AGENDA
BOARD OF DIRECTORS
LRGVDC Main Campus, Building B
301 W. Railroad Street
Weslaco, TX 78596

Wednesday, December 5, 2018 12:00 PM Ken Jones Executive Board Room

Presiding: The Honorable Norma G. Garcia, President

Item #1: Call to Order

A. Roll Call
B. Invocation
C. Pledge of Allegiance

Item #2: Consider Approval of Meeting Minutes (October 31, 2018)  

ACTION ITEM

Item #3: Public Comment and/or Report from Legislative Delegation

Item #4: Administration

A. Recognition of Valley Association for Independent Living (VAIL) for Collaborative Effort on 9-1-1 Public Service Announcements

B. Consider Date and Time for Annual Work Program & Budget Committee Meeting .......... President

ACTION ITEM

C. Executive Director Report

ACTION MAY BE TAKEN ON ANY OF THE FOLLOWING ITEMS

1. Introduction of New Staff Members
LRGVDC Updates & Activities

2. 2019 Board Meeting Calendar / Schedule
3. Census 2020
4. 2019-2024 Regional Strategic Plan (Executive Summary)
5. Large & Small Cities Coalition “Legislative Collaborative Forum”
6. BikeShare RGV
7. 2019 Mayor’s Walk for Wellness (It’s Time Texas Community Challenge)
   • Consider Approval of Resolution and TxDOT Agreement

Item #5: Department Reports

A. Economic Development

Economic Development Status Report .......................................................... Terrie G. Salinas, Director

1. Consider Approval of Port of Brownsville’s Request for LRGVDC to be Grant Administrator for “Port Infrastructure Project”

• Regional Small Cities Coalition (RSCC)
• Property Assessed Clean Energy (PACE) Program

Explore RGV Status Report ........................................................................ Blanca Davila
Economic Development Specialist

• Explore RGV

RSTEC Update ............................................................................................ Matt Ruszczak
Executive Director

B. Community & Environmental Services

Community Development Status Report .................................................. Marcie Oviedo, Director

• HUD Disaster Recovery Housing Program

Environmental Resources Status Report

• Solid Waste Management Program
• Water Resources
  ▪ Rio Grande Regional Water Planning Group (Region M)
  ▪ Reservoir Levels

C. Health & Human Services

Area Agency on Aging (AAoA) Status Reports ............................................. Jose L. Gonzalez, Director
  • Community Development Block Grant funding
  • Medicare Open Enrollment is Coming to a Close

D. Public Safety

Criminal Justice Status Report ................................................................. Manuel Cruz, Director
  • Criminal Justice Program

Emergency Communications Status Report.............................................. Manuel Cruz, Director
1. Consider Approval to Purchase Advertisement with Valley Metro for Emergency Communications/9-1-1 Public Education

ACTION ITEM

  • Location Validation Program
  • Database Program
  • Mapping Program
  • System and Public Safety Answering Point (PSAP) Operations Program
  • Public Education/Training Program

Homeland Security Status Report .......................................................... Manuel Cruz, Director

ACTION ITEM

2. Consider Approval of Scoring Instrument for FY 2019-2020 Homeland Security Grant Program

ACTION ITEM
3. Consider Approval of Homeland Security Advisory Committee’s Recommendation for 2019 Edinburg-Mission HazMat Project to Receive Reallocation Funds

ACTION ITEM

4. Consider Approval of Homeland Security Advisory Committee Recommendation of Officers for 2019

ACTION ITEM

5. Consider Approval of Memorandum of Understanding (MOU) between LRGVDC and Emergency Training Alliance Board of Rio Grande Valley

ACTION ITEM

6. Consider Approval to Create a Regional Community Organization Active in Disasters (COAD) Under the LRGVDC

ACTION ITEM

- Homeland Security Program
- Citizen Corps Program (CCP)/Community Preparedness
- FY 2017 Homeland Security Grant Program

Regional Police Academy Status Report .................. Randall Snyder, Training Coordinator

- In-Service Training Hours Reported
- Basic Peace Officer Academy Cadets Enrolled
- October/November In-Service Schedule
- Basic Peace Officer Course Upcoming Academies
- Academy Graduation Dates

E. Transportation

Hidalgo County Metropolitan Planning Organization Status Report .......... Andrew Canon, Director

Valley Metro Status Report ........................................................................... Tom Logan, Director

1. Consider Approval of Revisions to Drug and Alcohol Policy

ACTION ITEM
2. Consider Approval of an Extension to Fare-Free Initiative for Valley Metro Public Transportation System

3. Consider Approval to Authorize Executive Director to Execute Agreements with Partners for Metro Express Project

4. Consider Approval to Award Contract for Bus Wrap Advertisements

• Ridership Report

Item #6: New or Unfinished Business

Item #7: Adjourn

*REMINDER*
Next Meeting Date:
Wednesday, January 30, 2019

Agenda items may be considered, deliberated and/or acted upon in a different order than numbered above.

The Board of Directors of the Lower Rio Grande Valley Development Council reserves the right to adjourn into Executive (Closed) session at any time during the course of this meeting to discuss any of the items listed on this agenda as authorized by the Texas Open Meetings Act, Chapters 551.071, 551.072, 551.074, and 551.075, Texas Government Code. No final action will be taken in Executive Session.

PUBLIC INPUT POLICY:
“At the beginning of each LRGVDC meeting, the LRGVDC will allow for an open public forum/comment period. This comment period shall not exceed one-half (1/2) hour in length and each speaker will be allowed a maximum of three (3) minutes to speak. All individuals desiring to address the LRGVDC must be signed up to do so prior to the open comment period. The purpose of this comment period is to provide the public an opportunity to address issues or topics that are under the jurisdiction of the LRGVDC. For issues or topics which are not otherwise part of the posted agenda for the meeting, LRGVDC members may direct staff to investigate the issue or topic further. No action or discussion shall be taken on issues or topics which are not part of the posted agenda for the meeting. Members of the public may be recognized on posted agenda items deemed appropriate by the Chair as these items are considered, and the same 3-minute time limitation applies.”
ITEM #2.

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

WEDNESDAY, OCTOBER 31, 2018 – 12:00 PM
LRGVDC MAIN CAMPUS - 301 W. RAILROAD ST., WESLACO, TEXAS
BUILDING B, KEN JONES EXECUTIVE BOARD ROOM

PRESIDING: HON. NORMA G. GARCIA, PRESIDENT

- DRAFT-

President Norma G. Garcia called the meeting to order at 12:02 p.m. Roll call was taken and a quorum declared.

The President then moved to item 2: Consider Approval of Meeting Minutes (September 26, 2018). Mr. Ronald Mills made a motion to approve the minutes as presented. Mayor Pro Tem Pete Garcia seconded the motion, and upon a vote the motion carried unanimously.

President Garcia then moved to item 3: Public Comment and/or Report from Legislative Delegation, there being none she moved to item 4: Administration and addressed the following:

A. Presentation RE: 86th Legislative Session & Regional Transit Authorities (RTA)
State Representative Armando “Mando” Martinez was recognized and informed the Board that he has carried this legislation across several Legislative Sessions. It passed out of the house last session, but not the senate. He has met with several large cities in the Valley that have transit systems and has developed an agreement on this bill. The bill will be introduced again in the next session.

By way of background, he informed the Board that in 2007 a commuter rail bill was passed which created a commuter rail district in the thirteen counties along the border and allowed every county to create their own rail district authority. Hidalgo County created a Rail District Authority Board and received a $500,000 grant from the state to do a feasibility study. The study showed that in Hidalgo County alone there would be 16,000 riders per day usage of a commuter rail. The well-established east to west corridor is important, and for the future there is the idea to create a north to south corridor. For rail to be successful there also must be a bus system in place that will reach rural areas as well as urban areas.

The idea of this legislation is to create an all-encompassing transit authority that would be administered by the LRGVDC. The goal of the RTA would be to better coordinate, develop, and maintain all the Valley’s mass transit, bus and rail, and to plan and develop rail in the Rio Grande Valley. The legislation is a planning shell that the Board of Directors would use to make decisions on how transit runs in every city in the Valley. The reason Mr. Martinez considered the LRGVDC is because the Board of Directors are the voices for each of the cities and all areas of the valley would have input as opposed to a small board making mass transportation decisions for the region. This
planning shell would allow current municipal bus providers to continue operating their lines and will not reduce the amount of funding they receive.

B. Consider Appointment of Board Designees and Alternates to Texas Association of Regional Councils (TARC) and Corporation for Texas Regionalism (CTR)
President Garcia informed the Board that Mr. Javier Deleon has served as the TARC representative for the past two years and Mayor Jim Darling has served as his alternate. Mayor Jim Darling has served as the CTR designee for the past two years and Mr. Javier Deleon has served as his alternate. Mayor Henry Hinojosa made a motion to appoint Mr. Javier Deleon and Mayor Jim Darling to serve a third term in the same capacities. Mr. Ronald Mills seconded the motion and upon a vote the motion carried unanimously.

C. Consider Annual Adoption of Investment Policy
Finance Director Crystal Balboa was recognized and informed the Board that staff recommends re-adoption of the current investment policy. Mayor Henry Hinojosa made a motion to re-adopt the current Investment Policy as presented. Mayor Pro-tem Pete Garcia seconded the motion and upon a vote the motion carried unanimously.

D. Presentation of Quarterly Investment Report
Mayor Pro-tem Norie Gonzalez Garza made a motion to accept the Quarterly Investment Report. Mayor Henry Hinojosa seconded the motion and upon a vote the motion carried unanimously.

E. Executive Director Report

1. Introduction of New Staff Member
Executive Director Ron Garza was recognized and announced that Valley Metro has six (6) new bus drivers: Mr. Domingo Garces, Mr. Luis Morales-Gonzales, Mr. Prudenciano Castillo, Mr. Victor Deleon, Mr. Carlos Martinez, and Mr. Sean Deloatch.

LRGVDC Updates & Activities

2. CIEDO Building Expansion
Mr. Garza informed the Board that a Request for Qualifications for Architect/Engineering services for an addition to Building D was recently ranked and Gignac Architects was selected from that process. As per LRGVDC Procurement Policies Board approval is required to authorize the purchase of this service. Mayor Pro-tem Pete Garcia made a motion to approve Gignac Architects to develop the Building D expansion. Mayor Henry Hinojosa seconded the motion, and upon a vote the motion carried unanimously.

3. Census 2020
Mr. Garza announced that the LRGVDC will hold the final Complete Count Committee (CCC) 101 on November 19 to create CCCs.

4. Large & Small Cities Coalition “Legislative Collaborative Forum”
Mr. Garza announced that on December 13 the Large & Small Cities Coalitions will hold a Legislative Collaborative Forum at the LRGVDC Main Campus at 11:30 am. Participants will engage in collaborative discussions about this region’s unified priorities in preparation for the 2019 legislative session. This event will feature remarks from members of the RGV state
delegation and is open to mayors, city managers, this Board of Directors and members of the LRGVDC Large and Small Cities Coalition Advisory Committees.

5. BikeShare RGV

Mr. Garza announced that, at this time, staff has suspended the rollout for LimeBike that was scheduled for November 9. The micro-mobility industry is rapidly changing, and staff recently was informed that LimeBike (and other providers) are shifting from dockless bikes to electric scooters. He stated that the LRGVDC has strategically and progressively planned for dockless bicycles for the better part of 2018. Mr. Garza then introduced an alternative; he stated that it has been a long-term vision to expand the BCycle program in McAllen to become a regional model. During a visit with McAllen City Manager Roy Rodriguez they conceptualized a model and McAllen has agreed to “contribute” their current fleet of bicycles to a regional RGV BCycle. A regional model would cost over $1million to provide enough bicycles and their infrastructure for the region; however, with the contribution of docks, bicycles, and software technology from McAllen, RGV BCycle would be over one third of the way there.

There are two grant opportunities for funding of this project, one is with the Hidalgo County Transportation Alternatives Program (TAP) which would be for the system in Hidalgo County, and the other is a grant for which the LRGVDC is in the process of being invited to submit the full application. With this invitation Mr. Garza has requested a funding amount increase from $100,000 to $400,000 to provide BCycle service in Cameron County. If these two grants are approved, RGV BCycle could happen in 2019.

For the cities that agree to participate there will be a matching investment of 25% of the cost of the bicycles and infrastructure they would receive. The City of McAllen has made a substantial investment in the software technology to navigate the BCycle program that locates bike stations and tracks the bikes with a cell phone app which is part of the national BCycle program. Annual membership to BCycle allows the individual access to bikes everywhere the program is in place. A bike can be rented in one city and returned to a BCycle station in another city which makes it a seamless environment. RGV BCycle would be locally governed by an advisory committee and each city could control their own rates as well as where they would like the docking stations installed. The current average rental rate is $2.00 per hour or $65.00 for an annual pass that can be used open ended. Some areas even include a metro bus pass in their annual BCycle membership which provides an additional form of transportation and expands the seamless system. This alternative is truly sustainable because the LRGVDC and partner cities will buy and own the bikes and infrastructure and control its operation through the advisory committee, Valley Metro, and the LRGVDC Board of Directors.

Mayor Cyndie Rathbun asked about maintaining the fleet of bicycles. Mr. Garza responded that RGV BCycle would be operated by LRGVDC’s Valley Metro as a fleet of bicycles similar to how they operate their fleet of busses. Valley Metro would use the revenue from the BCycle program to hire a third party for bicycle maintenance.

Mr. Garza added that providing regular bicycles as opposed to electric bikes and/or scooters relates directly to the Health and Human Services priority of the LRGV Regional Strategic Plan to “enrich community health, safety and wellness through promotion of quality nutrition, physical activity, obesity prevention and support of active lifestyles”.
6. 2019 Mayor’s Walk for Wellness (It’s Time Texas Community Challenge)
Mr. Garza announced that Saturday, January 5th, 2019 is the date for the next RGV Fit 5K and the Mayor’s Walk for Wellness. He was pleased to share with the Board that the It’s Time Texas staff used the video from our event this past March at their state conference and reminded the Board that the Valley won several categories for state wellness in 2018.

Upon conclusion of Administration items, President Garcia moved to item 5: Department Reports.

A. Economic Development

Economic Development Status Reports

1. Consider Approval to Provide EDA Grant Administration Services to the Town of Laguna Vista
Economic Development Director Terrie Salinas was recognized and reported that the Town of Laguna Vista has been invited to submit a full grant application to the Austin Regional Office of the Economic Development Administration (EDA). For this application the EDA requests financial assistance for the public works infrastructure project totaling $1,000,000. The Town of Laguna Vista will provide the $300,000 match required to construct the infrastructure needed to attract retail and commercial businesses and other future development to this area.

The Town of Laguna Vista has requested that the LRGVDC Economic Development District assist in the grant administration of this project. As per the EDA Program, Economic Development Districts are eligible to administer EDA grants and charge administration costs to the grant project. The administrative assistance provided to the grantee by the LRGVEDD is an excellent opportunity to also assist staff in planning other development projects that will help this small rural town grow. **Mayor Jim Darling made a motion for approval to provide EDA grant administration services to the town of Laguna Vista as presented. Mayor Henry Hinojosa seconded the motion, and upon a vote the motion carried unanimously.**

Upon conclusion of discussion Ms. Salinas summarized the status reports on Economic Development Projects, the Regional Small Cities Coalition, and the Property Assessed Clean Energy (PACE) Program.

Explore RGV Status Report

1. Consider Approval to Create Explore RGV Advisory Committee
Economic Development Specialist Blanca Davila was recognized and informed the Board that as part of the ongoing stakeholder involvement and feedback, staff realized that engagement and suggestions are key to developing and sustaining the most up-to-date and relevant information regarding our region’s assets. In an effort to formally capture this information and continually improve the Explore RGV platform, staff recommends the creation of the ExploreRGV Advisory Committee. This advisory committee would develop bylaws for governance under the LRGVDC Board of Directors and would be comprised of regional chambers of commerce, convention and visitors’ bureaus, and other tourism stakeholders. **Mayor Pro-tem Pete Garcia made a motion for approval to create the Explore RGV Advisory Committee. Mr. Ronald Mills seconded the motion and upon a vote the motion carried unanimously.**
B. Community & Environmental Services

Community Development Status Report
Program Director Marcie Oviedo was recognized and informed the Board that the status reports on the HUD Disaster Recovery Housing Program were in the Board packet for review.

Environmental Resources Status Report

Solid Waste Management Program

1. Consider Solid Waste Advisory Committee (SWAC) Recommendation for Revision on Scope of Work for Hidalgo County Solid Waste Project
Ms. Oviedo stated that the SWAC met on October 9 and reviewed the Revised Scope of Work for the Solid Waste Project. Hidalgo County requested to change the scope of work from a Feasibility Study for Rural Solid Waste Collection to a Regional Study on Scrap Tire Disposal. The SWAC recommends approval of this revision. Mr. Troy Allen made a motion to approve the revisions on the Scope of Work for the Hidalgo County Solid Waste Project from a Feasibility Study for Rural Solid Waste Collection to a Regional Study on Scrap Tire Disposal as recommended by the SWAC. Ms. Veronica Gonzales seconded the motion and upon a vote the motion carried unanimously.

Water Resources
Ms. Oviedo announced that the next Region M Water Planning Group meeting is scheduled for November 7.

C. Health & Human Services

Area Agency on Aging Status Reports
Program Director Joe Gonzalez was recognized and addressed the following items:

1. Consider Approval to Authorize the Area Agency on Aging to Apply for Community Development Block Grant (CDBG) Funding
Mr. Gonzalez informed the Board that the Advisory Council recommends approval to authorize the Area Agency on Aging to seek CDBG funding from the cities of McAllen, Mission, Pharr, Edinburg, Harlingen, Brownsville, and San Benito. This funding would be used to match the Title III-B funding and provide additional services to low-income seniors within these communities.

2. Consider Approval to Authorize LRGVDC Executive Director Ron Garza to Sign all Documents Related to CDBG Funding
The Advisory Council recommends approval to authorize Executive Director Ron Garza to sign all applications and agreements on behalf of the Area Agency on Aging for CDBG funding. This authorization is for the Cities of McAllen, Mission, Pharr, Edinburg, Harlingen, Brownsville, and San Benito and to cover the program years for 2018-2019 and 2019-2020.
3. Consider Approval to Authorize the Area Agency on Aging to Issue a Special Request for Proposals for One-Time Projects

Mr. Gonzalez informed the Board that the Advisory Council recommends approval to authorize the Area Agency on Aging to issue a Request for Proposals for one-time projects under Title III-B support services and Title III-E caregiver services. Proposals shall include services such as: senior center equipment, senior center repairs, caregiver training, and support to family caregivers. The available funding is a one-time only opportunity because this is carryover funding from the prior year. The 2019 funding had significant increases and came in late June which did not allow the Area Agency on Aging to commit the funding in the current year.

It was the consensus of the board to act on items 5. C. 1-3 in one motion. **Mayor Pro-tem Pete Garcia made a motion to approve items 5. C. 1-3 as recommended by the Area Agency on Aging Advisory Council. Mayor Jim Darling seconded the motion and upon a vote the motion carried unanimously.** Upon conclusion of action Mr. Gonzalez noted that the status report was in the meeting packet for review.

D. Public Safety

President Garcia next recognized Public Safety Director Manuel Cruz to address the following items:

**Criminal Justice Program Status Reports**

Mr. Cruz was recognized and addressed the following items:

1. Consider Approval of Criminal Justice Advisory Committee (CJAC) Bylaws

   Mr. Cruz stated that in accordance with the 2018 LRGVDC Interagency Contract, the CJAC reviewed and approved the revisions to their bylaws made by the CJAC subcommittee and staff recommends approval.

2. Consider Approval of Criminal Justice Advisory Committee (CJAC) Policy Manual

   The CJAC reviewed and approved recommended revisions to the CJAC Policy Manual. Staff recommends approval of the Policy Manual as presented.

3. Consider Approval of Criminal Justice Advisory Committee (CJAC) Biannual Term Appointments

   Mr. Cruz reported that the CJAC reviewed the biannual term appointments and presented the list of appointees that were approved by the committee at their most recent meeting. Staff recommends approval of these appointments as presented.

4. Consider Approval of Criminal Justice Advisory Committee (CJAC) Chair and Vice Chair for the FY 2018-2020 Term

   Mr. Cruz reported that the CJAC reviewed the biennial term for their officers. As noted in the bylaws the Vice Chair David Longoria of Cameron County accepted the automatic ascension to Chair, and the Parliamentarian/Secretary Carla Rodriguez of Hidalgo County accepted the ascension to Vice Chair. Board action is required for final approval.
5. Consider Approval of Criminal Justice Advisory Committee (CJAC) Parliamentarian/Secretary
   Mr. Cruz stated that the CJAC nominated Uvaldo Zamora of Willacy County as Parliamentarian/Secretary and that Mr. Zamora has accepted. This requires Board action for final approval.

6. Consider Approval of Criminal Justice Advisory Committee (CJAC) Vacancy in the Citizen/Parent/Faith Based Discipline
   Mr. Cruz informed the Board that the CJAC recommends Ms. Soila Garcia from Hidalgo County to fill the vacancy in the Citizen/Parent/Faith Based discipline.

   It was the consensus of the Board to act on items 5. D. – Criminal Justice 1-6 in one motion. Mr. Ronald Mills made a motion to approve items 1-6 as presented. Mayor Pro-tem Norie Gonzalez Garza seconded the motion and upon a vote the motion carried unanimously.

Upon conclusion of action Mr. Cruz informed the Board that the Criminal Justice Program status reports were in the meeting packet for review.

Emergency Communications Status Report

1. Consider Approval to Purchase Two (2) Vehicles for Emergency Communications/9-1-1 Division.
   Mr. Cruz informed the Board that staff requests approval to purchase two vehicles: 1-F250 2500 Truck and 1-Passenger Cargo Van. These vehicles would be used to transport staff, cargo such as PSAP equipment, and tow the ECOMMS/9-1-1 equipment display trailer to public education events. These vehicles would also provide transportation for department staff for local and out of region travel.

   The Commission on State Emergency Communications (CSEC) has approved the purchase of vehicles, which will be made through Texas Buy Board Purchasing cooperative, Texas Smart Buy Contract #072-A1, of which LRGVDC is a member. CSEC supports this option as a feasible, more cost-effective means versus employee mileage reimbursement.

   The Buy Board Purchasing Cooperative has selected the vendor through a competitive bid process to sell these vehicles at a combined estimated cost of $80,000.00. Mayor Pro-tem Pete Garcia made a motion to approve the purchase of two vehicles for the Emergency Communications 9-1-1 division as requested. Mr. Ronald Mills seconded the motion, and upon a vote the motion carried unanimously. Upon conclusion of action Mr. Cruz noted that the Emergency Communications program status reports were in the meeting packet for review.

Homeland Security Status Report
Mr. Cruz noted that the Homeland Security Program status reports were in the meeting packet for review.

Regional Police Academy Status Report
Mr. Cruz noted that the Regional Police Academy status report was in the meeting packet for review.
E. Transportation

Hidalgo County Metropolitan Planning Organization Status Report
HCMPO Director Andrew Canon was recognized and informed the Board that $2.6 million in Transportation Alternatives Projects (TAP) funds are eligible for the construction and planning of on road and off road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, such as sidewalks, ADA compliance, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting & other safety related infrastructure, bike share, shared used paths, and bus stop improvements. The deadline for this program is November 21, 2018.

Valley Metro Status Report
Program Director Tom Logan was recognized and addressed the following items:

1. Consider Approval of Revisions to Operating Policies and Procedures
Mr. Logan reported that these policy revisions provide more detail and clarification to the DOT Physical Exam Policy within the Valley Metro Operating Policies and Procedures handbook. The revisions include language in the Pre-employment section for the regional Transit Services Department to accept active and certified DOT Physical Medical cards not tested through Valley Metro. Valley Metro will accept the Medical Examiner’s Certificate or DOT Physical Medical Card once the card has been verified and authenticated as required for any safety sensitive position. Valley Metro staff will verify the authenticity of the active Medical Examiner’s Certificate by contacting the Medical Examiner, identifying the expiration date, and verifying the Medical Examiner is listed in the National Registry of Certified Medical Examiners.

2. Consider Approval to Authorize Purchase of Transit Revenue Vehicle through Texas Smart Buy
Mr. Logan stated that staff recommends the purchase of a transit revenue vehicle through Texas Smart Buy, Contract #071-A1. The vehicle price is $74,000 and is a Type II Cutaway Bus providing 24 seats for passengers and has ADA Accessibility. Funds received through the Texas Department of Transportation from Section 5339 Funding will support the purchase of this vehicle. This unit will be placed in service within the small urban Harlingen Urbanized Area. The Harlingen Urbanized Area service ensures passengers reach medical, educational, and other necessary resources on a regular basis. FTA regulations allow this purchase through state managed Co-ops like Texas Smart Buy.

3. Consider Approval to Submit Regional Hike & Bike Planning and Bike Infrastructure Project Requests for Transportation Alternative Program to HCMPO
Mr. Logan requested approval to submit a two (2) project grant application to the HCMPO for the Transportation Alternatives Program (TAP). One project will be submitted under the Planning funding category to facilitate the plan for regional connectivity of a Hike & Bike Trail Plan. This plan would be inclusive of any city or county precinct that wishes to contribute the matching funds to conduct an assessment of current trail infrastructure, plan for gaps in access, and develop a long-range guide for seamless east/west connectivity across Hidalgo County.

A second project will be submitted under the construction funding category for the purchase
of B-Cycle docking stations. Again, this resource would be inclusive of any city, county precinct, or college that wishes to contribute the matching funds to purchase B-Cycle docking stations. This infrastructure would enhance the B-Cycle program to begin expansion across the region.

It was the consensus of the Board to act on item 5. E. 1-3 in one motion. **Mayor Cyndie Rathbun made a motion to approve items 5. E. 1-3 as presented. Mayor Henry Hinojosa seconded the motion, and upon a vote the motion carried unanimously.**

President Garcia next moved to item 6. – New or Unfinished Business; there being none, the meeting was adjourned at 12:55 pm.

ATTEST:

________________________________________
Hon. Norma G. Garcia, President

________________________________________
Deborah Morales, Recording Secretary
ITEM #4. B.

ADMINISTRATION

AWP & BUDGET COMMITTEE MEETING
Item #4: Administration

B. Consider Date and Time for Annual Work Program & Budget Committee Meeting

The Annual Work Program is the LRGVDC scope of service program outlining objectives and performance measures. Additionally, the Annual Budget is incorporated into this report.

The AWP & Budget Committee is comprised of all LRGVDC Board of Directors; however, this committee meeting does not require a quorum to conduct business.

This document will be placed on the January 30, 2019 Board & Membership Meeting agenda, therefore in order to make a recommendation, the committee must meet prior to that date.

ACTION ITEM
ITEM #4. C.

ADMINISTRATION

EXECUTIVE DIRECTOR REPORT
Lower Rio Grande Valley Development Council  
Board of Directors Meeting  
Wednesday, December 5, 2018

Item #4: Administration

B. Executive Director Report

2. 2019 Board Meeting Calendar/Schedule

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<th>PROPOSED 2019 LRGVDC BOARD OF DIRECTORS MEETING SCHEDULE</th>
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<td>* All meetings scheduled on Wednesdays at 12:00 noon</td>
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<td>January 30, 2019</td>
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- Program Orientation Sessions shall be scheduled quarterly, or as needed/requested immediately prior to regularly scheduled board meeting dates.

ACTION ITEM
ITEM #4. C. 4

ADMINISTRATION

2019-2024 REGIONAL STRATEGIC PLAN

EXECUTIVE SUMMARY
EXECUTIVE SUMMARY
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4 Economic Development
5 Health & Human Services
6 Community Development & Environmental Services
8 Public Safety
9 Transportation
Introduction

The Lower Rio Grande Valley Development Council (LRGVDC), the regional council of governments, facilitates, prepares and updates the Regional Strategic Plan every two years in advance of the Texas Legislative Session. The purpose of the plan is to provide an inclusive, data-driven, multi-perspective guide for the unified vision and goals of the region.

The foundation of the Regional Strategic Plan is derived from the “regionally-owned” planning process known as the Comprehensive Economic Development Strategy (CEDS). This process is a key responsibility of LRGVDC as the federally-designed Economic Development District (EDD) by the U.S. Department of Commerce -Economic Development Administration.

The Regional Strategic Plan is developed through a comprehensive planning process involving extensive research, surveys, data analysis, and numerous discussions with leaders, stakeholders and public citizens across the region. The objective of the plan is to provide a platform for program development, unified legislative advocacy, and to guide the future planning for the region’s health, safety, general welfare, and economic prosperity.

The 2019 – 2024 Regional Strategic Plan is comprised of five domains which interconnect a spectrum of community service priorities to include:

- Economic Development
- Health & Human Services
- Public Safety
- Community Development & Environmental Services
- Transportation

Each domain is equally vital and codependent. Through effective planning, collaboration and service delivery, each domain ensures our residents and visitors the highest quality of life now, and for many years to come.
Economic Development

Vision Statement

As a highly desirable place to live, work, and visit, the Lower Rio Grande Valley will ensure regional prosperity and a premier quality of life by sustaining a balanced and resilient international economy, developing an educated, qualified workforce and providing enhanced opportunities for commercial, industrial and entrepreneurial growth.

Goals

A. Support essential public and higher education, as well as workforce development programs to successfully prepare a well-educated, highly-skilled professional and technical workforce to meet the demands of regional industry growth.

B. Expand urban and rural economic and workforce development projects through strategic regional collaboration, expansion of resources, and funding of private, public and industry-targeted partnership initiatives.

C. Enhance regional perception through marketing and communication strategies, highlighting the region’s geographic, environmental, and established assets to strengthen quality-of-life dynamics for current and potential residents and visitors.

D. Preserve the abilities of municipalities and jurisdictions to cultivate vibrant, competitive and livable communities by supporting flexible and local decision-making with regards to factors such as tax-base development, revenue limits, unfunded mandates, and infrastructure expansion.

E. Enrich international competitiveness by endorsing foreign trade and direct investment policies and opportunities.

F. Strengthen economic resilience through the advancement of emerging high-tech and high value industries (e.g., healthcare, manufacturing, skills-trade, etc.), reinvestment of agricultural/aquaculture, and programs for effective disaster recovery.

G. Improve regional economic disproportionality through diversified strategies to cultivate rural and small business incubation, entrepreneurial innovation, information technology infrastructure, and access to capital.
Health & Human Services

Vision Statement

The Lower Rio Grande Valley shall improve, coordinate and maintain a locally-based system of resources and services such as access to quality health care, comprehensive care for vulnerable individuals, and accessible services to safeguard a livable, healthy, and safe community for persons of all ages.

Goals

A. Enhance access to quality health care by expanding the current network of public/private service delivery systems for improved public health, disability management and disease prevention for medically vulnerable individuals.

B. Enrich community health, safety and wellness through program support for quality nutrition, food-access, physical activity, obesity prevention, medical self-care and the promotion of active lifestyles.

C. Support the development of a comprehensive strategy to provide the necessary support and resources for our local aging population.

D. Promote expanded community resources and services for vulnerable and underserved populations such as Veterans, ex-offenders, homeless individuals, and those with chronic mental and physical health conditions in the region.

E. Support the development and expansion of medical education, research, training and comprehensive trauma facilities to ensure the region is equipped with medical professionals and resources required of a populous region such as the RGV.

F. Promote enhanced civic engagement and social inclusion across all ages by expanding volunteer opportunities, cultural diversity activities and fostering multi-generational interaction.
Community Development

&

Environmental Services

Vision Statement
Through effective services, education and preservation efforts, we shall strive for the healthiest environment where urban and rural community growth ensures residents safe and sustainable community development, housing opportunities, appropriate infrastructure development and proactive planning for the conservation of the Region’s vital agricultural and natural resources.

Community Development Goals

A. Expand the availability of suitable and affordable housing options for all valley families and residents.

B. Ensure appropriate housing and resources are available to under-served populations which may include economically disadvantaged, elderly, displaced women and children, veterans, and individuals with chronic mental and physical health conditions and disabilities.

C. Support homelessness prevention by ensuring adequate and accessible emergency shelter and transitional housing resources and programs.

D. Promote and protect Fair Housing rights for all residents of the Rio Grande Valley.

E. Expand fair-cost broadband access to rural and high-poverty areas of the region to allow residents more equitable access to internet and online-based resources and services.

F. Preserve the abilities of municipalities and jurisdictions to implement locally-beneficial policies and infrastructure development with regards to factors such as building codes, green preservation, housing policy, annexation, and zoning regulation.
Environmental Services Goals

A. Encourage innovative and sustainable projects and programs which promote environmentally sustainable development.

B. Promote recycling and waste reduction through development of effective disposal systems for sewage, solid waste, tires, brush and hazardous materials.

C. Support bi-national water conservation measures and improve awareness and understanding of water quality and water quantity issues, and how these issues collectively relate to flood management, drainage infrastructure, water quality standards, and economic development.

D. Address flood management and drainage infrastructure strategies as a region by emphasizing collaboration and partnerships, especially when creating new and future projects.

E. Protect, conserve and restore regional ecosystem and fragile native habitats.
Public Safety

Vision Statement

To ensure optimal public safety and protect all persons throughout the region public safety personnel such as emergency managers, first responders, criminal justice, homeland security, 9-1-1 telecommunicators, and law enforcement will work collaboratively, with optimal training and resources to prevent, protect, respond and recover from threats.

A. Ensure regional public safety agencies and personnel maintain optimal access to critical equipment, resources, and technological advancements.

B. Enhance and provide sufficient resources to improve the capability of local governments, communities and individuals to prepare for, respond and recover from emergency and weather-related events and incidents.

C. Ensure the development of highly-qualified public safety professionals by providing quality education, training, continuing professional developmental, and instructional resources.

D. Provide a reliable, resilient and sustainable regional emergency communication and 9-1-1 network to include interoperable radio communications, advancements in technology, mobile contingency strategies, and Next-Gen 9-1-1 infrastructure.

E. Enrich the bi-national coordination and capacity of border communities to promote, prevent, and respond to public health issues such as opioid addiction, maternal health, and infectious and/or degenerative diseases.

F. Support programs and resources to address public safety concerns such as school-safety action-planning, juvenile-related delinquency, gang-related criminal activity, violent crime prevention, and human and drug trafficking.
G. Encourage the establishment of additional facilities, support groups and programs to address drug/alcohol abuse, chronic mental health, suicide prevention, victims of violent crime, senior neglect, and child abuse.

**Transportation**

**Vision Statement**

Through effective planning and service delivery, people and goods shall be able to move throughout the region safely and efficiently by using a seamless multi-modal transportation network.

**Goals**

A. Establish a seamless transportation system to increase connectivity and accessibility for people and freight, emphasizing regional planning efforts to meet the growing population demands of the region and ensure strategic development of urban and rural areas.

B. Further adopt and implement multi-modal transportation infrastructure, policies and resources such as sidewalks, trails, bike lanes, pedestrian paths, rideshare systems, and transit corridors to develop healthier, safer, livable communities.

C. Preserve and improve existing transportation infrastructure and systems to ensure the safety and security for motorized and non-motorized users.

D. Support flexible and sustainable transportation resources such as a regional transit authority (RTA), freight and light rail infrastructure, and adaptable right-of-way and traffic regulation policies to support the region’s growing population.

E. Ensure environmental sustainability, energy conservation and preservation of natural resources through coordinated state and local planning and economic development.

F. Expand infrastructure and resources for international land, sea, and air ports-of-entry to enhance economic development opportunities and ensure safe, secure and efficient transportation of people and freight.
Large & Small Cities Coalition

Legislative Collaborative Forum

Please join us
as we engage in collaborative discussion about our region’s unified priorities in preparation for the 2019 legislative session.

The event will feature remarks from members of the RGV state delegation.

THURSDAY
DECEMBER
13
2018

11:30am - 1:30pm

301 W. Railroad St. Weslaco, Texas 78596
Ken Jones Executive Board Room
Building B

Open to: Mayors, City Managers, LRGVDC Board of Directors and members of LRGVDC Large & Small Cities Coalition Advisory Committees.

Please RSVP to: Debby Morales dmorales@rgvcdc.org or (956)682-3481

Brought to you in cooperation with:
Join Elected Officials from cities across the entire Rio Grande Valley in regional unity and commitment to make the RGV a healthier, fun, and fit community.

Event Schedule:

8:15 am: Mayors’ Welcome & Wellness Pledge
8:30 am: 1-Mile Mayor’s Walk for Wellness & Kids Fun Run (FREE EVENT)
9:00 am: RGV FIT 5K
  • $20.00 Chip-Timed Entry Fee
  • Registration Link: http://bit.ly/RGVFitFest19
  • Race Day Packet Pick-up Only

Event Location: 301 W. Railroad St., Weslaco, TX 78596

Kids Fun-Run & Mayors’ Walk for Wellness brought to you in partnership as a sanctioned, IT’S TIME TEXAS Community Challenge Event to help earn points for cities hoping to claim the prize of top healthy community in the state!
To register and earn points for your city in the It’s Time Texas Community Challenge, please visit:
https://ittcommunitychallenge.com/

For more information: www.lrgvdc.org
STATE OF TEXAS §
COUNTY OF §

AGREEMENT FOR THE TEMPORARY CLOSURE
OF STATE RIGHT-OF-WAY

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the “State,” and the Lower Rio Grande Valley Development Council (Council of Governments), a regionally-designated political subdivision, acting by and through its duly authorized officers, hereinafter called the “COG.”

WITNESSETH

WHEREAS, the State owns and operates a system of highways for public use and benefit, including Business Highway 83, in Weslaco, Texas, Hidalgo County; and

WHEREAS, the COG has requested the temporary closure of Business Highway 83 at S. Republic Street for the purpose of the 2nd Annual RGV Fit 5K & Mayor’s Walk for Wellness, as described in the attached “Exhibit A,” hereinafter identified as the “Event;” and

WHEREAS, the Event will be located within the City of Weslaco’s incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the COG so long as the safety and convenience of the traveling public is ensured and that the closure of the State’s right-of-way will be performed within the State’s requirements; and

WHEREAS, on the 5th day of December, 2019, the COG Board of Directors passed Resolution / Ordinance No.2018-6, attached hereto and identified as “Exhibit B,” establishing that the Event serves a public purpose and authorizing the COG to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

AGREEMENT

Article 1. CONTRACT PERIOD
This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

Article 2. EVENT DESCRIPTION
The description of the Event, including the proposed schedule of start and stop times, approximate number of people attending the Event, and equipment involved shall be attached hereto and identified as “Exhibit C.”

Article 3. OPERATIONS OF THE EVENT
A. The COG shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.
B. The COG shall submit to the State for review and approval the construction plans, if construction or modifications to the State’s right-of-way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State.
C. The COG will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.
D. The COG will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right-of-way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The COG will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the COG shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.
E. The COG hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the COG’S traffic control plan.
F. The COG will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State’s right-of-way and restore or repair the State’s right-of-way, including roadway and drainage structures, signs, and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural environment, including landscape features.

Article 4. OWNERSHIP OF DOCUMENTS
Upon completion or termination of this agreement, all documents prepared by the COG will remain the property of the COG. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use.

Article 5. TERMINATION
A. This agreement may be terminated by any of the following conditions:
   1. By mutual written agreement and consent of both parties.
   2. By the State upon determination that use of the State’s right-of-way is not feasible or is not in the best interest of the State and the traveling public.
   3. By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
   4. By satisfactory completion of all services and obligations as set forth herein.
B. The termination of this agreement shall extinguish all rights, duties, obligations and liabilities of the State and COG under this agreement. If the potential termination of this agreement is due to the failure of the City to fulfill its contractual obligations as set forth herein, the State will notify the COG that possible breach of contract has occurred. The COG
must remedy the breach as outlined by the State within ten (10) days from receipt of the State’s notification. In the event the COG does not remedy the breach to the satisfaction of the State, the COG shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

Article 6. DISPUTES
Should disputes arise as to the parties’ responsibilities or additional work under this agreement, the State’s decision shall be final and binding.

Article 7. RESPONSIBILITIES OF THE PARTIES
The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 8. INSURANCE
A. Prior to beginning any work upon the State’s right-of-way, the COG and/or its contractors shall furnish to the State a completed “Certificate of Insurance” (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the COG and/or its contractors are encroaching upon the State right-of-way.
B. In the event the COG is a self-insured entity, the COG shall provide the State proof of its self-insurance. The COG agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

Article 9. AMENDMENTS
Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the COG and the State.

Article 10. COMPLIANCE WITH LAWS
The COG shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State’s right-of-way.

Article 11. LEGAL CONSTRUCTION
In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 12. NOTICES
All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:
All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Article 13. SOLE AGREEMENT
This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

The Lower Rio Grande Valley Development Council
Executed on behalf of the COG by:

By ________________________________ Date __________________________
Norma Garcia - COG Board President

Typed or Printed Name and Title ________________________________

THE STATE OF TEXAS
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By ________________________________ Date __________________________
District Engineer

By ________________________________ Date __________________________
Director of Maintenance
Agreement No.:________________

Exhibit A

- LETTER (LETTERHEAD) WITH EVENT NAME, DATE(S), ETC.
• LETTER FROM THE LAW ENFORCEMENT OFFICE PROVIDING THE TRAFFIC CONTROL PLANS.
• MAP REFLECTING LOCATION(S) WHERE CLOSURE WILL TAKE PLACE.
RESOLUTION 2018-06

REQUESTING TEMPORARY CLOSURE OF BUSINESS HIGHWAY 83 AT S. REPUBLIC STREET FOR 2ND ANNUAL RGV FIT 5K & MAYOR’S WALK FOR WELLNESS

WHEREAS, the Lower Rio Grande Valley Development Council (LRGVDC), the regional Council of Governments serving and representing over 1.3 million residents of Cameron, Hidalgo, and Willacy Counties; and,

WHEREAS, the LRGVDC has requested the temporary closure of Business Highway 83 at S. Republic Street for the purpose of the 2nd Annual RGV Fit 5K & Mayor’s Walk for Wellness; and,

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the LRGVDC so long as the safety and convenience of the traveling public is ensured and that the closer of the State’s right-of-way will be performed within the State’s requirements.

NOW, THEREFORE BE IT RESOLVED that the LRGVDC Board of Directors passes this resolution in support of the 2nd Annual RGV Fit 5K on this the 5th day of December 2018.

The Honorable Norma G. Garcia, President
ITEM #5. A.

ECONOMIC DEVELOPMENT
Item #5: Department Reports

A. Economic Development

Economic Development Status Report ......................................................... Terrie G. Salinas, Director

1. Consider Approval of Port of Brownsville’s Request for LRGVDC to be Grant Administrator for “Port Infrastructure Project”

This EDA investment is for the construction of a public assembly and erection pad to assist tenants in the ship building industry and future companies with their construction and cargo operations’ needs in the Port of Brownsville. The investment will also improve and expand marine delivery and diversity of shipment, which will increase global competitiveness for the Lower Rio Grande Valley and is estimated to create 700 jobs.

Attached is a signed “Contract for Professional Services” signed by the Port Director, Mr. Eduardo Campirano requesting the Development Council’s approval to administer this grant. (The LRGVDC’s Contract for Professional Services is attached.)

As was reported at the last Board Meeting, the Port of Brownsville was awarded a $1,800,000 grant which was matched with $4,637,200 from the Port. Board Action is required.

ACTION ITEM
PROFESSIONAL MANAGEMENT CONTRACT
PART I – AGREEMENT

THIS AGREEMENT, entered this 19th day of October by and between the Lower Rio Grande Valley Economic Development District (LRGVEDD) hereinafter called the "District," acting herein by Ron Garza, Executive Director of the District, hereunto duly authorized, and the Port of Brownsville, hereinafter called the "Port", acting herein by Eduardo Campiriano, Port Director and CEO for the Port of Brownsville.

WITNESSETH THAT:

WHEREAS, the Port desires to implement EDA Project Number 08-01-05260, Public Works Project funded by the U.S. Department of Commerce and administered by the Southwest Regional Office of the Economic Development Administration (EDA);

WHEREAS, the Port is and will act with authority as the Fiscal Agent for the EDA funded project identified above, and

WHEREAS, the Port desires to engage the District to render certain project management, reporting, and support services in connection with the oversight of the EDA Project.

NOW THEREFORE, the parties do mutually agree as follows:

1. **Scope of Services**
   Part II, Scope of Services, is hereby incorporated by reference into this Agreement.

2. **Time of Performance** - The services of the District shall commence on October 17, 2018, contingent upon approval of the Contract by the LRGVEDD Board of Directors at their meeting scheduled for Tuesday, November 06, 2018. All the services required and performed hereunder shall be completed no later than October 17, 2023.

3. **Access to Information** - It is agreed that all information, data, reports and records and maps as are existing, available and necessary for the carrying out of the work outlined above shall be furnished to the District by the Port and its agencies. No charge will be made to District for such information and the Port and its agencies will cooperate with the District in every way possible to facilitate the performance of the work described in the Agreement.

4. **Compensation and Method of Payment** - The maximum amount of compensation and reimbursement to be paid hereunder shall not exceed forty-five thousand dollars (\$45,000.00). Payment to District shall be based on satisfactory completion of identified milestones in Part III - Payment Schedule of this Agreement, which is hereby incorporated by reference into this Agreement.

5. **Indemnification** - The District shall comply with the requirements of all applicable laws, rules and regulations, and shall exonerate, indemnify, and hold harmless the Port and its agents from and against them and shall assume full responsibility for administering the project identified above.
6. **Miscellaneous Provisions**

   a. This Agreement shall be construed under and accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Cameron County, Texas.

   b. This Agreement shall be binding upon and insure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns where permitted by this Agreement.

   c. If any case one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

   d. If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees, costs, and necessary disbursements in addition to any other relief to which such party may be entitled.

   e. This Agreement may be amended by mutual agreement of the parties hereto in writing to be attached to and incorporated into this Agreement.

7. **Warranties and Representations** – District affirms that it is familiar with the terms of EDA Award Number 08-01-05260, and that it has the organizational, technical, financial and logistical capability and necessary authority for carrying out its responsibilities under this Contract.

8. **Terms and Conditions** - This Agreement is subject to the provisions titled, "Part IV Terms and Conditions" and attached hereto and incorporated by reference herein.

**IN WITNESSETH HEREOF**, the parties have hereunto set their hands and seals as of the date first affixed above.

---

Port of Brownsville  
Brownsville Navigation District  
Eduardo Campirano  
Port Director & CEO

---

Lower Rio Grande Valley  
Economic Development District  
Ron Garza  
LRGVDC Executive Director
PROFESSIONAL SERVICES CONTRACT
PART II - SCOPE OF SERVICES

The District shall provide the following scope of services:

A. Project Management

1. Develop a recordkeeping and filing system consistent with program guidelines.
2. Maintenance of filing system.
3. Provide general advice and technical assistance to Port personnel on implementation of the EDA project and regulatory matters pertaining thereto.
4. Furnish Port with necessary forms and reporting required for implementation of the EDA project.
5. Assist the Port in meeting all special award condition requirements that may be stipulated in the Contract between the Port and U.S. Department of Commerce, Economic Development Administration, Southwest Regional Office.
6. Prepare and submit all project reporting as required by the EDA Project Number 08-01-05260, including but not limited to progress reporting, quarterly reporting, and other reporting included in the EDA Project Agreement between the Port and the EDA Southwest Regional Office.
7. Establish internal procedures to document expenditures associated with local administration of the project.
8. Serve as liaison for the Port during the implementation and completion of the EDA project with any monitoring visits by Staff Representatives from U.S. Department of Commerce EDA or its EDA Southwest Regional Office.

B. Financial Management

1. Assist the Port in improving its ability to manage and report progress and use of funds from federal sources through the EDA Southwest Regional Office, Project Number 08-01-05260.
2. Assist the Port in compliance with all EDA rules, regulations, specifications, or other directives pertinent to the identified project.
3. Assist in submitting the required Direct Deposit Authorization Form (if applicable), and/or Depository/Authorized Signatory form to EDA Southwest Regional Office.
4. Prepare and submit reports for all funded and scheduled drawdowns of project funds on behalf of the Port, to ensure orderly, timely allocation and disbursement of funds within the period of this agreement.
5. Review invoices received for payment and file back-up documentation.
6. Provide general advice and technical assistance to Port and its agents on implementation of EDA Project Number 08-01-05260 and regulatory matters.
7. Assist the Port in interpreting and complying with established procedures for the EDA project and reporting to the EDA Southwest Regional Office.
8. Prepare Request for Release of Funds and certifications to be sent to EDA Southwest Regional Office.
C. Environmental Review

1. Prepare appropriate environmental review documents for application.
2. Coordinate environmental clearance procedures with other federal or state agencies and interested parties responsible for implementing applicable laws.
3. Document any public comments.

D. Construction Management

1. Provide all applicable equal opportunity provisions and certifications for inclusion in bid packet.
2. Verify construction contractor eligibility with EDA Southwest Regional Office.
3. Review construction contract.
4. Assist EDA Engineer with pre-construction conference.
6. Review weekly payrolls, including compliance follow-ups.
7. Process and submit change orders to EDA Southwest Regional Office prior to execution.
8. Obtain Certificate of Construction Completion and submit to EDA Southwest Regional Office.
PART III

PAYMENT SCHEDULE
PROFESSIONAL MANAGEMENT SERVICES

Port shall reimburse Lower Rio Grande Valley Economic Development District for management services provided for completion of the following project milestones per the following percentages of the maximum contract amount:

<table>
<thead>
<tr>
<th>Milestone</th>
<th>% of Contract Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of recordkeeping system</td>
<td>10%</td>
</tr>
<tr>
<td>Completion of environmental/other Special Award Conditions</td>
<td>10%</td>
</tr>
<tr>
<td>Completion of all acquisition activities</td>
<td>10%</td>
</tr>
<tr>
<td>Completion of the bid/contract award process</td>
<td>20%</td>
</tr>
<tr>
<td>Financial and progress reporting requirements</td>
<td>10%</td>
</tr>
<tr>
<td>Labor Standards compliance/construction completion</td>
<td>30%</td>
</tr>
<tr>
<td>Filing of all required closeout information</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

NOTE: Percentages of payment listed here are guidelines based on management services typically provided. The payment schedule should be tied directly to the actual Scope of Work identified in Part II—Administrative Scope of Services.
Item #5: Department Reports

A. Economic Development ...................................................................................... Terrie G. Salinas, Director

- Regional Small Cities Coalition (RSCC)

The RSCC Meeting was held at the Edcouch Fire Department on Thursday, November 8. Mayor Virginio González, welcomed the RSCC and gave a brief overview of all the city’s great projects. The Committee was glad to welcome this month’s speaker, Ms. Clarissa Sanchez from U.S. Senator Cornyn’s Office. She provided valuable information on the Innovative Readiness Training Program which provides direct services to our communities. Cities were encouraged to begin considering what types of assistance they needed so they could apply for funding in 2019.

The next RSCC was moved from Palm Valley to Weslaco to accommodate a joint meeting of the RSCC and the Large Cities Coalition Meeting in December. This meeting will provide a more in-depth discussion on legislative issues that impact our communities. The meeting is scheduled for Thursday, December 13 at 11:30 a.m. at the LRGVDC’s Ken Jones Executive Board Room at the Main Campus in Weslaco.
• Property Assessed Clean Energy (PACE) Program

Attached please find the flyer for the LRGVDC & Texas PACE Authority’s Contractor’s Workshop scheduled for December 12. The workshop will be a half-day event beginning at 8:30 am in the LRGVDC’s Small Board Room.

This workshop is geared for any property owner that is interested in upgrading their commercial property with energy/water efficiency and renewable technologies. By using PACE, you can obtain an affordable, long-term loan covering up to 100% of the costs. PACE can also be used for manufacturing, non-profit, and multi-housing properties.
The Texas Property Assessed Clean Energy (TX-PACE) Program enables owners of eligible commercial, industrial, non-profit, agricultural and multi-family buildings to retrofit their facilities with more efficient technologies that will reduce energy and/or water usage. This program enables up to 100% low-cost, long-term financing for energy efficiency, water conservation and distributed generation improvements.

This workshop is a unique opportunity to learn about the PACE financing mechanism and how it can benefit your business or property.

- A panel of subject matter experts will discuss the details of the TX-PACE Program including requirements and application process
- Building and business owners, energy/water efficiency and clean energy contractors and engineers will learn how to use the program to finance energy efficiency, water conservation, resiliency, and distributed generation improvements.

This workshop will also include a presentation and question-and-answer session with a panel of capital providers, an update on the current “PACE in a Box” market, and an in-depth discussion of current case studies.

Breakfast and workshop materials will be provided.
Item #5: Department Reports

A. Economic Development

Explore RGV ................................................................. .......Blanca Davila
Economic Development Specialist

The Explore RGV Launch Reception occurred November 14, 2018 at the Lower Rio Grande Valley Development Council (LRGVDC) from 5:30 PM to 7:30 PM. Ron Garza, Executive Director of LRGVDC, Sergio Contreras, President and CEO of RGV Partnership, Gabriel Puente from RGVision, and Jorge Ayala, Regional Director of the Economic Development Administration, shared several remarks. There were about 75 people in attendance making the event a success.

Explore RGV will begin a marketing campaign and outreach efforts to ensure residents and visitors are downloading, visiting, and following Explore RGV.

*Display Explore RGV Family Promotional Video
ITEM #5. B.

COMMUNITY & ENVIRONMENTAL SERVICES
Item #5: Department Reports

B. Community & Environmental Services ............................................ Marcie Oviedo, Director

Community Development Status Report

• HUD Disaster Recovery Housing Program

The Lower Rio Grande Valley Development Council is under contract with the Texas General Land Office as a subrecipient to administer HUD CDBG-Disaster Recovery funding issued as a result of Hurricane Dolly. South Texas Economic Development Corporation – Donna Project for eight (8) units has completed construction and will be finalizing all contract requirements this month.

Environmental Resources Status Report

• Solid Waste Management Program

Staff continues to provide technical assistance and outreach and continues to monitor all Solid Waste Management Projects. Contracts for FY-2018 are nearing completion and FY-2019 contracts have been executed and will be completed by August 30, 2019. All information pertaining to the Solid Waste Program is available at www.lrgvdc.org/solidwaste.html

• Water Resources

Please visit the Region M Website at www.riograndewaterplan.org for updates on the 2021 Regional Water Plan and other Rio Grande Regional Water Planning Group activities. The Committee currently has two vacancies and all information for those vacancies will be posted on the Region M Website. The next Region M Meeting has been scheduled for Wednesday, February 6, 2019.

• Reservoir Levels

On November 24, 2018, the U.S. combined ownership at Amistad/Falcon stood at 61.28% of normal conservation capacity, impounding 2,078,660 acre-feet, down from 64.68% (2,193,781 AF) of normal conservation a year ago. Overall the system is holding 50.54% of normal conservation capacity, impounding 2,993,141 acre-feet with Amistad at 57.00% of conservation capacity, impounding 1,867,065 acre-feet and Falcon at 42.54% of conservation capacity, impounding 1,126,076 acre-feet. Mexico has 36.14% of normal conservation capacity, impounding 914,481 acre-feet at Amistad/Falcon.
Water Levels at Amistad and Falcon Reservoirs (U.S. Ownership)

11/24/2018, 61.28% of Capacity or 2,078,660 AF
down from 2,193,781 AF of Normal Conservation a year ago

NOTE:  Mexico Ownership/Reservoir Capacity for
November 24, 2018:  36.14% (914,481) A.F.

Prepared by: LRGVDC
Source: TCEQ Watermaster
### Rio Grande Watermaster Report

#### 11/24/18

#### Amistad

<table>
<thead>
<tr>
<th>Metric</th>
<th>Value</th>
<th>Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normal Conservation Elevation</td>
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<tr>
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#### Falcon

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#### Overall Status

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Percent of Storage Capacity

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<td>TCM 2,993,141 Acre-Feet</td>
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Percent of Storage Capacity
ITEM #5. C.

HEALTH & HUMAN SERVICES
Item #5: Department Reports

C. Health & Human Services

Area Agency on Aging Status Report ............................................ Jose L. Gonzalez, Director

- Community Development Block Grant Funding
  The Area Agency on Aging has received funding from the Cities of Edinburg, Harlingen, McAllen, Mission, and Pharr. This funding will be used to expand direct services to low income seniors in those communities. None of the funding is to support staff salaries. Funds are utilized to purchase services for the clients identified by Area Agency case managers.

- Medicare Open Enrollment is Coming to a Close
  December 7, 2018 is the last day for Medicare beneficiaries to decide if their current Part D Plan or Medicare Advantage Plan (Part C) meet their needs. It gives them an opportunity to check other alternatives that can best meet their health needs. Area Agency on Aging Benefit Counselors are available to assist Medicare beneficiaries in evaluating options.
ITEM #5. D.

PUBLIC SAFETY

CRIMINAL JUSTICE
Item #5: Department Reports

D. Public Safety

Criminal Justice Program Status Report.....................................................Manuel Cruz, Director

- The Office of the Governor - FY2019 Criminal Justice funding cycle for agencies interested in improving the criminal justice system, juvenile justice system, direct victim services, and mental health/substance abuse treatment services is anticipated to begin mid-December. The LRGVDC’s Criminal Justice Program will be scheduling CJD Grant Workshops for the FY2019 CJD funding year. Future potential applicants are highly encouraged to attend the MANDATORY Grant Workshops. Applicants who fail to attend a mandatory grant workshop will be placed in a second tier of the category and prioritized by the committee to be eligible for any excess funding that may be available. The workshop schedules and details regarding eligible applicants and requirements will be available for viewing and downloading at the LRGVDC website, www.lrgvdc.org - Public Safety tab.

Who should attend the workshops?

Anyone who has an interest in making our community safer:

- Law Enforcement Officials
- Juvenile Organizations
- School District Officials
- Non-profit Agencies
- Probation Department Employees
- Faith-based Organizations
- Concerned Citizens
- Victims Assistance Agencies

The following steps will be taken to provide notice of this funding announcement opportunity during the months of January and February:

- Notification of Availability of Funding will be posted on the LRGVDC website under the Public Safety tab and on the regional calendar and will include links to the CJD website.

- Funding announcements will be made at the monthly Homeland Security Advisory Committee and LRGVDC Board of Directors meetings in January and February.

- A notice will be mailed out to the 46 local governments (city managers) in Cameron, Hidalgo, and Willacy Counties in January.
Regional Crime Victim’s Liaison Program

Staff continues to do outreach throughout the region and to collaborate with other agencies in the region to help provide services to victims of crime.

Should there be any questions, please advise.
ITEM #5. D.

PUBLIC SAFETY

EMERGENCY COMMUNICATIONS
Lower Rio Grande Valley Development Council  
Board of Directors Meeting  
Wednesday, December 5, 2018

Item #5: Department Reports

D. Public Safety

Emergency Communications Status Report ........................................ Manuel Cruz, Director

1. Consider Approval to Purchase Advertisement with Valley Metro for Emergency Communications/9-1-1 Public Education

As part of our public awareness requirements, 9-1-1 division recommends a 2019 public education campaign by displaying 9-1-1 public advertisements through Valley Metro. Advertisements will utilize major bus routes to be able to reach a large majority of the citizens within Hidalgo and Willacy Counties. Public Education campaigns will be as follows: TEXT-to-911, Keri’s Law, and Know Your 9-1-1 Address. These advertisements (Bus Wraps) will be placed on four (4) buses for the Hidalgo County area and one (1) bus for the Willacy County area. Estimated cost is $77,857 dollars; which includes a percentage discount from standard rates. 9-1-1 Public Education is a budgeted line item and approved by CSEC.

At this time staff requests Board approval. Should there be any questions please advise.

ACTION ITEM
Lower Rio Grande Valley Development Council  
Board of Directors Meeting  
Wednesday, December 5, 2018

Item #5: Department Reports

D. Public Safety

Emergency Communications/9-1-1 Status Report .......................... Manuel Cruz, Director

- **Location Validation Program**
  Staff regularly generates address tickets, addresses new subdivisions, and takes customer requests for their 9-1-1 Physical Address for Hidalgo and Willacy Counties.

  Staff participated at Radio Viviente 1170 AM radio station talk show to educate the public on the Emergency Communications / 9-1-1 Program. The 30-minute segment was presented on their daily “Comunidad al Día”. Topics varied but focused on the importance of displaying the 9-1-1 address at the front of properties and the difference between a 9-1-1 address and a mailing address. The ability to text to 9-1-1 in an emergency was also discussed. The program ended with a discussion on “Kari’s Law” and how it requires all Multi-Line Telephone Systems to have a default configuration. This type of configuration will allow users to directly dial 9-1-1 from any phone with dialing capabilities without the need to dial additional digits or a prefix.

- **Database Program**
  Database staff updates the 9-1-1 database and adds new streets and ranges as new subdivisions are developed in Hidalgo and Willacy Counties. For the months of October and November 32 Telephone Numbers (TN) were corrected and 117 streets in the Master Street Address Guide (MSAG) were added/updated. Also, over 350 address request calls were received which resulted in 327 address tickets for 9-1-1 physical addresses. Staff also updates the No Record Found (NRF) list received from West Inc. on a daily basis. The NRFs are those telephone numbers that dial 9-1-1 and no record shows in the 9-1-1 system.

  Additionally, staff validates 9-1-1 physical addresses for West Inc. for the new Voice Over Internet Protocol (VOIP) TNs being issued in this Region. This process is performed because it is the telephone company’s responsibility to validate the physical address for a phone number before issuing it to customers.

- **Mapping Program**
  Mapping Program staff has transitioned all 9-1-1 physical address data to the new State approved EGDMS Schema; this change is vital to the future of 9-1-1 call routing. It has been implemented at the LRGVDC 9-1-1 office as well as the host sites at McAllen PD and the Hidalgo County Sheriff’s Office. The EGDMS 3 project has started and LRGVDC ECOMMS has been selected to be part of the initial project. This makes LRGVDC one of the few entities leading the charge in the NextGen 9-1-1 efforts. Staff continuously works on address point verification to
ensure accurate call routing in the new I-3 9-1-1 Environment. Staff also continues to update address information on local maps. We are continuing our training efforts to become more efficient and are focusing heavily on expanding our GIS web presence.

- **System and Public Safety Answering Point (PSAP) Operations**
  Systems staff continues monitoring our PSAP sites. The Systems team continues the installation of a third Host site at our Weslaco office that will create a segregated network. Systems staff has also acquired Amp for Endpoints and Umbrella to increase our 9-1-1 office cybersecurity network. In a collaborative effort between Systems and GIS we have been approved to be a Test site for Rapid SOS, which is software used to get better location accuracy and continued location service during and after a 9-1-1 call is made. We have extended this project and are testing location accuracy with US Border Patrol agents in hard to reach border regions to accurately locate immigrants in distress.

- **Public Education /Training Program**
  Public Education is an ongoing priority for the Emergency Communications 9-1-1 Division; and staff continues to reach out to communities to educate residents. There were 4,000 Halloween bags distributed to local PSAPs for Halloween festivities. The 9-1-1 Division distributed over 50,975 promotional items in October and November.

**Event Request Notice Reminder**: A new online request form has been implemented to streamline the event request process and assist in scheduling new event requests. As of August, all event requests are submitted through our online system. This “Online Request Form” must be submitted 14 business days before an event. All fields must be populated, and the event flier must be uploaded. If any fields are left unpopulated the request will not be submitted through the online system. To view the online system, visit our site: [www.lrgvdc911.org](http://www.lrgvdc911.org) and select the “Event Request” tab. Once the event has been submitted an ECOMMS staff member will receive the notification and approve or deny the event based on availability.

Education efforts on Kari’s Law, Text to 9-1-1 and Know Your Location continue throughout the Lower RGV. Three (3) Public Service Announcements have been created and are currently running at local Cinemark theaters in Hidalgo County
ITEM #5. D.

PUBLIC SAFETY

HOMELAND SECURITY
Item #5: Department Reports

D. Public Safety

Homeland Security Program Status Report........................................... Manuel Cruz, Director


In accordance with the Office of the Governor’s Homeland Security Grant Division (OOG-HSGD) the LRGVDC is required to submit an annually updated Policy Manual and Risk-informed methodology for grant prioritizations. The documents will be utilized by potential grantees as guides to formulate applications and by the HSAC to assist in allocations. These documents are attached for your review and consideration.

Refer to Attachment A. Should there be any questions, please advise.
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<td>Homeland Security Advisory Committee (HSAC)</td>
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THE OFFICE OF THE GOVERNOR’S HOMELAND SECURITY GRANTS DIVISION AND
THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (COG-21)

The Office of the Governor’s (OOG) Homeland Security Grants Division (HSGD) is the entity responsible for administering and awarding a number of grant programs across the State of Texas. The grant funding assists Texas jurisdictions in building, sustaining, and delivering core capabilities to further the National Preparedness Goal which is, “A secure and resilient Nation with capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk. The OOG has the final decision on any project, including those administered by the Lower Rio Grande Valley Development Council (LRGVDC). The LRGVDC (COG-21) is 1 of 24 Councils of Government in the State of Texas and is the liaison between the OOG and local jurisdictions in its 3 county region (Cameron, Hidalgo, and Willacy).

POLICIES AUTHORITY

The following policies and procedures will govern the LRGVDC’s Homeland Security Advisory Committee’s (HSAC) application review and prioritization process for designated funding sources. In addition, these policies and procedures will govern the operation of LRGVDC’s Homeland Security planning as outlined in the Interlocal Cooperation Agreement between the OOG’s Homeland Security Grants Division and the LRGVDC. These policies will be reviewed annually to align with regional and state guidelines.

HOMELAND SECURITY ADVISORY COMMITTEE (HSAC)

The Homeland Security Advisory Committee (HSAC) was created as a voluntary unincorporated association of the LRGVDC in November 2004. The HSAC is composed of 14 member jurisdictions. The primary responsibility of the HSAC is to assist the LRGVDC in the development, implementation, review, and update of a comprehensive plan to serve the needs of the region in the event of terrorist activities, natural disaster, and man-made disasters and to evaluate and make recommendations on grant applications submitted by jurisdictions.

The 3-county member representation for HSAC is:

- Cameron – 5
- Hidalgo – 7
- Willacy - 2
FUNDING SOURCES: LETPA & SHSP

The LRGVDC’s HSAC will prioritize the two (2) funding sources listed below:

**LETPA (Law Enforcement Terrorism Prevention Activities)**

Minimum Funding Level: $2,500
Required Match: None

Purpose: The purpose of this funding is to support state, tribal, and local preparedness activities that continue to build law enforcement capabilities to prevent terrorist attacks and provide law enforcement and public safety communities with funds to support critical prevention and protection activities. Per Congressional mandate (911 Act), twenty-five percent (25%) of the combined Homeland Security Grant Program funding must be spend on Law Enforcement Terrorism Prevention Activities (LETPA).

The SHSP-LETPA is intended to support investments that improve the ability of jurisdictions to:

- **Prevent** a threatened or an actual act of terrorism; and/or
- **Protect** its citizens, residents, visitors, and assets against the greatest threats and hazards.

**SHSP (State Homeland Security Program)**

Minimum Funding Level: $2,500
Required Match: None

Purpose: The purpose of this funding is to support state, tribal, and local preparedness activities that address high-priority preparedness gaps across all core capabilities where a *nexus to terrorism* exists.

The SHSP is intended to support investment that improve the ability of jurisdictions to:

- **Prevent** a threatened or an actual act of terrorism;
- **Protect** its citizen, residents, visitors, and assets against the greatest threats and hazards;
- **Mitigate** the loss of life and property by lessening the impact of future catastrophic events;
- **Respond** quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of a catastrophic incident; and/or
- **Recover** through a focus on the timely restoration, strengthening, accessibility and revitalization of infrastructure, housing, and a sustainable economy, as well as the health, social, cultural, historic, and environment fabric of communities affected by a catastrophic incident.
GRANT FUNDING NOTIFICATION
Upon notification from the OOG, the LRGVDC’s Homeland Security staff will notify local jurisdictions in the region that the new grant cycle has begun.

GRANT ELIGIBILITY REQUIREMENTS
All applicants regardless of funding status must meet ALL the necessary requirements as set forth by the OOG’s HSGD’s Request for Funding Announcement (RFA), no exceptions.

- NIMS compliance
- Jurisdictions must have a current Emergency Management Plan at Intermediate Level or Above
- 90% Average, Both Adult & Juvenile Criminal History Dispositions
- Current on Uniform Crime Report (UCR)
- Current DUNS Number
- Be registered on System for Award Management (SAM)
- Mandatory workshop attendance

The LRGVDC’s Homeland Security staff and the HSAC shall ensure that the funding recommendations on project applications are based on the following factors: mandatory workshop attendance, project’s regional impact, project deployability, the LRGVDC THIRA (Threats and Hazards Identification and Risk Assessment) & SPR (State Preparedness Report), the LRGVDC’s Implementation Plan, as well as reasonableness, cost effectiveness of the proposed project, and current policies.

ENVIRONMENTAL & HISTORIC PRESERVATION REVIEWS
Some projects may require an EHP review to comply with all applicable environmental and historic preservation laws and regulations. This process ensures that federal grant monies are used in a manner consistent with federal laws pertaining to the environment and historic preservation, as well as consideration of the effects to, and protection and enhancement of, natural and cultural resources.

MANDATORY WORKSHOP ATTENDANCE
The LRGVDC’s Homeland Security staff shall conduct a grant application workshop for applicants applying for the Homeland Security Grants Division funding opportunities. All applicants are required to attend one (1) mandatory grant application workshop conducted by the LRGVDC’s Homeland Security staff. The responsibility of attending a workshop is that of the applying jurisdiction. Representatives can be one of the three grant designated officials (i.e. Authorized Official, Project Director, or Financial Officer), or any other knowledgeable agency/entity designee.
LRGVDC’s Homeland Security staff will electronically submit workshop materials, a list of workshops held (to include the name, organization, address and telephone number of each attendee) to the OOG’s HSGD as required in the Interlocal Cooperation Agreement.

REGIONAL IMPACT AND DEPLOYABILITY

Grant project applications must have a regional impact to the LRGVDC (21) COG Region. Any projects/equipment funded by HSGP/LETPA grants must be deployable. Certain exceptions, may apply. For example but not limited to: fixed assets, radio tower, repeaters, etc.

LRGVDC THIRA AND SPR PROCESS

All applications for projects must be consistent with the capability targets set during the most current LRGVDC/State THIRA (Threats and Hazards Identification and Risk Assessment) process, as well as gaps identified in the LRGVDC’s and/or State’s SPR (State Preparedness Report).

LRGVDC IMPLEMENTATION PLAN

All applications for projects must be consistent with goals and objectives of the current LRGVDC Implementation Plan.

The LRGVDC’s Implementation Plan supports the Texas Homeland Security Strategic Plan 2015-20. It establishes priority actions with specific performance measures to be completed by milestones established in the plan. The plan is a roadmap for homeland security preparedness and identifies the resources required to implement the plan.

These documents can be obtained by submitting a request to the LRGVDC’s Homeland Security staff.

PROCEDURES FOR GRANT APPLICATION SUBMITTAL

All applications shall be submitted directly to the OOG’s online grants management systems. The submission of applications will be done electronically via the OOG’s online grant management system, e-Grants: https://egrants.gov.texas.gov/fundopp.aspx

All submission deadlines are set by the Office of the Governor’s Homeland Security Grants Division. To obtain the OOG deadline schedule, please check their website, e-Grants: https://egrants.gov.texas.gov/fundopp.aspx

INELEGIBLE GRANT APPLICATIONS
Applications created on e-Grants but not certified by the Authorized Officials will not be considered valid and will be denied by the OOG’s HSGD. The OOG’s HSGD reserves the right to deny applications that do not meet the guidelines for the LETPA or SHSP grants.

**HOMELAND SECURITY ADVISORY COMMITTEE (HSAC) GRANT APPLICATION REVIEW**

The HSAC will set a date to review the project applications for the LRGVDC (COG-21) Region. The HSAC will score and prioritize applications. All applications must be represented at the HSAC review session. Representatives can be any one of the three grant designated officials (i.e. Authorized Official, Project Director or Financial Officer), or any other knowledgeable designee. Applicants will be provided with an opportunity to make a three-minute presentation before the HSAC and answer any questions regarding their proposals. Once all questions and comments are answered, the HSAC will proceed to score each project individually.

**APPROVED ACTIVITY AREAS FOR GRANT FUNDING**

Grant project applications must address one (1) of HSAC’s approved activity areas for the LRGVDC COG-21 Region:

<table>
<thead>
<tr>
<th>Activity Area</th>
<th>LETPA Percentage</th>
<th>SHSP Percentage</th>
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<td>Interoperable Communications</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Special Response Teams and First Responder Capabilities (including Border Security capabilities)</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Critical Infrastructure</td>
<td>25%</td>
<td>25%</td>
</tr>
</tbody>
</table>

*For grant-related purposes, a Special Response Team must:
1) be FEMA Typed; and
2) have some type of formal documentation in place (i.e. MOU, contract, plan(s), or written agreement). The applicant is responsible for submitting a copy to the LRGVDC Homeland Security staff prior to the prioritization meeting.

*Projects that do not fall under activity areas, may be considered if regional funding permits. However, there is no guarantee.

**RISK METHODOLOGY**

A percentage of funding for each project is determined annually by the HSAC to help determine the selection of grant project applications that address the needs of the LRGVDC (COG-21) Region.
A scoring instrument is provided to each HSAC member at the annual review of the grant process. HSAC and COG staff will review and update the scoring instrument to align with regional and state priorities and guidelines. Applicants can view a copy of the scoring instrument at the mandatory grant workshop (see p.3). Only LRGVDC’s Homeland Security staff will compute scores of the grant prioritization process.

CONFLICT OF INTEREST

The LRGVDC shall ensure that members of the COG’s governing body, the HSAC, and COG staff abstain from scoring and voting on any grant application other than a grant application submitted by a COG, during the prioritization process if the member, or an individual related to an HSAC member within the third degree by consanguinity, or within the second degree by affinity:

a. Is employed by the applicant agency and works for the unit or division that would administer the grant, if awarded;
b. Serves on any governing board that oversee the unit or division that would administer the grant, if awarded;
c. Owns or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency; or
d. Receives any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded.

When a potential conflict of interest exits, HSAC Members and members of the COG governing body must abstain from REVIEWING, VOTING, COMMENTING, OR TAKING ACTION on any grant application during the prioritization process.

If any applicant, HSAC member, COG personnel, or other individual, has reason to believe that favoritism or inappropriate actions occurred during the scoring or prioritization of HSGD projects, the COG shall ensure that the concerns are shared with HSGD as soon as possible.

FUNDING RECOMMENDATION GUIDELINES

The HSAC reserves the right to recommend an amount less than the requested amount based on the budget cost effectiveness, reasonableness, and/or previous grant performance under present/past funding sources.

The HSAC reserves the right to deny recommendations for funding on any application based on but not limited to:

- ineligible activity(ies) not permitted under the funding source
- ineligible line item(s) not permitted under the funding source
- project does not align with regional priorities
• eligibility criteria not met by applicant

In the event that the HSAC deems not to recommend full, or partial funding of an application, the LRGVDC’s Homeland Security staff will notify the OOG’s HSGD.

*All project grant applications selected by the HSAC are **conditionally approved** until the OOG’s HSGD gives the final approval. Jurisdictions must wait until they receive official notification from the OOG’s HSGD that their project application is approved before making any expenditures.

**RECOMMENDATIONS OF CONDITIONALLY APPROVED GRANT APPLICATION PROJECTS TO LRGVDC EXECUTIVE BOARD**

With the approval of the HSAC, a prioritized list of **conditionally approved** projects will be submitted to the LRGVDC’s Board of Directors for endorsement. The LRGVDC’s Board of Directors reserves the right to endorse or disallow the HSAC’s recommendations. The LRGVDC’s Board of Directors regularly meets every fourth Wednesday of the month with certain exceptions. The LRGVDC’s Board of Directors will take final action on the priority lists. The OOG’s HSGD will make the final approval on all conditionally approved projects.

**APPEALS PROCESS**

The LRGVDC’s Homeland Security staff will send an email to applicants regarding the HSAC’s decision on their application. An applicant may appeal the actions of the HSAC based on procedural violation(s). The appeal must be submitted in writing to the LRGVDC’s Board of Directors Chair within ten (10) regular business working days from the date of the e-mail notification. Please note that appeals cannot be based on areas of discretion in the HSAC’s scoring criteria.

**FINAL REVIEW BY OOG’S HOMELAND SECURITY GRANTS DIVISION**

A prioritized list of **conditionally approved** projects recommended for funding by the LRGVDC (COG-21) will be forwarded to the OOG’s HSGD. If there are discrepancies on project grant applications, the OOG’s HSGD staff will contact the applicant directly. All funding decisions made by the OOG’s HSGD’s Executive Director are final. No appeals will be accepted by the OOG’s HSGD regarding their final funding decisions.

Appeals made regarding an HSAC decision will be handled by the LRGVDC only. If an applicant appeals a decision to the OOG’s HSGD, the applicant will be requested to go back to their COG for resolution. The OOG’s HSGD does not accept, or provide an appeals process.
Item #5: Department Reports

D. Public Safety

Homeland Security Program Status Report........................................ Manuel Cruz, Director

2. Consider Approval of Scoring Instrument for FY 2019-20 Homeland Security Grant Program

In accordance with the Office of the Governor’s Homeland Security Grant Division (OOG-HSGD), the LRGVDC is required to submit the most recent scoring instrument that will be used during the upcoming grant prioritization. The document is attached for your review and consideration.

Refer to Attachment B. Should there be any questions, please advise.

ACTION ITEM
**LRGVDC Homeland Security Advisory Committee**

**Homeland Security Grant Program Application Scoring Sheet FY2019-20**

<table>
<thead>
<tr>
<th>Funding Opportunity:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td></td>
</tr>
<tr>
<td>Project Title:</td>
<td></td>
</tr>
<tr>
<td>Amount Requested:</td>
<td></td>
</tr>
</tbody>
</table>

*This section will be verified by COG staff.*

<table>
<thead>
<tr>
<th>Did the applicant attend a COG grant workshop as mandated by the Homeland Security Grants Division?</th>
<th>Y</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>If “no”, application is ineligible.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Is applicant complying with ALL of the following requirements:*

1. a current Emergency Management Plan at Intermediate level or above; and  
2. a 90% average on both adult and juvenile criminal history dispositions reported to Texas DPS; and  
3. a full 12 months of accurate UCR data reporting to Texas DPS for the most recent calendar year?  

If “no”, application is ineligible.

| *If applicant is part of a Special Response Team:*
| 1) is team FEMA Typed? | Y | N |
| 2) has applicant provided the COG a copy of a formal cooperation with other agencies?  
  *(i.e. MOU, contract, plan(s), or written agreement)* |   |   |
| If “no”, application is ineligible.  
  If not applicable to this project, indicate as “NA”. |   |   |

### REGIONAL PRIORITIES

<table>
<thead>
<tr>
<th>Does the project address one of the LRGVDC’s COG-21 Activity Areas for FY 2019-20 Grant Funding? <em>(Interoperable Communications, Special Response Teams &amp; Responder Capabilities, Critical infrastructure)</em></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Projects that do not fall under COG’s activity areas, may be considered if regional funding permits. However, there is no guarantee.</em></td>
<td>Scale: 0-25</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>How well does the project address gaps and capability targets identified in the LRGVDC’s THIRA <em>(Threats &amp; Hazard Identification and Risk Assessment)</em> and SPR <em>(Stakeholder Preparedness Review)</em>?</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Scale: 0-20</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Does the project have a regional impact? <em>(i.e. a positive impact for developing or sustaining capabilities that may benefit neighboring jurisdiction(s), state, or nation)</em></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Scale: 0-15</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Does the project sustain an existing capability?</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Scale: 0-10</td>
<td></td>
</tr>
</tbody>
</table>
STATE AND FEDERAL PRIORITIES

Does the project address target capabilities related to prevention, preparing for, protecting against, or responding to acts of terrorism as indicated on the RFA (Request for Applications) issued by the Office of the Governor- Homeland Security Grants Division?

Scale: 0-20

PROJECT EFFECTIVENESS

Are the project’s goals reasonable and necessary?

Scale: 0-5

Will the funding for this project adequately accomplish the goals of the project?

Scale: 0-5

TOTAL SCORE
Max 100 Pts. Allowed

Is the amount requested for this project scalable?

Y or N

Funding recommendation:

FULL PARTIAL NONE

If partial recommendation, what amount?

Comments:

I, as a member of the LRGVDC’s HSAC, hereby agree that I have scored this application in honesty and fairness, without duress or influence from external parties. All comments and scores are my own. I understand the scoring method and funding process of this committee and agree to the requirements established by the Office of the Governor’s Homeland Security Grants Division.

Printed Name

Signature

Date

☐ If exempt from voting due to conflict of interest, check this box.
Item #5: Department Reports

D. Public Safety

Homeland Security Program Status Report ........................................ Manuel Cruz, Director

3. Consider Approval of Homeland Security Advisory Committee’s Recommendation for 2017 Edinburg-Mission HazMat Project to Receive Reallocation Funds

In accordance with Office of the Governor’s Homeland Security Grant Division (OOG-HSGD), the Homeland Security Advisory Committee (HSAC) convened to review uncommitted/deobligated funding in the amount of $7,505.99 from the FY2017 Funding Block. The HSAC selected this project and the funds will be used to purchase additional hazmat suits for first responders. This is only an estimated amount and any additional amounts will also be utilized for this purpose.

Should there be any questions, please advise.

ACTION ITEM
Lower Rio Grande Valley Development Council  
Board of Directors Meeting  
Wednesday, December 5, 2018

Item #5: Department Reports

D. Public Safety

Homeland Security Program Status Report............................................. Manuel Cruz, Director

4. Consider Approval of Homeland Security Advisory Committee Recommendation of Officers for 2019

In accordance with Homeland Security Advisory Committee (HSAC) by laws a chair and vice-chair are selected to serve a one-year term. Tony Lopez, Fire Chief & EMC for the City of Weslaco, was selected as HSAC Chair. Doug Fowler, Fire Chief & EMC for the City of South Padre Island, was selected as HSAC Vice-Chair.

Should there be any questions, please advise.

ACTION ITEM
Lower Rio Grande Valley Development Council  
Board of Directors Meeting  
Wednesday, December 5, 2018

Item #5: Department Reports

D. Public Safety

Homeland Security Program Status Report........................................ Manuel Cruz, Director

5. Consider Approval of Memorandum of Understanding (MOU) between LRGVDC and Emergency Training Alliance Board of Rio Grande Valley

The attached MOU acknowledges the cooperation between both agencies and the desire to enter into this agreement to work together to accomplish the goals and objectives set forth in the FY2018/19 LRGVDC Regional Fire Alliance grant project. Staff recommends approval for Executive Director to execute attached MOU.

Refer to Attachment C, should there be any questions, please advise.

ACTION ITEM
AGREEMENT FOR FIREFIGHTING AND EMERGENCY MEDICAL
TECHNICIAN CURRICULUM AND INSTRUCTION

Lower Rio Grande Valley Development Council
and
Emergency Training Alliance Board of the Rio Grande Valley

In order to provide instruction for Basic Firefighter Certification and Basic Emergency Medical Technician instruction during FY 2018-2019, the parties below agree to:

I. AGREETING PARTIES

Lower Rio Grande Valley Development Council
and
Emergency Training Alliance Board of the Rio Grande Valley

II. STATEMENT OF SERVICES TO BE PERFORMED:

1. Lower Rio Grande Valley Development Council - Public Safety Department will request State Homeland Security Grant Program appropriated funds from the Office of the Governor’s, Public Safety Office. Funding is to provide Basic Firefighting Certification and Basic Emergency Medical Technician training to members of the Emergency Training Alliance Board of the Rio Grande Valley (ETAB-RGV). The number of courses and hours of training will depend upon the funds available.

2. Training will be conducted during a one (1) year period beginning September 1, 2018, through August 31, 2019. A schedule will be produced and presented showing the class times by the Regional Fire Academy Coordinator. LRGVDC, with assistance from the ETAB-RGV, may provide for adequate classroom facilities (subject to availability) and resources to effectively administer the certification training program in a matter consistent with member cities need for skilled firefighters.

3. This agreement is to be conducted in accordance with the Texas Commission on Fire Protection guidelines curriculum for firefighters and Texas Department of State Health Services. The ETAB-RGV agrees that the recruitment and certification training for students of ETAB-RGV members will not be conducted in a manner which may discriminate against its members or applicants for certification on the basis of race, color, national origin, sex, or handicap.

4. Training coordinator shall maintain class attendance on appropriate forms for all students. Forms and format will be provided by LRGVDC, if required.

5. The ETAB-RGV shall assist in the selection of the fire academy coordinator. Coordinator appointed to the Regional Fire Academy must meet required registration, certification, or licensure in specialty areas such as TCFP Advanced Structural Firefighter, Level III Fire Service Instructor, Current Field Examiner, DSHS Licensed Paramedic or EMT and DSHS Licensed EMS Instructor/Coordinator. Other certification not listed may be required.
6. The ETAB-RGV shall document and report to LRGVDC in writing the in-kind value of outside training facilities, supplies and equipment used in the delivery of course material.

7. Instructors for course instruction will be reviewed and approved by the Fire Academy Coordinator and must meet qualifications established by the ETAB-RGV, Texas Commission on Fire Protection, Texas Department of State Health Services and LRGVDC. Payment for coordinator, (rate approved by OOG-PSO & ETAB-RGV), will be made by the LRGVDC payroll department after receipt of time sheets submitted and authorized by the LRGVDC Director of Public Safety. If funds permit, books, supplies and equipment may be purchased/paid by the State Homeland Security Program (SHSP) for the ETAB-RGV Certification program. All materials/supplies purchased under this agreement remain the property of LRGVDC and cannot be sold, traded, or salvaged and must be returned when no longer needed or becomes irreparable.

8. Member Cities of the ETAB-RGV shall provide resources to include Equipment, Facilities, and Personnel as requested by the Fire Academy Coordinator.

9. Member Cities shall provide represented cadet with Full Set of turnout gear to include S.C.B.A., which must be in full compliance prior to live fire Training. Departments must assure all records pertaining to issued gear be made available if requested.

10. Member Cities shall assure that all cadets participating in the fire academy a re properly insured as required by the ETAB-RGV and must provide a letter signed by the Fire Chief. Letter must be provided on the first day of class. No exceptions.

11. Member Cities shall assure that all cadets participating in the fire Academy have as required by the ETAB-RGV a current medical evaluation (Physical) and must provide a letter signed by the Fire Chief stating as such. Letter must be provided on the first day of class.

12. ETAB-RGV will provide to LRGVDC a list of member cities and board members annually and will provide updates of any changes.

III. STATEMENT OF SERVICES TO BE PERFORMED BY FIRE ACADEMY COORDINATOR:
   
i. Fire Academy Coordinator will provide course schedules at least 3 weeks in advance.

   ii. Fire Academy Coordinator will provide the department with cadet evaluations, grades, attendance report as requested from the fire department, at each monthly meeting and the final status report.

   iii. Fire Academy Coordinator will coordinate with the fire department representatives the required information to prepare the department for any scheduled course and skills to be held at their department's location.

   iv. Fire Academy Coordinator will submit Training Course Approval to the Texas Commission on Fire Protection.
v. Fire Academy Coordinator will schedule and coordinate all activities related to the fire Academy and will provide request to ETAB-RGV for resources needed to fulfill requirements.

vi. Fire Academy Coordinator will coordinate the delivery of an E.M.T. training, as needed.

vii. Enforce current Rules and Regulations established by the ETAB-RGV.

IV. TERMS OF AGREEMENT

This agreement is to begin on September 01, 2018, and terminate August 31, 2019. This agreement is subject to renewal. ETAB-RGV will provide LRGVDC on an annual basis the current list of member cities.

V. INSURANCE and MEDICAL EVALUATION

ETAB-RGV members will provide insurance for students participating in the certification programs has undergone and passed a medical evaluation. LRGVDC will not be liable of any claims resulting from this agreement.

VI. TERMINATION

This agreement may be canceled by either party with a 30-day notice by either party.

Emergency Training Alliance Board of the Rio Grande Valley

Octavio Quiroz

By: [Signature] (Authorized Signature)

Title: ETAB of the RGV Board President

Date: 10-31-2018

Lower Rio Grande Valley Development Council

Ron Garza

By: [Signature] (Authorized Signature)

Title: Executive Director

Date: [Signature]
Lower Rio Grande Valley Development Council  
Board of Directors Meeting  
Wednesday, December 5, 2018  

Item #5: Department Reports  

D. Public Safety  

Homeland Security Program Status Report........................................ Manuel Cruz, Director  

6. Consider Approval to Create a Regional Community Organization Active in Disasters (COAD) under the LRGVDC  

When a disaster occurs neighbors and community organizations are often eager to help. COAD is a group of community organizations, businesses, nonprofits, and individuals working together to plan community responses to a variety of emergency and disaster situations and who may be active in all phases, mitigation, prevention, preparedness, response, and recovery.  

COADs do not provide direct services but rather provide a network through which individual organizations can more effectively address their mission and service goals during all phases of a disaster. A COAD enhances the ability for all communities involved to mitigate, prepare for, respond to, and recover from disasters.  

The LRGVDC would provide committee oversight, coordination, and as an established 501 (c)(3) tax-exempt organization to assume the role of the COAD’s fiscal agent.  

Should there be any questions, please advise. 

ACTION ITEM
Item #5: Department Reports

D. Public Safety

Homeland Security Program Status Report.................................Manuel Cruz, Director

- Homeland Security Program

The RFA (Request for Funding Announcement) for the HSGD FY 2018-19 Grant (LETPA/SHSP) cycle is set to be released on December 14, 2018.

Staff will conduct HSGD workshops on January 8, 2019 at 1:30 PM; and January 11, 2019 at 1:30 PM. These workshops are mandated by the state for any jurisdiction wishing to apply for grant funding.

The LRGVDC will host a series of e-Grants training in January of 2019. Training is free and open to any employee of a jurisdiction. To register, contact staff.

January 15, 2019, 8 AM – 5 PM
January 16, 2019, 8 AM – 5 PM
January 17, 2019, 8 AM – 5 PM

Staff continues to provide technical assistance to jurisdictions with Emergency Management Plans (EMPs), and identifying training opportunities for regional first responders.

- Citizen Corps Program (CCP)/Community Preparedness

Program continues to promote its community preparedness campaign, Ready RGV! CCP recently distributed Preparedness Bags to the Harlingen CERT which hosted a CERT (Community Emergency Response Team) class for the community.

- FY 2017 Homeland Security Grant Program

Staff continues to monitor active grants for the FY 2017 grant funding cycle and assist jurisdictions with technical assistance. HSGD recently announced reallocation funds from this grant period.
ITEM #5. D.

PUBLIC SAFETY

REGIONAL POLICE ACADEMY
Item #5: Department Reports

D. Public Safety

Regional Police Academy Status Report......................Randall Snyder, Training Coordinator

- **In-Service Training Hours Reported**
  
<table>
<thead>
<tr>
<th>Classes Reported</th>
<th>10/18/18 - 11/26/18</th>
<th>Year to date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officers Attending</td>
<td>7</td>
<td>138</td>
</tr>
<tr>
<td>Total Training Hours</td>
<td>144</td>
<td>1452</td>
</tr>
</tbody>
</table>

- **Basic Peace Officer Academy Cadets Enrolled**
  
  - 198th Total – 32
  - Day Academy

- **October/November In-Service Scheduled**
  
  - Verbal De-Escalation
  - Legislative Update 3185
  - Civilian Interaction Training (CIT-P)

- **Basic Peace Officer Course Upcoming Academies**
  
  - 197th BPOC – Night Academy
    - Graduated November 14, 2018
  - 198th BPOC – Day Academy
    - Started: September 04, 2018
    - Testing in Progress
  - 199th and 200th

- **Academy Graduation Dates**
  
  - 198th BPOC – Day Academy
    - Estimated: February 2019

- **Graduation and Gainful Employment November 2015 – November 2018**
  
<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Graduates 11/13/2015 – 11/07/2018</td>
<td>357</td>
</tr>
<tr>
<td>Total of Graduates to pass TCOLE</td>
<td>354</td>
</tr>
<tr>
<td>11/13/2015 – 07/25/2018 graduates employed</td>
<td>90.77%</td>
</tr>
</tbody>
</table>
ITEM #5. E.

TRANSPORTATION
Item #5: Department Reports

E. Transportation

Valley Metro Status Report

1. Consider Approval of Revisions to Drug and Alcohol Policy

The policy revisions adhere to the Federal Transportation Administration’s revision to the 49CFR 655.45(b) Regulations ruling for employers to increase the minimum random drug rate from 25 percent to 50 percent of all FTA Safety Sensitive covered employees (drivers, mechanics, administration staff). From the Acting Administrator for FTA’s Office of Transit Safety and Oversight: “This increased random drug testing rate results from a recent uptick in the proportion of violations identified through random drug testing.” The 50 percent rate applies to any entities receiving Federal assistance through 5307, 5309, 5311, and 5339 formula funding. Valley Metro receives 5307 and 5339 through FTA, and 5307, 5339, and 5311 formula funding from TxDOT. Random Alcohol testing is unaffected and will remain at 10 percent.

These changes are effective January 1, 2019.

Please see Attachment A
LRGVDC
Transit Services Department
Drug & Alcohol
Free Workplace Policy

LRGVDC Board of Directors
Approved Date:
December 5, 2018

Lower Rio Grande Valley Development Council
510 S. Pleasantview Drive
Weslaco, TX 78596
(956) 969-5761
1-800-574-8322
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1.0 POLICY STATEMENT

The Lower Rio Grande Valley Development Council (LRGVDC) Transit Services Department – Valley Metro is committed to promoting the safety and well-being of its employees, passengers, motorists and pedestrians. To ensure that transit service is delivered safely, efficiently and effectively, each employee has the responsibility to perform his/her duties in a safe, conscientious, and courteous manner.

A drug/alcohol-free workplace is essential to creating a safe environment for employees and the public while providing transit services. LRGVDC’s Transit Services Department – Valley Metro is committed to providing a drug/alcohol-free workplace through the enforcement of the regulations issued by the Federal Transit Administration (FTA). In February 1994, the Federal Transit Administration (FTA) published two regulations prohibiting drug use and alcohol misuse by transit employees and required that transit agencies test for prohibited drug use and alcohol misuse. In August 2001, these regulations were updated and consolidated into one regulation. The new regulation is 49 CFR Part 655, as amended, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations”. In addition, the U.S. Department of Transportation (DOT) issued 49 CFR Part 40, as amended, Procedures for Transportation Workplace Drug and Alcohol Testing Programs which describes the testing procedures to be followed. A complete copy of regulation Part 49 CFR Part 40, as amended will be made available to employee upon request.

2.0 PURPOSE:

In order to meet its public safety responsibilities and to comply with the requirements of the above laws and regulations, including the requirements of the FTA and State regulations regarding the prevention of prohibited drug use and misuse of alcohol in transit operations, LRGVDC’s Transit Services Department – Valley Metro has adopted the following Drug/Alcohol-Free Workplace Policy and a copy of this policy will be distributed to each covered employee.
3.0 DRUG AND ALCOHOL DESIGNATED EMPLOYER REPRESENTATIVE (DER)
Any questions regarding this policy or any aspect of LRGVDC’s Transit Services Department – Valley Metro Substance Abuse Program should be addressed to the following transit system representatives:

| Drug & Alcohol Program Manager (DAPM): Sarah Dierlam  
Manager I  
510 S. PLEASANTVIEW DR.  
WESLACO, TEXAS 78596  
1-800-574-8322  
Fax (956) 969-8176 |
|---|
| Designated Employer Representative (DER): Dora Cruz  
Program Specialist I  
510 S. PLEASANTVIEW DR.  
WESLACO, TEXAS 78596  
1-800-574-8322  
Fax (956) 969-8176 |

4.0 SAFETY- SENSITIVE FUNCTIONS
The Federal Transit Administration (FTA) has determined that safety-sensitive functions are performed by those who:
   1. Operate revenue service vehicles, whether or not the vehicle is in revenue service.
   2. Operate non-revenue service vehicles that require drivers to hold a Commercial Driver License (CDL).
   3. Control dispatch or movement of a revenue service vehicle.
   4. Maintain revenue service vehicles or equipment used in revenue service. (The rule applies to all maintenance contractors who stand in the shoes of an urbanized system serving a population of 200,000 or more and who perform engine repair, revenue service repair, equipment repair, and component rebuild/overhaul).
   5. Carry a firearm for security purposes.

5.0 SAFETY SENSITIVE POSITIONS
Safety sensitive position-a duty position or job category which requires the performances of a safety-sensitive function(s) such as those job titles listed below:
   1. Director II
   2. Assistant Director – Maintenance & Operations
   3. Assistant Director – Grants/Compliance/ Planning/ Mobility
   4. Risk Specialist I
   5. Supervisor II – Maintenance
   7. Motor Vehicle Tech. III
   8. Motor Vehicle Tech. II
   10. Supervisor II – Operations
6.0 PARTICIPATION AS A REQUIREMENT OF EMPLOYMENT

Every employee of the LRGVDC’s Transit Services Department – Valley Metro working in a job classified as a safety-sensitive position must participate in the employer’s prohibited drug and alcohol testing program. All covered employees are required to submit to drug and alcohol tests conducted in compliance with 49 CFR Parts 40 & 655, as amended. Participation in this program is a condition of employment with LRGVDC’s Transit Services Department Valley Metro.

7.0 PERIOD OF COVERAGE AND PROHIBITED BEHAVIOR

An employee must not consume alcohol while performing a safety-sensitive function (655.32). Consumption of Alcohol is prohibited:

1. Four hours prior to performing a safety-sensitive function (655.33).
2. Eight hours following an accident unless the employee has already undergone a post-accident test (655.34).
3. Employees are also prohibited from consuming alcohol during the hours the employee is On-call (655.33(b).

A blood alcohol concentration of 0.04 or greater while on duty, while performing a safety-sensitive function, is considered a positive test result (655.31). Employees with an alcohol concentration of 0.02 or greater, but less than 0.04 will not be allowed to perform or continue to perform safety-sensitive functions until a subsequent test measures less than 0.02, or the employee has been removed from duty for at least 8 hours. Use and ingestion of illegal drugs is prohibited at all times and can be tested for drugs anytime while on duty.

8.0 ON-CALL EMPLOYEES

(1) On call employees who are called for duty will be given the opportunity to acknowledge any use of alcohol or the inability to perform his/her safety sensitive function when called to report to duty.

If the covered employee has acknowledged the use of alcohol, but claims ability to perform his or her safety-sensitive function, LRGVDC’ Transit Services Department - Valley Metro must administer a reasonable suspicion test.

9.0 VIOLATION OF A CRIMINAL DRUG STATUTE
If an employee pleads guilty or no contest to a violation of a criminal drug statute, the employee must notify his/her supervisor no later than five (5) days after the conviction. LRGVDC’s Transit Services Department – Valley Metro is then required to notify the federal government and the Texas Department of Transportation (TXDOT) within ten (10) days of said notification by the employee or other actual notice of this conviction. An employee convicted of a violation of a criminal drug statute will be terminated.

In addition, the distribution, dispensation, possession, concealment, use, sale, or unlawful manufacture of alcohol or drugs while on duty or on LRGVDC’s Transit Services Department – Valley Metro premises or conviction of a criminal drug statute for a violation occurring in the workplace is strictly prohibited and will be grounds for termination. All LRGVDC’s Transit Services Department – Valley Metro employees must comply with this policy and report within 5 days any conviction for a violation of a drug of a statute that occurred in the workplace.

10.0 PREVIOUS DOT EMPLOYER RECORD CHECK

Section 40.25, as amended, of the Revised DOT Drug and Alcohol Testing rule states that all DOT covered employers must make a good faith effort to obtain testing records for the previous (2) two years, for all applicants seeking safety-sensitive positions. Every applicant will be required to complete a written consent that allows their previous employer(s) to release drug and alcohol testing information to the LRGVDC’s Transit Services Department – Valley Metro. Should applicant refuse to provide this consent he/she will not be permitted to perform safety-sensitive functions.

LRGVDC’s Transit Services Department – Valley Metro will submit the applicant/transferees written consent along with a request for information to each of the DOT-regulated employers who have employed the applicant/transferee for any period during the 2 years before the date of individual’s application or transfer: The following information will be obtained:

1. Alcohol test results of 0.04 alcohol concentration or greater;
2. Verified positive drug tests;
3. Refusals to test;
4. Other Violations of FTA/DOT rules; and
5. as appropriate, documentation of the successful completion of DOT return-to-duty requirements including follow up tests.

If the previous employer does not have this information, this documentation will be obtained from the employee. LRGVDC’s Transit Services Department – Valley Metro expects that any report turned in is not a false report from any previous DOT employer.

If possible LRGVDC’s Transit Services Department – Valley Metro will obtain and review this information before the applicant employee performs safety sensitive functions. If LRGVDC’s Transit Services Department – Valley Metro does not receive information within (30) days, LRGVDC’s Transit Services Department – Valley Metro will document a good faith effort. If LRGVDC’s Transit Services Department – Valley Metro has not made a good faith effort LRGVDC’s Transit Service Department – Valley Metro will not allow the
employee to perform safety sensitive functions after 30 days from the date on which the employee first performed safety sensitive job duties.

LRGVDC’s Transit Services Department - Valley Metro must also ask all applicants/transferees whether he/she has tested positive, or refused to test within the past two years on any DOT pre-employment drug or alcohol test administered by a DOT covered employer for which they did not get the job.

If information obtained from a previous employer indicates a non-negative test result in violation of a DOT/FTA regulation LRGVDC’s Transit Services Department – Valley Metro will not allow the employee to perform safety-sensitive duties unless documentation is obtained stating that the employee has complied with the return-to-duty requirements including the Substance Abuse Professional (SAP) assessment, successful treatment, negative return-to-duty test and follow-up tests.

Any employee who previously violated a DOT drug and alcohol regulation or who had a positive test result and who cannot confirm completion of any treatment program will be terminated under LRGVDC and LRGVDC’s Transit Services Department – Valley Metro authority.

LRGVDC’s Transit Services Department – Valley Metro will keep the following confidential documentation received and/or good faith efforts for a minimum of 3 years:

1. Alcohol test results of 0.04 alcohol concentration or greater;
2. Verified positive drug tests;
3. Refusals to test;
4. Other violations of FTA/DOT rules; and as appropriate, documentation of the successful completion of DOT return-to-duty requirements including follow up tests.

If the previous employer does not have this information, documentation must be obtained from the employee.

11.0 CIRCUMSTANCES FOR TESTING

Under LRGVDC’s Transit Services Department – Valley Metro authority if an employee comes forward with a Drug and Alcohol problem, the employee will not be allowed to continue to perform safety-sensitive functions and will be terminated. A covered employee will be tested for prohibited misuse under this part and all different types of tests will follow same policies:

11.1 PRE-EMPLOYMENT TESTING (655.41 & 655.42)

Prior to conducting a pre-employment test, LRGVDC’s Transit Services Department – Valley Metro will inform the applicant or employee in writing of the testing requirement. (655.17) as amended

LRGVDC’s Transit Services Department – Valley Metro will require that all applicants for employment in safety-sensitive positions or individuals being transferred into safety-sensitive positions from non-safety sensitive positions be given a pre-employment drug and alcohol test. Applicants will not be assigned safety-sensitive functions unless the individual has a verified negative test result.
When an existing covered employee has not performed a safety-sensitive function for 90 consecutive calendar days and the employee has not been in the employer’s random testing pool during that time for sickness, vacation, jury duty, leaves of absence, workers compensation, Family Medical Leave or any other purpose that extends 90 days or more, the employee will be required to take a pre-employment drug test and obtain a negative test result prior to the reassignment of safety-sensitive duties.

Any applicant who undergoes a pre-employment test, but is not actually assigned safety-sensitive duties within 90 days from the date of the test, will have to be retested with negative test results prior to the applicant’s first performance of safety-sensitive duties.

LRGVDC’s Transit Services Department – Valley Metro has chosen to conduct under FTA authority pre-employment drug and alcohol testing only after making a contingent offer of employment (or transfer).

LRGVDC’s Transit Services Department – Valley Metro will follow the procedures set forth in Part 655.42 and Part 40 (Subparts J through N) as amended. The applicants must have a negative alcohol test (<0.02 BAC) before he or she is assigned any safety-sensitive duties.

When an employee or applicant has previously failed or refused a pre-employment drug and alcohol test administered under this part, the employee must provide the employer proof of having successfully completed a referral, evaluation and treatment program. If a pre-employment test is cancelled, LRGVDC’s Transit Services Department – Valley Metro shall require all applicants/transferee to submit to and pass another test.

11.2 REASONABLE SUSPICION TESTING (655.43)

The FTA regulations (Sec. 655.43) as amended, require that a safety-sensitive employee submit to a test when LRGVDC’ Transit Services Department -Valley Metro has reasonable suspicion that the employee has used a prohibited drug or has misused alcohol. The request to undergo a reasonable suspicion test will be based on a specific, contemporaneous, articulately observation concerning the appearance, behavior, speech, or body odor of the safety-sensitive employee and determinations will only be made by trained supervisors or staff trained in detecting the signs and symptoms of drug use and alcohol misuse.

LRGVDC’s Transit Services Department – Valley Metro supervisor(s) may direct a covered employee to undergo reasonable suspicion testing for alcohol only while the employee is performing safety sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions.

Likewise an LRGVDC’s Transit Services Department – Valley Metro supervisor may direct a covered employee to undergo reasonable suspicion testing for drugs anytime the employee is on duty. Under most circumstances, the alcohol test will be administered immediately following the determination or within two (2) to eight (8) hours following the determination.
11.3 POST ACCIDENT TESTING (655.44)

Lift accidents that result in the following consequences may require testing.

**Fatal Accident Testing**
LRGVDC’s Transit Services Department - Valley Metro will perform a drug and alcohol test as soon as possible following an accident involving the loss of human life. LRGVDC’s Transit Services Department - Valley Metro will test each surviving covered employee that operated the mass transit vehicle at the time of the accident. LRGVDC’s Transit Services Department - Valley Metro will also test any other covered employee whose performance could have contributed to the accident, as determined by the employer, using the best information available at the time of the accident.

**Non-Fatal Accident Testing**
LRGVDC’s Transit Services Department - Valley Metro will perform a Drug & Alcohol test as soon as possible following the accident not involving the loss of human life, in which the mass transit vehicle involved is a passenger bus or van where one or more vehicles incurs disabling damage (including non-FTA funded vehicles) as the result of the accident and is removed from operation by a tow truck or other vehicle. LRGVDC’s Transit Services Department - Valley Metro shall test each covered employee operating the mass transit vehicle at the time of the accident when an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident.

LRGVDC’s Transit Services Department - Valley Metro employees shall remain readily available for testing at the scene of the accident. A covered employee who is subject to post-accident testing who fails to remain readily available for such testing, including not notifying the employer or the employer representative of his or her location or if he or she leaves the scene of the accident prior to submission to such test, will be deemed by the employer to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

If determined LRGVDC’s Transit Services Department - Valley Metro shall test for alcohol as soon as possible or within two (2) to eight (8) hours and within thirty-two (32) hours for drugs following an accident.

LRGVDC’s Transit Services Department - Valley Metro, will not test employees whose performance can be completely discounted as a contributing factor.

LRGVDC’s Transit Services Department - Valley Metro, prohibits employee(s) from consuming alcohol for 8 hours following an accident or until a post-accident test has taken place, whichever comes first.
LRGVD'C's Transit Services Department – Valley Metro holds the right under its own authority to test any operator involved in an accident, if the operator is operating any LRGVD'C's Transit Services Department – Valley Metro vehicle at the time of the accident. Test administered will be a Non-DOT test.

11.5 RANDOM TESTING (655.45)

The FTA regulations (655.45), as amended, require random testing of drugs and alcohol for all employees performing safety-sensitive functions.

LRGVD'C's Transit Services Department - Valley Metro will use a valid scientifically computer based method to select safety-sensitive employees for random testing. The random number computer generator is matched with the employees’ identification number (i.e., social security number or other identification number).

As of January 1, 2019, the Federal Transit Administration through the Department of Transportation approved revisions to the 49CFR 655.45(b) Regulations ruling for employers to increase the minimum random drug rate from 25 percent to 50 percent of all FTA Safety Sensitive covered employees (drivers, mechanics, administration staff). From the Acting Administrator for FTA's Office of Transit Safety and Oversight: "This increased random drug testing rate results from a recent uptick in the proportion of violations identified through random drug testing." The 50 percent rate applies to any entities receiving Federal assistance through 5307, 5309, 5311, and 5339 formula funding. Valley Metro receives 5307 and 5339 funding through FTA, and 5307, 5339, and 5311 formula funding from TxDOT. Random Alcohol testing is unaffected and will remain at 10 percent.

At least 25 percent of the total number of safety-sensitive employees subject to drug testing and 10 percent subject to alcohol testing must be tested each year. These rates are the minimum annual percentage rates published in the Federal Register. A covered employee shall only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty. Tests will be unannounced as well as unpredictable and testing will be spread reasonably throughout all periods of the calendar year. Random drug testing may also be conducted at all times of the day when safety sensitive functions are being performed to include nights, weekends, and holidays. Once the employee has been notified that he/she has been selected for testing, he/she should then report immediately to the collection site.

All safety-sensitive employees will have an equal chance of being selected for testing and shall remain in the pool, even after being tested. It is possible for some employees to be tested several times in one year, and other employees not to be tested for several years. Every effort shall be made to provide the maximum privacy possible. Employees shall be individually and discretely notified to report to the collection site, and employees selected will be assured that testing is a routine random test. Any employee required submitting to a drug and/or alcohol test must cooperate fully with the collection process and complete all
required forms and documents. Random testing must be conducted at all times of day when safety-sensitive functions are performed.

LRGVDC’s Transit Services Department – Valley Metro requires each covered employee who is notified of selection for random drug or random testing proceed to the test site immediately. If the employee is performing a safety-sensitive function at the time of the notification, the employee ceases to perform the safety-sensitive function and proceeds to the testing site immediately. A covered employee shall only be randomly tested for alcohol misuse before the employee is performing safety-sensitive functions, during, or after the employee is performing safety sensitive duties. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

If an employee is off-duty or unavailable at the time LRGVDC’s Transit Services Department – Valley Metro desires to conduct a test, the test may be postponed until the employee is on duty only if the test can be performed during the same testing period. For random testing purposes, LRGVDC’s Transit Services Department - Valley Metro may remove any employee whose absence from work extends 90 days or more from the random testing pool for any testing period for which he or she will not perform any safety-sensitive duties.

LRGVDC’s Transit Services Department – Valley Metro does not allow any discretion by management personnel as to who is selected or notified for random testing.

LRGVDC’s Transit Services Department – Valley Metro will give no advance warning, testing will be unannounced and immediate. LRGVDC’s Transit Services Department – Valley Metro will exercise care in scheduling substitute employees for those employees who are unavailable at the time LRGVDC’s Transit Services Department – Valley Metro desires to conduct a test.

12.0 PROHIBITED SUBSTANCES, 49 CFR Part 40, as amended

Under the FTA drug testing regulation for safety-sensitive employees, LRGVDC’s Transit Services Department - Valley Metro is required to conduct laboratory testing of urine specimens for the following five (5) types of drugs. (655.21):

1. Marijuana
2. Cocaine
3. Opiates
4. Phencyclidine (PCP)
5. Amphetamines

Alcohol is also a prohibited substance.

13.0 TEST STANDARDS, 49 CFR Part 40, as amended (amended 7-27-2016)

All specimens indicated positive on the initial test shall be confirmed using GC/MS techniques. The drug testing panel has been modified to harmonize with the revised Mandatory Guidelines by U.S. department of Health and Human Services (DHHS) §§40.85; 40.87 (a); 40.137; 40.139
For:
Marijuana
Cocaine
Opiates-Opioid
  • Hydrocodone
    Common brand names: Norco, Vicodin, Lortab, Hysingla ER
  • Hydromorphone
    Common brand names: Dilaudid, Exalgo
  • Oxycodone
    Common brand names: Oxycotin, Roxicodone, Percocet
  • Oxymorphone
    Common brand names: Opana
Phencyclidine
Amphetamines

LRGVDC’s, Transit Services Department – Valley Metro reserves the right under its own authority to test for other drugs.

14.0 BEHAVIOR THAT CONSTITUTES A REFUSAL TO SUBMIT TO A TEST

As an employee, if you refuse to take a drug test, you incur the consequences specified under DOT agency regulations for a violation of those DOT agency regulations.

■ Failure to appear for any test (except a pre-employment) at the collection site in the time allotted.
■ Failure to remain at the test site until the testing process is completed for drug & alcohol, except in pre-employment situations where leaving before the testing process begins is not deemed to be a test refusal.
■ Failure to provide a urine, breath, or saliva specimen (verbal or physical) as required by DOT Part 40.
■ Failure to permit the observation or monitoring of specimen collection when it is required.
■ Failure to provide a sufficient amount of urine or breath specimen collection when it is required with no medical explanation.
■ Failure or refusal to take a second test when required.
■ Failure to undergo a medical evaluation when required by an MRO (see definition of MRO on page 12 or employer).
■ Failure to cooperate with the testing process.

(Examples: refusal to empty pockets or wash hands after being directed to so by the collector, or behaving in a confrontational manner that disrupts the collection process)

■ For an observed collection, failure to follow the observer’s instructions to raise clothing above the waist, lower clothing and under pants, and to turn around to permit the observer to determine if individual is wearing any type of prosthetic device that could be used to interfere with the collection process.
■ Possession or wearing of a prosthetic or other device that could be used to interfere with process.
■ Admitting adulteration or substitution of the specimen to the collector or the MRO.
If the MRO reports a verified adulterated or substituted test result.

- In alcohol testing, refusal to sign Step 2 of the Alcohol Testing Form (ATF).
- Leaving the scene of the accident without just cause prior to submitting to post-accident tests.

MRO or a Medical Review Officer is defined in the regulation, 49 CFR Part 40 Section 40.121-169, as a licensed physician responsible for receiving and reviewing laboratory results generated by an employer’s drug testing program and evaluating medical explanations for certain drug test results.

As an employee, when you refuse to take a Non-DOT test or to sign a Non-DOT form, you have not refused to take a DOT test. There are no consequences under DOT agency regulations for refusing to take a Non-DOT test. However, under LRGVDC’s Transit Services Department – Valley Metro authority if you refuse to take a Non-DOT test or sign a Non-DOT form you will be terminated.

15.0 FTA DRUG AND ALCOHOL REQUIRED TESTING PROCEDURES §§40.210; 40.83; 40.199; 40.193

Drug and alcohol testing of safety-sensitive employees and safety-sensitive job candidates will be conducted in a manner designed to protect employees and the integrity of the testing process, safeguard the validity of test results, and ensure that those results are attributable to the correct employee.

Urine samples for drug testing will be collected in private at the collection site designated by the LRGVDC’s Transit Services Department - Valley Metro using the split sample collection method. If the collection site personnel and the LRGVDC’s Transit Services Department - Valley Metro representative have a reason to believe that an adulterated or substituted sample has been provided, or that the employee altered or substituted the sample, the employee will be required to submit a second sample under direct observation of collection site personnel of the same gender as the employee. The determination to submit a second sample or to provide the original sample under observed collection shall be made in accordance with Section 49 CFR Part 40.

Direct Observation Procedure: Prior to specimen collection, observer must request employee to raise his/her shirt, blouse, or dress/skirt as appropriate above the waist, lower clothing and underpants and to turn around to show that he/she is not wearing any type of device that could be used to interfere with the collection process.

An approved chain of custody procedure will be followed in the administration of all drug tests. Urine samples will be sealed and installed by the employee and a witness. The drug testing custody and control form will be completed in the manner specified in 49 CFR Part 40.

Urine samples will be promptly sent to and tested by a laboratory that is certified to perform drug tests by the Department of Health and Human Services (DHHS), in accordance with the procedures set forth in 49 CFR Part 40. In most cases, the turnaround time will be no longer than forty-eight (48) hours for negative results and seventy-two (72) hours for positive results.
results 49 CFR Part 40 permits up to five (5) days turnaround.

Urine samples including primary specimens, Immunoassay-initial screen, & GC/MS-confirmatory testing will be stored for (1) one year if positive. Split specimen-urine

Samples will be discarded if the primary specimen is negative; if test is positive split specimen will be long term frozen storage for at least sixty (60) days.

Breathalyzer tests will be conducted in a manner that provides the employee with privacy to the greatest extent possible. All of the procedures regarding such tests set forth in the 49 CFR Part 40; including procedures relating to completion of the breath alcohol testing form will be followed.

Alcohol tests will be conducted using a National Highway Traffic Safety Administration (NHTSA) approved evidentiary Breath testing device (EBT) or Alcohol Screening Device (ASD) operated by a trained breath alcohol technician (BAT). A list of the approve devices will now be listed on the ODAPC website. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. Initial drug screening will be conducted using an accepted Immunoassay method. All positive tests will be conformed using the Gas Chromatography/Mass Spectrometry (GC/MS) drug testing method.

Specimen Validity Testing will be conducted on all urine specimens provided for testing under DOT authority, as amended under “49 CFR Part 40”. Specimen Validity Testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of Validity Testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted. Only Urine specimens are authorized for Drug Testing and prohibit the use of DNA Testing on urine specimens collected during testing. §40.331

**OBSERVED COLLECTIONS:**

- All return-to-duty tests;
- All follow-up tests;
- Anytime the employee is directed to provide another specimen because the temperature on the original specimen was out of the accepted temperature range of 90 F -100 F;
- Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with;
- Anytime a collector observes materials brought to the collection site or the employee’s conduct clearly indicates an attempt to tamper with a specimen;
- Anytime the employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the MRO determined that there was not an adequate medical explanation for the result;
- Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated or substituted, but had to be cancelled because the test of the split specimen could not be performed.

15.1 LRGVDC’s Transit Services Department – Valley Metro DRUG & ALCOHOL TESTING PROCEDURES

Revised: October 18, 2017
Under LRGVDC’s Transit Services Department - Valley Metro own authority, any safety-sensitive employee, regardless of employment status, may undergo a directly observed urine drug test, if requested, for any reason. Reasons may include: Random Testing, Reasonable Suspicion Testing, and Post Accident Testing. If an employee refuses the drug test and does not allow the direct observation, as defined on Page 13, Under Section 15.0, of a urine drug test, it is cause for termination. Non-DOT forms will be used to test employees under LRGVDC’s Transit Services Department - Valley Metro own authority.

16.0 CONFIDENTIALITY

Confidentiality will be maintained throughout the drug/alcohol screening process. Individual test results may not be released to any other party, or parties, without a specific written authorization by the tested person to release the results to others, except as follows:

1. The employee authorizes the transmittal of the information.
2. The employee has signed a release form for a back to work agreement with LRGVDC’s Transit Services Department – Valley Metro in which the results of the screen must be known for further action concerning the employee.
3. The employee has been sent for drug and/or alcohol testing and the Medical Review Officer (or designee) must inform the Manager of Administrative Services or designee of the test results.
4. When a claim is made against LRGVDC’s Transit Services Department - Valley Metro which involves the drug and alcohol screen and/or its result.
5. When necessary to comply with State or Federal requirements. Every effort will be made to carry out all actions relative to this policy in a manner which respects the dignity and confidentiality of those involved.

LRGVDC’s Transit Services Department - Valley Metro employee’s (or applicants) are required to submit to a drug or alcohol test and must promptly execute a consent to the collection of samples; analysis of the sample to determine the presence of designated controlled substances and/or their metabolites, or alcohol; and the release of test results to LRGVDC’s Transit Services Department - Valley Metro Designated Employer Transit System Representatives.

With a written request every LRGVDC’s Transit Services Department - Valley Metro employee will have the right to access his/her own drug and alcohol records and legible copies of the results of all drug and alcohol tests will promptly be made available to the employee. (Section 35.0; Page 24)

17.0 VIOLATIONS AND CONSEQUENCES OF THE MISUSE OF DRUGS AND ALCOHOL:

Violations occur when an employee:
- Has a verified positive drug test result;
- Has a confirmed alcohol concentration of 0.04 or greater; or
- Refuses to submit to a test.
- Uses drug and or alcohol while performing a safety-sensitive function(s); just before or just after performing a safety-sensitive function(s). Under the LRGVDC Transit Services Department – Valley Metro authority any employee who uses alcohol before, while, or
just after performing a safety-sensitive function will be terminated.

- Uses alcohol during specified on-call hours when they are on-call. Under the LRGVDC’s Transit Services Department – Valley Metro authority any employee on call having an alcohol level of 0.04 or greater will be terminated.
- Does not submit to all authorized tests.

Since LRGVDC’s Transit Services Department - Valley Metro practices zero-tolerance any LRGVDC’s Transit Services Department - Valley Metro employee having any of the above violations will immediately be removed from Safety Sensitive duties and under LRGVDC’s Transit Services Department - Valley Metro authority employee will be terminated. And will then be referred to a Substance Abuse Professional (SAP). A list of qualified agencies for drug and alcohol counselor’s licenses/certificates will now be listed on the ODAPC’s website.

The following definition:

- A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at https://www.transportation.gov/odapc/sap) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

LRGVDC’s Transit Services Department - Valley Metro will not permit a covered employee tested under the provisions of this part who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 to perform safety-sensitive functions, until:

1. The employee’s alcohol concentration measures less than 0.02; or
2. The start of the employee’s next regularly scheduled duty period, but not less than eight hours following administration of the test.

The foregoing regarding the use of alcohol will apply to periods when employees are on breaks, between shifts, or at lunch, if they are scheduled or may be assigned to work thereafter on the same day. These rules will also apply to non-safety sensitive employees.

18.0 SPLIT SPECIMENS

(a) As an employee, when the MRO has notified you that you have a verified positive drug test and/or refusal to test because of adulteration or substitution, you have 72 hours from the time of notification to request a test of the split specimen. The request may be verbal or in writing. If you make this request to the MRO within 72 hours, you trigger the requirements of this section for a test of the split specimen. There is no split specimen testing for an invalid result.

(b)(1) If, as an employee, you have not requested a test of the split specimen within 72 hours, you may present to the MRO information documenting that serious injury, illness, lack of actual notice of the verified test result, inability to contact the MRO (e.g., there was no one in the MRO’s office and the answering machine was not working), or other circumstances unavoidably prevented you from making a timely request.

19.0 DISCIPLINARY ACTION: GROUNDS FOR IMMEDIATE DISCHARGE.

Since LRGVDC’s Transit Services Department - Valley Metro practices zero-tolerance the following rules will apply to non-safety sensitive employees and Safety-Sensitive employees.
And under LRGVDC’s Transit Services Department – Valley Metro authority any employee who violates these rules will be terminated.

1. Failure to report an arrest for drug and alcohol statute within five (5) days of the arrest. An employee who is terminated for failure to comply with this section will be reinstated only if he/she supplies evidence that it was not reasonably possible to comply.

2. Refusal to submit to an authorized drug or alcohol test.

3. Consuming alcoholic beverages or any substances containing alcohol, during working hours, during breaks, between shifts, at lunch, if the employee is scheduled for work or may be assigned to work.

4. Distribution, dispensation, possession, concealment, use, sale or unlawful manufacture of any prohibited substance, while on duty or on LRGVDC’s Transit Services Department - Valley Metro premises.

5. Conviction of any criminal drug statute and failure to notify LRGVDC’s Transit Services Department – Valley Metro of such conviction within five (5) days.

The policy of LRGVDC’s Transit Services Department – Valley Metro is to terminate Safety Sensitive employees after the 1st violation. However, in the event that an employee is returned to Safety Sensitive duties, they will be subject to all Return-To-Duty and Follow-up testing as specified in 49 CFR Part 40 and Part 655.

20.0 RETURN-TO-DUTY TESTING 655.46 & 40.285.
Since LRGVDC’s Transit Services Department - Valley Metro practices zero-tolerance the following rules will be applied, to non-safety sensitive employees and Safety Sensitive employees. and under LRGVDC and LRGVDC’s Transit Services Department - Valley Metro authority any employee who violates these rules will be terminated. NOTE: Return to duty testing is collected under direct observation. Please see Direct Observation Procedure, Page 13 under Section 15.0.

1. Employee must first be evaluated by a Substance Abuse Professional.
2. Employee must pass a return to duty drug and alcohol tests. Employee will pay fees for all return to duty drug or alcohol tests.
3. Employee must have a verified negative drug test result and a negative alcohol test result to return back to a safety sensitive function.
4. If a drug test is cancelled LRGVDC’s Transit Services Department - Valley Metro shall require the employee to submit to and pass another drug test. Employee will pay fees for another drug test if the drug test has been cancelled.
5. If an employee is unable to provide a sufficient amount of urine to permit a return-to-duty drug test (i.e., 45 mL), the “insufficient volume” procedures must be followed:
   a. When an employee is unable to provide 45mL’s of urine, the collector will discard the specimen and instruct the employee that he/she has up to 3 hours to provide another specimen with sufficient volume.
   b. The 3 hour time period begins when the insufficient quantity or empty cup is
presented to the collector.

c. The employee may only consume up to 40 ounces of fluid distributed reasonably throughout the period.

d. Refusal to drink will not be considered a test refusal, unless the 3 hour time period has expired and the employee refuses the attempt to provide a new urine specimen; this is considered a test refusal.

e. If re- attempts are made that result in insufficient urine volume the specimen must and will be discarded. There will be no combination of urine collected to create one specimen of sufficient volume.

f. Specimen will only be maintained if a temperature reading was out of temperature range or showed evidence of tampering or adulteration.

g. After the 3 hours have passed and the employee is still unable to provide an adequate specimen LRGVDC’s Transit Services Department - Valley Metro will:

- Discard the insufficient specimen.
- Testing will be discontinued.
- DER will be notified.
- DER will consult with Medical Review Officer.
- LRGVDC’s Transit Services Department - Valley Metro will direct employee to obtain a medical evaluation from a licensed physician who is acceptable to LRGVDC’s Transit Services Department - Valley Metro.
- An evaluation will be made within 5 business days of the initial collection effort.
- The medical evaluation must determine a medical condition. This includes a physiological condition, urinary dysfunction, a pre-existing physiological condition not to include unsupported assertions of “situational anxiety” or dehydration. A condition which is serious and permanent, or long-term disability that is highly likely to prevent the employee from providing a sufficient urine specimen in the future.

Since LRGVDC and LGRVDC’s Transit Services Department – Valley Metro practices zero-tolerance the following rules will apply to non-safety sensitive employees and Safety-Sensitive employees. And under LRGVDC’s Transit Services Department – Valley Metro authority any employee who violates these rules will be terminated.

NOTE: Follow up testing is collected under direct observation. Please see Direct Observation Procedure, Page 13 under Section 15.0.

a. If an employee is allowed to return-to-duty, he/she shall be subject to unannounced follow-up-testing for at least 12 but not more than 60 months. Employee will pay fees for all follow up drug or alcohol tests.

b. Six tests will be performed during the first 12 months the employee has returned back to duty. Employee will pay fees for any follow up tests performed during the first 12 months the employee has returned back to duty.

c. Every case will be decided based on the unique circumstance of the individual.

d. Should the Substance Abuse Professional recommend follow-up testing beyond the 12
month period, it shall not exceed the 60 months from the time the employee returns to duty and any follow up testing beyond the 60 months will be paid by the employee.
e. The Substance Abuse Professional will recommend based upon the evaluation on how testing may be conducted. Testing may be weekly, biweekly, monthly and or may be reduced to monthly or quarterly testing.
f. The Substance Abuse Professional may also recommend that a follow-up alcohol test have a required result of less than 0.04.
g. The Substance Abuse Professional will document his/her recommendation in a written follow-up testing plan that LRGVDC’s Transit Department Services - Valley Metro is required to follow.
h. LRGVDC’s Transit Services Department - Valley Transit will not impose any additional testing requirements beyond the SAP’s follow-up testing plan.
i. Follow-up testing must be unannounced with no predictable pattern.
j. Follow-up testing is separate from and in addition to the random testing program.
k. Any employee of LRGVDC’s Transit Services Department - Valley Metro who is subject to follow-up testing must also remain in the standard random pool. Test fees will not apply to Random testing.
l. If a recommendation for aftercare from the SAP is received then LRGVDC’s Transit Services Department - Valley Metro will be encouraged to create a return-to-duty contract with the employee that will require the employee to comply with the aftercare recommendations. Such a contract would spell out performance goals and obligations, remaining free of prohibited substances and complying with aftercare recommendations.

22.0 DILUTE NEGATIVE  (40.197)
(a) If the MRO informs LRGVDC’s Transit Services Department - Valley Metro that a positive drug test was dilute, the LRGVDC’s Transit Services Department - Valley Metro will simply treat the test as a verified positive test. The LRGVDC’s Transit Services Department - Valley Metro will not direct the employee to take another test based on the fact that the specimen was dilute.

(b) If the MRO informs LRGVDC’s Transit Services Department - Valley Metro that a negative test was dilute, the LRGVDC’s Transit Services Department - Valley Metro will take the following action: The employee must be retested. In cases where the level of creatinine is at a low level (2-4) mg/dL the retest must be conducted under direct observation. This information will be stated on the results received from the MRO.

(i) LRGVDC must treat all employees the same for this purpose. For example, LRGVDC' Transit Services Department – Valley Metro must not retest some employees and not others. LRGVDC' Transit Services Department – Valley Metro may, however, establish different policies for different types of tests (e.g., conduct retests in pre-employment situations, but not in random test situations). LRGVDC will inform employees in advance of decisions on these matters.

(c) The following provisions apply to all tests LRGVDC’s Transit Services Department – Valley Metro directs an employee to take under paragraph (b) of this section:

(1) LRGVDC’s Transit Services Department – Valley Metro must ensure that the employee is given the minimum possible advance notice that he or she must go to the collection site;

(2) LRGVDC’s Transit Services Department – Valley Metro must treat the result of the
test LRGVDC’s Transit Services Department – Valley Metro directed the employee to take under paragraph (b) of this section—and not a prior test—as the test result of record, on which LRGVDC’s Transit Services Department – Valley Metro rely for purposes of this part;

(3) If the result of the test LRGVDC’s Transit Services Department – Valley Metro directed the employee to take under paragraph (b) of this section is also negative and dilute, LRGVDC’s Transit Services Department – Valley Metro is not permitted to make the employee take an additional test because the result was dilute. In this case the test is considered to be negative.

(4) If the result of the test LRGVDC’s Transit Services Department – Valley Metro directed the employee to take under paragraph (b)(2) of this section is also negative and dilute, LRGVDC is not permitted to make the employee take an additional test because the result was negative dilute. Provided, however, that if the MRO directs LRGVDC’s Transit Services Department – Valley Metro to conduct a recollection under direct observation under paragraph (b)(1) of this section, LRGVDC must immediately do so.

(5) If the employee declines to take a test LRGVDC’s Transit Services Department – Valley Metro directed him or her to take under paragraph (b) of this section, the employee has refused the test for purposes of this part and DOT agency regulations.

23.0 EDUCATION AND TRAINING PROGRAMS AND REQUIREMENTS (655.14)

1. Community Service Hotline Phone Numbers:
   National Technical Assistance
   a. Drug - Free Workplace Help Line- 1-800-843-4971
   b. National Clearinghouse For Alcohol And Drug Information- 1-800-729-6686
   c. National Institute On Drug Abuse Treatment Hotline(NIDA)- 1-800-662-HELP
   d. Department Of Transportation’s Anti-Drug Information Center- 1-800-CAL-DRUG
   e. Employee Assistance Professionals Association (EAPA)- 703-522-6272
   f. National Association Of State Alcohol And Drug Abuse Directors (NASADAD) 202-783-6868

2. Safety/Sensitive Employee Training:
   a. Minimum 60 minutes for drugs.
   b. No training requirement for alcohol.

3. a. Supervisory Training Requirements:
   a. 60 minutes in addition to employee training (if safety/sensitive)
   b. 60 minutes in Physical, behavioral, and performance indicators of probable drug use.
   c. 60 minutes in Physical, behavioral, and performance indicators of probable alcohol use.

4. LRGVDC’s Transit services Department - Valley Metro shall establish an employee education and training program for all covered employees, including:
   a. Education. The education component shall include display and distribution to every covered employee of: informational material and a community service hot line telephone number for employee assistance, if available.
   b. Training- Covered employees. LRGVDC’s Transit Services Department - Valley Metro covered employees will receive at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment and on the signs and symptoms that may indicate prohibited drug use.
   c. Supervisors. Supervisors and/or other company officers authorized by the
LRGVDC’s Training Services Department – Valley Metro to make reasonable suspicion determinations shall receive at least 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use and at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

24.0 REFERRAL, EVALUATION, AND TREATMENT (SECTION 655.62)
If a covered employee has a verified positive drug test result, or has a confirmed alcohol test of 0.04 or greater, or refuses to submit to a drug or alcohol test required by this part, the employer shall advise the employee of the resource available for evaluating and resolving problems associated with prohibited drug use and alcohol misuse, including the names, addresses, and telephone numbers of substance abuse professionals (SAPs) and counseling and treatment programs.

25.0 TEXAS ALCOHOL AND DRUG ABUSE LICENSED SITE FACILITIES FOR THE LRGVDC AREA
A current list of Substance Abuse Professionals is kept by the LRGVDC’s Transit Services Department - Valley Metro and is available to staff.

a. PALMER DRUG ABUSE PROGRAM
   115 NORTH NINTH STREET
   MCALLEN, TEXAS 78501
   PHONE #: (956) 687-7714

b. PALMER DRUG ABUSE PROGRAM
   1275 COTTONWOOD DRIVE
   BROWNSVILLE, TEXAS 78520
   PHONE #: (956) 544-3333

c. COMMUNITY COUNCIL
   3516 E. Expressway 83 Ste 5
   WESLACO, TEXAS 78596
   PHONE #: (956) 447-4636

d. RIO GRANDE VALLEY COUNCIL ON ALCOHOL AND DRUG ABUSE
   5510 N. Cage Blvd. Ste 8-C
   Pharr, Texas
   PHONE #: (956) 787-7111

26.0 EFFECTS OF ALCOHOL
Alcohol is the most commonly abused drug in the United States and its effect on an individual's health, work and personal life is immense. It is estimated that each alcoholic affects four to five other people, including family, friends and co-workers. The average American pays $1000 annually to cover the hidden costs of alcoholism such as decreased productivity, accidents, increased health costs, jail, and treatment costs. Approximately 65 percent of murders, 60 percent of child abuse cases, 40 percent assaults, and 55 percent of domestic violence cases are alcohol related. Additionally, alcohol is a major factor in the majority of the traffic fatalities that occur each year.

Alcoholics put themselves at constant risk of death and illness. Those who don't die in
traffic accidents are likely to succumb to one of a number alcohol related illness, such as liver disease, malnutrition, and a weakened immune system.

There is a wide spectrum of signs and symptoms of an alcohol problem which can include the following; urgency of first drinks, feelings of guilt about drinking, onset of memory blackouts, increased dependence on alcohol, decreases ability to stop drinking when others do so, neglect of food and physical deterioration.

If an employee suspects he or she has an alcohol problem, he or she should seek the help of a Substance Abuse Professional (SAP).

27.0 ADDITIONAL PROVISIONS REQUIRED BY STATE LAW


28.0 PRESCRIPTION DRUGS/OVER THE COUNTER DRUGS

The appropriate use of prescription drugs and over the counter medication is not prohibited. Prescriptions are illegally valid prescription consistent with the Control Substance Act (CSA) as oppose to other definitions noted under the patient protection and Affordable Care Act (ACA). §40.135; 40.137; 40.141. However, the following guidelines must be observed.

1. Any employee using a prescription drug should consult with his/her physician regarding the effects of that drug in relation to the operation of motorized vehicles, machinery, or safety-sensitive functions.
2. Employees should read all labels carefully.
3. On-duty employees may not use over the counter medications where the manufacturer advises against their use while operating motorized vehicles, machinery, safety-sensitive functions, or where their use during working hours has not been approved by the employee’s physician.
4. In the event of a question regarding the use of any prescription drug or over the counter medication, the employee must notify their supervisor, and must submit written approval for use of the medication from his/her physician, upon request.
5. Any employee reporting for a drug/alcohol test must provide the Medical Review Officer (MRO) with names of prescriptions and over the counter medication that they are currently taking.
6. An employee who reports for duty while using any over the counter or prescription medication where the manufacturer advises against their use while operating motorized vehicles or machinery, who informs LRGVDC’s Transit Services Department – Valley Metro of such, and does not provide the written approval from her/his physician, will not be allowed to perform the safety-sensitive duties for failure to provide said written approval shall have any time beyond the remainder of the day of the report charged against her/his attendance records, and any instance thereafter.

Concerning determination of medically unqualified or significant safety risk:
- When a tested employee is taking a prescribed medication, the MRO must verify the prescription and if it is a valid prescription, immediately notify the employer of a
verified negative result.

- In cases where an MRO verifies a prescription is consistent with the Controlled Substances Act, but that the MRO has still made a determination that the prescription may disqualify the employee under other USDOT medical qualification requirements, or that the prescription poses a significant safety-risk, the MRO must advise the employee that they will have five (5) business days from the date the MRO reports the verified negative result to the employer for the employee to have their prescribing physician contact the MRO.

- The prescribing physician will need to contact the MRO to assist the MRO in determining if the medication can be changed to one that does not make the employee medically unqualified or does not pose a significant safety risk.

- If in the MRO's reasonable medical judgment, a medical qualification issue or a significant safety risk still remains after the MRO communicates with the employee's prescribing physician, or after five (5) business days, whichever is shorter, the MRO must communicate this issue to the employer consistent with 49 CFR Part 40.327.

- Authorizes MROs to order additional testing to assist in the verification process without requiring the MRO to obtain USDOT consent prior to testing (i.e., additional testing needed to rule out false positive for methamphetamines due to over-the-counter medications; additional testing to rule out false positive for THC due to legitimate use of the medication Marinol).
29.0 CHEMICAL SCREENING CONSENT AND RELEASE FORM

I, ______________________________, hereby acknowledge I have been informed and given a copy of the LRGVDC’s Transit Services Department – Valley Metro Substance Abuse Policy and agree to be bound by this policy for the purposes of applying for, accepting, or continuing employment with the LRGVDC’s Transit Services Department – Valley Metro. I also hereby state that I am not a user of controlled substances except under medical supervision as listed below.

I understand and consent freely and voluntarily to the LRGVDC’s Transit Services Department – Valley Metro request for urine or other specimen for sample required to detect the presence of any addictive or illegal drugs. I hereby release and hold harmless the LRGVDC’s Transit Services Department – Valley Metro, the laboratory, their employees, agents, and contractors from any liability arising from (1) this request to furnish a specimen or sample. (2) The testing of the specimen or sample, and (3) any decisions made, based upon the results of the tests, which concern my application for employment or my continued employment. I consent to allow any designated LRGVDC’s Transit Services Department – Valley Metro employee, physician, laboratory, hospital, or medical professional to perform appropriate chemical tests for the presence of alcohol, drugs, or other controlled substances. I give my permission to any designated LRGVDC’s Transit Services Department – Valley Metro employee, physician laboratory, hospital, or medical professional to release the results of these tests to the LRGVDC’s Transit Services Department – Valley Metro or its designated representative and I release any designated institution or person from any liability whatsoever arising from the release of this information. I have taken within the past 30 days, or am presently taking, the following medications:

<table>
<thead>
<tr>
<th>Name of Drug</th>
<th>Condition for which Taken</th>
<th>Prescribing Physician</th>
</tr>
</thead>
<tbody>
<tr>
<td>--------------</td>
<td>----------------------------</td>
<td>-----------------------</td>
</tr>
</tbody>
</table>

I hereby consent to allow the LRGVDC’s Transit Services Department – Valley Metro or its designated representative to verify and/or confirm the above information with the prescribing physician listed above.

**LRGVDC’s Transit Services Department – Valley Metro Representative**

Revised: October 18, 2017 24
30.0 EMPLOYEE ACKNOWLEDGMENT FORM:

**LRGVDC’s Transit Services Department**
**VALLEY METRO**
**Drug & Alcohol Policy**
**Verification of Employee Notice**

I have received a copy of the LRGVDC’s **Transit Services Department Drug & Alcohol Free Workplace Policy** which outlines the rights, duties, and responsibilities of the LRGVDC’s Transit Services Department – Valley Metro and all safety-sensitive employees of the LRGVDC’s Transit Services Department – Valley Metro in accordance with 49 CFR Part 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs) and 49 CFR Part 655 (Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations). I understand that it is my responsibility to read and abide by the rules contained in this policy.

Employee Signature: ___________________________ Date: __________________

Employee Name (print): ________________________________________________

Social Security No.: ________________________________________________

LRGVDC’s Transit Services Department – Valley Metro Witness Signature:

________________________________________________________

Date: __________________________________________________________
31.0 REFERRAL NOTICE

You have indicated on your Chemical Screening Consent Release Form that you are not a user of any controlled substances. However, our screening test has revealed the presence of a controlled substance.

As a result, you will not be considered for employment at this time. However, you may elect to receive professional evaluation and/or to enter a rehabilitation program (at your own expense) at a facility approved by the Texas Commission on Alcohol and Drug Abuse. After successful completion, you may reapply for a position with the LRGVDC’s Transit Services Department – Valley Metro.

_________________________________________  ______________________________
LRGVDC’s Valley Metro Department Head Date

_________________________________________
I acknowledge receipt of this notice
(Applicant’s Signature) Date
# LRGVDC’s Transit Services Department – Valley Metro

## REASONABLE SUSPICION DOCUMENTATION FORM

<table>
<thead>
<tr>
<th>Employee Name:</th>
<th>Date of Observation</th>
<th>Location:</th>
<th>Time of Observation:</th>
</tr>
</thead>
</table>

### OBSERVED PERSONAL BEHAVIOR (CIRCLE ALL APPROPRIATE ITEMS)

<table>
<thead>
<tr>
<th>Breath: (Odor of Alcoholic beverage)</th>
<th>Eyes:</th>
<th>Speech:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strong</td>
<td>Bloodshot</td>
<td>Confused</td>
</tr>
<tr>
<td>Faint</td>
<td>Glassy</td>
<td>Accent</td>
</tr>
<tr>
<td>Moderate</td>
<td>Clear</td>
<td>Stuttered</td>
</tr>
<tr>
<td>None</td>
<td>Dilated Pupils</td>
<td>Thick Tongued</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Attitude:</th>
<th>Unusual Action:</th>
<th>Balance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excited</td>
<td>Hiccoughing</td>
<td>Falling</td>
</tr>
<tr>
<td>Hilarious</td>
<td>Fighting</td>
<td>Needs Support</td>
</tr>
<tr>
<td>Cocky</td>
<td>Belching</td>
<td>Wobbling</td>
</tr>
<tr>
<td>Talkative</td>
<td>vomiting</td>
<td>Swaying</td>
</tr>
<tr>
<td>Cooperative</td>
<td>other</td>
<td>Other</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Walking:</th>
<th>Turning:</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>Falling</td>
<td>Falling</td>
<td>□ Send for Testing</td>
</tr>
<tr>
<td>Stumbling</td>
<td>Stumbling</td>
<td>□ Send Employee back to</td>
</tr>
<tr>
<td>Other</td>
<td>Hesitant</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Any other unusual actions or statements:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Signs or complaints of illness or injury:</th>
</tr>
</thead>
</table>

### Supervisor’s Opinion

<table>
<thead>
<tr>
<th>Effects of Drug/Alcohol Intoxication</th>
<th>□ None</th>
<th>□ Slight</th>
<th>□ Obvious</th>
<th>□ Extreme</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action Taken</td>
<td>□</td>
<td>□</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Revised: October 18, 2017
33.0 LRGVDC’s Transit Services Department – Valley Metro
“RELEASE OF INFORMATION FORM”
(49 CFR Part 40 Drug and Alcohol Testing)

Section I. To be completed by the new employer, signed by the employee, and transmitted to the previous employer:

Employee Printed or Typed Name:______________________________________________________
Employee SS or ID Number:__________________________________________________________

I hereby authorize release of information from my Department of Transportation regulated drug and alcohol testing records by my previous employer, listed in Section I-B, to the employer listed in Section I-A. The release is in accordance with DOT Regulation 49 CFR Part 40, Section 40.25. I understand that information to be released in Section II-A by my previous employer, is limited to the following DOT-regulated testing items:
1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug test;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employers of a drug and alcohol rule violation.
6. Documentation, if any, of completion of the return-to-duty Process following a rule violation.

Failure to provide written consent, including former employer information and signature, will result in you being disqualified for a safety sensitive position with The LRGVDC’s Transit Services Department – Valley Metro, as per 49CFR Part 40.25(a).

Employee Signature:____________________________________    Date:_______________________

I-A New Employer Name:________________________________________________________________
Address:__________________________________________________________________________
Phone Number:__________________________________  Fax Number ________________________
Designated Employer Representative:____________________________________________________

I-B. Previous Employer Name: __________________________________________________________
Address: __________________________________________________________________________
Phone Number:__________________________________ Fax  Number  ________________________
Designated Employer Representative: ____________________________________________________

Section II. To be completed by the previous employer and transmitted by mail or fax to the new employer:
II-A. In the two years prior to the date of the employee's signature (in Section I), for DOT-regulated testing

1. Did the employee have alcohol tests with a result if 0.04 or higher? YES_____     NO_______
2. Did the employee have verified positive drug tests? YES_____     NO_______
3. Did the employee refuse to be tested? YES_____     NO_______
4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? YES_____     NO_______
5. Did a previous employer report a drug and alcohol rule violation to you? YES_____     NO_______

Revised: October 18, 2017
If you answered YES to any of the above items, did the employee complete the return-to-duty process? N/A ________ YES ________ NO ________

**NOTE:** If you answered yes to item 5, you must provide the previous employer’s report. If you answered yes to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s), follow-up testing record).

## II-B.
Name of person providing information in Section II-A:

<table>
<thead>
<tr>
<th>Title:</th>
<th>Phone Number:</th>
<th>Fax Number:</th>
<th>Date:</th>
</tr>
</thead>
</table>

### 34.0 LRGVDC’s Transit Services Department - Valley Metro
**POST ACCIDENT TESTING DECISION REPORT**

*Note: Accident does not necessarily mean collision. If an individual falls on a vehicle and needs to be taken to the hospital, an accident has occurred, and a post-accident test is required unless the driver can be discounted as a contributing factor. (Spring 1996, FTA D&A Updates, p.5)*

<table>
<thead>
<tr>
<th>System Name:</th>
<th>Date of Accident:</th>
<th>Time of Accident:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Driver of Vehicle:</th>
<th>Location of Accident:</th>
</tr>
</thead>
</table>

| Traffic Crash Report Attached: | Yes | No |

1. **Was there loss of life as a result of the accident?**
   - Yes (Requires testing - No Exceptions)
   - No

2. **Did an Individual suffer a bodily injury and immediately receive medical treatment away from the scene of the accident?**
   - Yes (Requires testing unless covered employee or driver on the vehicle can be completely discounted as a contributing factor to the accident)
   - No (Requires no testing under FTA authority.)

3. **Was there disabling damage to any of the vehicles involved?**
   - Disabling damage means damage, which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs; or damage to any vehicle that could have been operated but which would have further damaged the vehicle if so operated. Disabling damage does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts; tire disablement even if no spare tire is available; or damage to headlights, taillights, turn signals, horn, mirrors, or wind shield wipers that makes them inoperative.
   - Yes (Requires testing unless question 4 applies.)
   - No (Requires no testing under FTA Authority.)

4. **Can the driver or any other covered employee on the vehicle be completely discounted as a contributing factor to the accident?**
   - Yes
   - No
   - Even if you answer No, under FTA regulations you must also meet the criteria questions 1, 2, and/or 3 to require testing.
   - **Note:** If you discount the driver as a contributing factor, it should be well documented.
   - Documentation:

5. **If drug and alcohol testing is required, can the performance of any other safety sensitive employees (e.g., maintenance personnel, dispatcher, etc.), whose performance may have contributed to the accident (as determined by the transit agency at the time of the accident), be completely discounted as contributing to the accident?**
   - Yes
   - No
   - Even if you answer No, under FTA regulations you must also meet the criteria questions 1, 2, and/or 3 to require testing.

6. **Did you perform a drug and/or alcohol test?**
   - Yes
   - No
   - If No, complete #6 and sign and submit a report.

**Name of Supervisor making this determination:**

**Time Employee was informed of this determination:**

**Decision to Test:**
- FTA Authority
- LRGVDC Authority

**Was an alcohol test performed within 2 hours?**
- Yes
- No

**Date & Time:**

**Why, Not?**

**If no alcohol test was performed and more than (8) hours elapsed from the time of the**
accident, please explain:

10. **Was a drug test performed within 32 hours?**
   - Yes [ ] Date & Time: [ ]
   - No [ ] Why, Not?

11. **Did the driver leave the scene of the accident without just cause?**
   If yes, please explain
   - Yes [ ]
   - No [ ]

**Report Submitted by** (Signature & Title): [ ] Date:

**Attachments:**
1. Order for testing form
2. CCF (Custody Control Form) with test results

---

**35.0**

**DRUG AND ALCOHOL RECORD ACCESS FORM**

I __________________________, verify that I have been granted by LRGVDC’s Transit Services Department – Valley Metro to access, review and obtain copies of my own drug and alcohol records as required.

__________________________ ______________________
Signature    Date
Item #5: Department Reports

E. Transportation

Valley Metro Status Report............................................................... Tom Logan, Director

2. Consider Approval of an Extension to Fare-Free Initiative for Valley Metro Public Transportation System

The main goal of this initiative is to continue to improve performance measures such as:
   a. Passengers per mile
   b. Passengers per hour
   c. Overall ridership
   d. Bus passenger miles
   e. Service Miles

This data impacts formula funding received by Valley Metro Regional Transit from both the Federal Transportation Administration (FTA) and the Texas Department of Transportation (TxDOT).

Furthermore, this initiative has allowed for all patrons to have an affordable resource in connecting to the Rio Grande Valley. Fare Free Initiative was installed March 1st, 2017 and is slated to end December 31st, 2018.

If during the fiscal year there is a need to reinstate fares, Valley Metro will seek approval from the LRGVDC Board of Directors.
Item #5: Department Reports

E. Transportation

Valley Metro Status Report.................................................................................................. Tom Logan, Director

3. Consider Approval Authorizing Executive Director to Execute Agreements with Partners for Metro Express Project

Valley Metro recommends for the Executive Director to authorize MOU agreements with partner transit agencies (City of Brownsville, City of McAllen, City of South Padre Island, and UTRGV) for the Metro Express Project. On September 28, the Metro Express Project was awarded funding from the Texas Department of Transportation through the Intercity Bus Program to transition the Metro Connect service and create Metro Express. The LRGVDC – Valley Metro will administrate this project to ensure safe, seamless, efficient, and equitable regional transportation is provided in the Rio Grande Valley. Furthermore, the focus of the project will be to connect urban areas of the RGV to rural areas such as colonias. Partners in this project include the cities of Brownsville, McAllen, and South Padre Island, as well as the University of Texas Rio Grande Valley.
Item #5: Department Reports

E. Transportation

Valley Metro Status Report................................................................. Tom Logan, Director

4. Consider Approval to Award Transit Fleet Advertisement Contract

Valley Metro recommends awarding a contract to Clean Zone Marketing to manage the advertisement and wrapping of Valley Metro Transit Fleet for a three (3) year period with the option to extend. Contract will be awarded based on response to LRGVDC RFP. This contract follows the LRGVDC Procurement Process and meets the requirements of the Valley Metro Advertising Policy.

Clean Zone Marketing will develop a media kit with advertising rates and various products with the purpose of attracting more clients and generating revenue. They will also provide services to wrap fleet vehicles. Revenue collected through this contract will act as non-fare revenue for transit related activities and assist in supplementing costs.

ACTION ITEM
Item #5: Department Reports

E. Transportation

Valley Metro Status Report................................................................. Tom Logan, Director

- Ridership Report

Both the rural and urban transit systems are operating, and all systems are monitored daily. For the month of October 2018 ridership for the urban system, which operates Monday through Saturday in the urban areas of Hidalgo, Cameron, and Starr Counties has been averaging 19,454 passengers a week. Ridership for the rural system which operates in the rural areas of Cameron, Hidalgo, Willacy, Starr, and Zapata Counties has an average of 1,074 passengers per week for the month of October.
Ridership for this time period is a projection based on current and past data/trends. 

** FY' 14 **

- Total Fares Collected = 358,850
- Passenger Activity = 96,438
- Cost per passenger = $3.95
- Cost per revenue hour = $3.19
- Cost per revenue mile = $0.68

** FY' 15 **

- Total Fares Collected = 358,850
- Passenger Activity = 96,438
- Cost per passenger = $3.95
- Cost per revenue hour = $3.19
- Cost per revenue mile = $0.68

** FY' 16 **

- Total Fares Collected = 358,850
- Passenger Activity = 96,438
- Cost per passenger = $3.95
- Cost per revenue hour = $3.19
- Cost per revenue mile = $0.68

---

** SERVICE EFFICIENCY **

- FY' 18 0 0 0 0 0 0 0 0 0 0 0 0 0
- FY' 17 0 0 0 0 0 0 0 0 0 0 0 0 0
- FY' 16 0 0 0 0 0 0 0 0 0 0 0 0 0

** URBAN Ridership by Route **

- Route 20
- Route 21
- Route 22
- Route 23
- Route 24
- Route 25
- Route 26
- Route 27
- Route 28
- Route 29
- Route 30
- Route 31
- Route 32
- Route 33
- Route 34
- Route 35
- Route 36
- Route 37
- Route 38
- Route 39
- Route 40
- Route 41
- Route 42
- Route 43
- Route 44
- Route 45

** YEAR TO DATE RIDERSHIP REPORT **

FY 2018 (Sep. - Oct.)

- Ridership by Route
- Ridership Breakdown by Category

** RURAL Ridership by Route **

- Route 21
- Route 22
- Route 23
- Route 24
- Route 25
- Route 26
- Route 27
- Route 28
- Route 29
- Route 30
- Route 31
- Route 32
- Route 33
- Route 34
- Route 35
- Route 36
- Route 37
- Route 38
- Route 39
- Route 40
- Route 41
- Route 42
- Route 43
- Route 44
- Route 45

** URBAN Ridership by Route **

- Route 20
- Route 21
- Route 22
- Route 23
- Route 24
- Route 25
- Route 26
- Route 27
- Route 28
- Route 29
- Route 30
- Route 31
- Route 32
- Route 33
- Route 34
- Route 35
- Route 36
- Route 37
- Route 38
- Route 39
- Route 40
- Route 41
- Route 42
- Route 43
- Route 44
- Route 45

---

** COST EFFECTIVENESS **

- FY 2016 URBANZED PERFORMANCE MEASURES
- FY 2016 NONURBANZED PERFORMANCE MEASURES
- FY 2019 September - October

** COST EFFECTIVENESS **

- Cost per revenue mile = $3.01
- Cost per revenue hour = $57.91
- Cost per passenger = $8.41

---

** SERVICE EFFICIENCY **

- FY 2016 URBANZED PERFORMANCE MEASURES
- FY 2016 NONURBANZED PERFORMANCE MEASURES
- FY 2019 September - October

** SERVICE EFFICIENCY **

- Passengers per revenue mile = 0.29
- Passengers per revenue hour = 5.85
- Passengers per revenue hour = 5.44

---

** FY 2019 - 2020 Monthly Ridership Summary **

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>FY' 19</td>
<td>161,940</td>
<td>100%</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>161,940</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

** Source:** 2015 Texas Transit Statistics

---

** TOTAL OPERATING EXPENSES **

- FY' 19
- FY' 18
- FY' 17
### Distribution of Ridership

#### Hidalgo County

<table>
<thead>
<tr>
<th>City</th>
<th>Ridership</th>
</tr>
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<tbody>
<tr>
<td>Alamo</td>
<td>1,097</td>
</tr>
<tr>
<td>Alton</td>
<td>16</td>
</tr>
<tr>
<td>Donna</td>
<td>2,366</td>
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<tr>
<td>Edcouch</td>
<td>166</td>
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<tr>
<td>Edinburg</td>
<td>85,973</td>
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<tr>
<td>Elsa</td>
<td>426</td>
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<tr>
<td>Hargill</td>
<td>0</td>
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<tr>
<td>Hidalgo</td>
<td>31</td>
</tr>
<tr>
<td>La Blanca</td>
<td>71</td>
</tr>
<tr>
<td>La Joya</td>
<td>6</td>
</tr>
<tr>
<td>La Villa</td>
<td>92</td>
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<tr>
<td>McAllen</td>
<td>22,864</td>
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<tr>
<td>Mercedes</td>
<td>820</td>
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<tr>
<td>Mission</td>
<td>3,293</td>
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<tr>
<td>Palmhurst</td>
<td>36</td>
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<tr>
<td>Palmview</td>
<td>12</td>
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<tr>
<td>Penitas</td>
<td>17</td>
</tr>
<tr>
<td>Pharr</td>
<td>4,827</td>
</tr>
<tr>
<td>San Carlos</td>
<td>74</td>
</tr>
<tr>
<td>San Juan</td>
<td>1,261</td>
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<tr>
<td>Sullivan City</td>
<td>131</td>
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<tr>
<td>Weslaco</td>
<td>4,212</td>
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<td><strong>Total</strong></td>
<td><strong>127,801</strong></td>
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#### Cameron County

<table>
<thead>
<tr>
<th>City</th>
<th>Ridership</th>
</tr>
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<tbody>
<tr>
<td>Brownsville</td>
<td>7,566</td>
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<tr>
<td>El Ranchito</td>
<td>44</td>
</tr>
<tr>
<td>Harlingen</td>
<td>10,074</td>
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<tr>
<td>La Feria</td>
<td>708</td>
</tr>
<tr>
<td>La Paloma</td>
<td>39</td>
</tr>
<tr>
<td>Laguna Heights</td>
<td>837</td>
</tr>
<tr>
<td>Laguna Vista</td>
<td>961</td>
</tr>
<tr>
<td>Los Fresnos</td>
<td>1,831</td>
</tr>
<tr>
<td>Los Indios</td>
<td>8</td>
</tr>
<tr>
<td>Olmito</td>
<td>58</td>
</tr>
<tr>
<td>Port Isabel</td>
<td>2,516</td>
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<tr>
<td>Primera</td>
<td>16</td>
</tr>
<tr>
<td>Combes</td>
<td>0</td>
</tr>
<tr>
<td>Rio Hondo</td>
<td>0</td>
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<tr>
<td>San Benito</td>
<td>2,428</td>
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<tr>
<td>Santa Rosa</td>
<td>426</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>27,512</strong></td>
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</tbody>
</table>

#### Willacy County

<table>
<thead>
<tr>
<th>City</th>
<th>Ridership</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>865</strong></td>
</tr>
</tbody>
</table>

#### Starr County

<table>
<thead>
<tr>
<th>City</th>
<th>Ridership</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>4,779</strong></td>
</tr>
</tbody>
</table>

#### Zapata County

<table>
<thead>
<tr>
<th>City</th>
<th>Ridership</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>983</strong></td>
</tr>
</tbody>
</table>

#### System Total

<table>
<thead>
<tr>
<th>County</th>
<th>Ridership</th>
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<tbody>
<tr>
<td>Hidalgo</td>
<td>161,940</td>
</tr>
<tr>
<td>Cameron</td>
<td>15,260</td>
</tr>
<tr>
<td>Willacy</td>
<td>4,779</td>
</tr>
<tr>
<td>Starr</td>
<td>4,779</td>
</tr>
<tr>
<td>Zapata</td>
<td>983</td>
</tr>
</tbody>
</table>

---

**Ridership by County**

- Hidalgo County: 79%
- Cameron County: 17%
- Willacy County: 3%
### Distribution of Revenue Hours

<table>
<thead>
<tr>
<th>County</th>
<th>Revenue Hours</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hidalgo</td>
<td>12,182.00</td>
<td>65%</td>
</tr>
<tr>
<td>Starr</td>
<td>1,762.00</td>
<td>9%</td>
</tr>
<tr>
<td>Zapata</td>
<td>393.00</td>
<td>2%</td>
</tr>
<tr>
<td>Cameron</td>
<td>4,121.00</td>
<td>22%</td>
</tr>
<tr>
<td>Willacy</td>
<td>340.00</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>18,798.00</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Distribution of Revenue Miles

<table>
<thead>
<tr>
<th>County</th>
<th>Revenue Miles</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hidalgo</td>
<td>287,130</td>
<td>67%</td>
</tr>
<tr>
<td>Starr</td>
<td>32,595</td>
<td>9%</td>
</tr>
<tr>
<td>Zapata</td>
<td>9,466</td>
<td>2%</td>
</tr>
<tr>
<td>Cameron</td>
<td>90,635</td>
<td>22%</td>
</tr>
<tr>
<td>Willacy</td>
<td>8,064</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>427,890</strong></td>
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### Revenue Hours Provided

<table>
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<tr>
<th>County</th>
<th>Hours</th>
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</thead>
<tbody>
<tr>
<td>Hidalgo</td>
<td>12,182.00</td>
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<tr>
<td>Starr</td>
<td>1,762.00</td>
</tr>
<tr>
<td>Zapata</td>
<td>393.00</td>
</tr>
<tr>
<td>Cameron</td>
<td>4,121.00</td>
</tr>
<tr>
<td>Willacy</td>
<td>340.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>18,798.00</strong></td>
</tr>
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### Revenue Miles Provided

<table>
<thead>
<tr>
<th>County</th>
<th>Miles</th>
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<tbody>
<tr>
<td>Hidalgo</td>
<td>287,130</td>
</tr>
<tr>
<td>Starr</td>
<td>32,595</td>
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<tr>
<td>Zapata</td>
<td>9,466</td>
</tr>
<tr>
<td>Cameron</td>
<td>90,635</td>
</tr>
<tr>
<td>Willacy</td>
<td>8,064</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>427,890</strong></td>
</tr>
</tbody>
</table>
## Valley Metro Routes

### Monthly Cumulative Passenger Counts

<table>
<thead>
<tr>
<th>Routes</th>
<th>Sept</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>July</th>
<th>Aug</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
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<td>347</td>
<td>247</td>
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<td>594</td>
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<td>12</td>
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<td></td>
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<td>52</td>
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</tbody>
</table>

### Vaquero Express

<table>
<thead>
<tr>
<th></th>
<th>Sept</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>July</th>
<th>Aug</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Vaquero</td>
<td>26,864</td>
<td>33,561</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>72,666</td>
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</table>

### FY 2018 - 2019 Valley Metro Routes UTRGV Student Passenger Count

#### Change Over Previous Month

<table>
<thead>
<tr>
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<th>FY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>34,830</td>
<td>34,792</td>
</tr>
<tr>
<td>12</td>
<td>29,833</td>
<td>34,792</td>
</tr>
<tr>
<td>14</td>
<td>8,804</td>
<td>17,518</td>
</tr>
<tr>
<td>15</td>
<td>18,322</td>
<td>26,030</td>
</tr>
<tr>
<td>16</td>
<td>7,152</td>
<td>30,285</td>
</tr>
<tr>
<td>20</td>
<td>7,701</td>
<td>9,051</td>
</tr>
<tr>
<td>21</td>
<td>13,277</td>
<td>13,277</td>
</tr>
<tr>
<td>30</td>
<td>18</td>
<td>52</td>
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<tr>
<td>31</td>
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<td>5,112</td>
</tr>
<tr>
<td>32</td>
<td>-29,833</td>
<td>-8,804</td>
</tr>
<tr>
<td>44</td>
<td>-17,518</td>
<td>-26,030</td>
</tr>
<tr>
<td>45</td>
<td>-7,152</td>
<td>-30,285</td>
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<tr>
<td>50</td>
<td>-7,701</td>
<td>-9,051</td>
</tr>
<tr>
<td>Vaquero</td>
<td>-13,277</td>
<td>-13,277</td>
</tr>
</tbody>
</table>

### 2018 - 2019 Valley Metro Routes UTRGV Student Passenger Count

![Graph showing passenger counts from 2018 to 2019 for different months and routes]
### South Texas College - FY 2019
#### Valley Metro Routes
Monthly Cumulative Passenger Counts

<table>
<thead>
<tr>
<th>Routes</th>
<th>Sept</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>July</th>
<th>Aug</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>20</td>
<td>62</td>
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#### Non Valley Metro Routes

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#### Change Over Previous Month

- **Purpleline**: -6,166
- **Grünlinie**: -6,184
- **Öffentlicher Verkehr**: 0
- **Orange Linie**: 0

### South Texas College - Mid Valley
#### JagExpress
### STC Student Passenger Counts Comparison
#### FY 2019

#### Direct Service

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#### Connecting Service

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Change Over Previous Month: -783

TSTC Student Ridership