan (EAP) Status Report and Ms. Salinas provided information on the GIS Centralized Database System and the Commissioner’s Court Meetings schedule. Regarding item 5.B.2.a. – Consider Approval RE: Recommendation for Starr County Representative on Regional EAP Steering Committee. Ms. Salinas stated that in December 2011 Starr County Judge Eloy Vera submitted a letter to the EDD requesting that this action be approved by the LRGVDC Board of Directors. Due to the passing of Starr County Commissioner Able Gonzalez, Jr. who was a member of the Steering committee, Judge Vera requested that Commissioner Ruben D. Saenz fill that vacancy. **Commissioner Tito Palacios made a motion to approve the recommendation of Commissioner Ruben D. Saenz as the Starr County Representative on the Regional EAP Steering Committee. Council Member Norie Gonzalez Garza seconded the motion and upon a vote the motion carried unanimously.** Upon conclusion of action Ms. Salinas gave the status reports on Precinct Meetings Scheduled for February, Joint Committee Meeting Scheduled for March and the County Public Meeting Schedule.

President Gonzalez then moved to item 6. - Report from Transportation Department, item 6.A.1. – Program Status Reports and recognized Mr. Tom Logan. Mr. Logan gave the Report on Ridership and the status of the Regional Transportation Advisory Panel.

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 Approval of Construction Agreement for City of Brownsville CDBG Disaster Recovery Round I Program between LRGVDC/Contractor/Homeowner and recognized Mr. Victor Morales. Mr. Morales stated that this was a boiler plate for the construction agreement for the City of Brownsville’s Disaster Recovery Round 1 Program between LRGVDC, contractor and homeowner and that a construction agreement would be executed for each of the sixteen or more applicants that would be
served with the Brownsville Project. Mr. Morales noted that document the Board received in the mail had been revised with additions that were made to comply with HUD's Section 3 Plan. An additional revision was needed under Article IV, Section 44 with additional bullet points as follows:

a. To the maximum extent, the contractor must utilize the services of local workforce within Cameron, Hidalgo and Willacy Counties.

Hon. Norma G. Garcia made a motion to approve with the addition of these two bullet points. Mayor Steve Brewer seconded the motion and upon a vote the motion carried unanimously. Upon conclusion of action Ms. Oviedo summarized the status reports for this program.

President Gonzalez next moved to item 8. – Homeland Security and recognized Mr. Manuel Cruz. Regarding item 8.A.1. – Status Reports Mr. Cruz reported on FY 2009, 2010, and 2011 HSGP, FY 2010 Interoperable Communications Grant Program, Citizen Corps Program and the Hazard Mitigation Plan.

President Gonzales then moved to item 8.B.1. – Consider Approval RE: Criminal Justice Advisory Committee Membership. Mr. Cruz stated that the CJAC convened on February 8 to review the upcoming grant process and the vacant parliamentarian nominations. The committee nominated and is recommending the current CJAC Member, Ms. Patricia Bader as Parliamentarian. Commissioner Joey Trevino made a motion for approval of the nomination of Ms. Patricia Bader as Parliamentarian of the CJAC as recommended by the committee. Mayor Henry Hinojosa seconded the motion and upon a vote the motion carried unanimously. Upon conclusion of action Mr. Cruz gave the status report for CJD planning activities.

The President next moved to item 8.C. Metropolitan Medical Response System (MMRS), item 1. – Consider approval RE: MMRSSC Recommended Regional Projects. Mr. Cruz informed the Board that the MMRSSC met on February 2nd to review and select the HSGP MMRS Capability Focus Area’s (CFA’s) for FY 2012 MMRS Grant Program. The regional projects that are being recommended are: Planning, Community Preparedness and Participation, Volunteer Management and Donations, and Mass Prophylaxis. Commissioner Joey Trevino made a motion for approval of the MMRSSC recommended regional projects as presented. Mayor Pro-tem Armando Garza seconded the motion and upon a vote the motion carried unanimously. Upon conclusion of action Mr. Cruz gave the MMRS status report.

President Gonzalez next moved to item 9. - 9-1-1 Department and recognized Mr. Sergio Castro. Regarding item A. – Consider Approval RE: Revisions to 9-1-1 Advisory Committee By-laws Mr. Castro informed the Board that the 9-1-1 Advisory Committee made recommendations to their bylaws to include the addition of several sections to better define membership composition, appointments, membership terms, removal, resignations, disqualifications, alternates, vacancies and elections. In addition some housekeeping revisions were made. Mayor Steve Brewer made a motion to approve the revisions to the 9-1-1 Advisory Committee bylaws as presented. Mayor Henry Hinojosa seconded the motion and upon a vote the motion carried unanimously. Upon conclusion of action Mr. Castro stated that the status reports were in the Board folders.

President next moved to item 10. - Regional Police Academy and Training Center; item A. - Consider Approval RE: Memorandum of Understanding between South Texas College (STC) and the LRGVDC Regional Police Academy and Training Center (Tabled 1/26/2012). Mayor Henry Hinojosa made a motion to take this item off the table. Mayor Pro-tem Armando Garza seconded the motion and the motion carried unanimously. Mr. Paul Williams was recognized
and stated that staff requested approval of the MOU between STC and the LRGVDC Regional Police Academy to offer the Basic Peace Officer Course at the Border Regional Training Facility in Hidalgo. **Mayor Steve Brewer made a motion to approve the MOU between STC and the LRGVDC Regional Police Academy and Training Center as presented. Mayor Henry Hinojosa seconded the motion and upon a vote the motion carried unanimously.** Mr. Williams stated that the status reports were in the Board folders for review and was pleased to announce that two recent academies had a 100% passing rate.

President Gonzalez next moved to item 11. - Old or New Business; there being none, President called for a motion to adjourn, Mayor Steve Brewer so moved; Mayor Henry Hinojosa seconded the motion and the meeting was adjourned at 2:38 p.m.

\[Signature\]

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

ATTEST:

\[Signature\]

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

\[Signature\]

Deborah Morales, Recording Secretary

Minutes, LRGVDC Board Meeting, February 23, 2012 - Pg. 7 of 7