

MINUTES

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

12:00PM WEDNESDAY, AUGUST 30, 2023

HELD IN-PERSON AND VIA GLOBAL GOTOMEETING VIDEO CONFERENCE PLATFORM
INITIATED AND CHAIRED FROM
LRGVDC MAIN CAMPUS - 301 W. RAILROAD STREET, WESLACO, TEXAS
BUILDING B, KEN JONES EXECUTIVE BOARD ROOM

PRESIDING: 1st VICE-PRESIDENT MAYOR NORMA SEPULVEDA

- DRAFT -

1st Vice-President Norma Sepulveda called the meeting to order at 12:04 p.m. Roll Call was taken, and a quorum was declared.

Present:

Mayor Norma Sepulveda, City of Harlingen
Mayor Norie Gonzalez Garza, City of Mission
Judge Aurelio Guerra, Willacy County
Mr. Jim Darling, Member-At-Large
Commissioner David Garza, Cameron County
Councilman Johnny Garcia, City of Edinburg
Commissioner Omar Quintanilla, City of McAllen
Commissioner Edward Gonzalez, City of Raymondville
Mayor Ricardo "Rick" Guerra, City of San Benito
Ms. Veronica Gonzales, UTRGV
Mr. Luke Lucio, TSTC
Mr. Troy Allen, Delta Lake Irrigation District
Mr. Ronald Mills, Willacy County Navigation District
Ms. Ann Williams Cass, Member-At-Large
Ms. Lupita Sanchez Martines, Grassroots Organization

Absent:

Mayor David Suarez, City of Weslaco
Mayor John Cowen, City of Brownsville
Commissioner Elie Torres, Hidalgo County
Commissioner J. R. Garza, City of Alamo
Commissioner Betty Rodriguez, City of La Villa
Mayor Mike Carter, City of Laguna Vista
Mayor Jaime Gonzalez, City of Los Indios
Mayor Oscar Montoya, City of Mercedes
Mayor Ambrosio "Amos" Hernandez, City of Pharr
Commissioner Marco "Markie" Villegas, City of San Juan
Mr. Paul Hernandez, South Texas College
Mr. Eleazar Garcia Jr., Member-At-Large

Chairwoman Norma Sepulveda then moved to item 2. Consideration and Action to Approve Meeting Minutes (June 28, 2023). Commissioner David Garza inquired if the attendance of members was reflected in the minutes. Mr. Cruz responded that an external attendance record is filed and will be reflected in future meeting minutes. ***Commissioner David Garza motioned to approve the presented minutes from June 28, 2023. Mr. Jim Darling seconded, and the motion carried unanimously upon a vote.***

Chairwoman Sepulveda moved to Item 3. Public Comment.

Mr. Mario Reyna, representative of the Hidalgo County Prosperity Task Force, was recognized; he informed on an initiative that started back in February 2022 by Hidalgo County Judge Richard F. Cortez. He mentioned a 29% poverty rate in Hidalgo County, which is a significant number of people; therefore, the initiative is to help the population living under those conditions to prosper. The Prosperity Task Force was created to provide more human capital. Different groups have been created to assist with these efforts. The groups consist of medical services, housing, transportation, administration, finance, counseling, mentoring, economic development, workforce development, and higher education. We also have a policy group and a CEO group. The idea is to mobilize these opportunities, so they reach the people in need.

Mr. Reyna further stated that a thousand people have been working poverty wages, they are working, but still fall in the poverty wage gap, and as many as 6%, about 7800, have a bachelor's degree. This program is designed to do things a little differently. He mentioned that there is a program called Unite Us, which is a program that will identify the people who need help. Hopefully, this platform will be used like some out there, such as, the Food Bank, STC, and United Way; the program will be announced sometime in October.

Lastly, he mentioned the Recompete Pilot Program, which will cover four (4) counties and a potential budget of \$50 million, and some of the agencies involved are institutions such as UTRGV and Texas A&M. He extended the invitation to anyone who would like to support and participate in are more than welcome.

Without questions from the board, Chairwoman Sepulveda moved to Item 4. - Administration.

A. Update from Legal Counsel on Texas Gas Services Proposed Rate Increase.

Mr. Thomas Brocato, the representative of Lloyd Gosselink Rochelle & Townsend, was recognized; he joined online to provide an update on the Texas Gas Service increase rate presented in the August board meeting. He initially started with the procedural portion of where things stand. On June 30th the TGS Bar for comprehensive base rate case for the Rio Grande Valley Surface Area gave a deadline for the city action to suspend effective September 3rd. He mentioned that he sent out a reminder that morning and received resolutions from 15 cities thus far. He expressed his concern that more cities have not acted, and the deadline is two (2) days. Therefore, if a municipality has acted, he stated to please send in the resolution so that a copy can be submitted. If they have not done so, contact me immediately to arrange, perhaps with the company, to request more time if needed. There will be a technical conference set up for next week where the consultants will visit with the company. This will allow them to make some informal discoveries. They have engaged with three (3) consultants they have relied on for many years and are skilled. They have begun to conduct the discovery on the utility and anticipate a response soon.

Mr. Brocato stated the settlement conferences are for September 21 and October 5 with the hope of starting negotiations to reach an agreement ultimately. If an agreement is not reached, they will file testimony on October 18th and there will be a hearing on November 29th and 30th. The deadline for the final city action is December 1st. In late October, they will provide an update on the last action to approve a settlement, hopefully, or deny the rate increase. The company is asking for a \$9.8 million increase, a 25.94%; almost 26% increase if you exclude the cost of gas, which is pass-through. After further details were provided on the process and procedures Mr. Brocato opened the session for any questions. There were no questions from the board.

B. Presentation and Consider Action regarding the 2022 Annual Audit.

Mr. Adrian Webb, CPA, was recognized; he conducted an Audit for the LRGVDC for the year ended December 31, 2022. He mentioned beginning with the opinion page, which starts on page one. The council received an unmodified opinion, a clean opinion with no findings. The only adjustment made to the Council was whether it says a matter of change of accounting principle. Mr. Webb provided an overview of the results of the audit for the board members. The information was not submitted in the agenda packet, but the board was provided with a copy. **Mr. Ronald Mills motioned to consider action regarding the 2022 Annual Audit. Commissioner David Garza seconded the motion, which was carried unanimously upon a vote.**

C. Presentation and Action to Accept Quarterly Investment Report.

Ms. Crystal Balboa, Finance Director, was recognized; she mentioned that the investment report was provided for review and is in the agenda packet. **Mr. Troy Allen motioned to accept the quarterly Investment report. Mr. Ronald Mills seconded the motion, which was carried unanimously upon a vote.**

D. Consideration and Action to Approve Resolution 2023-04 to Become a Member of the American Flood Coalition (AFC).

Mr. Manuel Cruz was recognized; he summarized the 2023-04 resolution. Since the Elected Officials Workshop in South Padre Island was a success, the American Coalition has extended an invitation to the LRGVDC to join as members. No dues or funding is involved, but we will continue to emphasize the flood or water rising and flood issues in our Lower Rio Grande Valley region.

Chase Kronzer, representative of the American Flood Coalition, was recognized; he wanted to re-iterate that they don't ask for any funds for many members. He would like to add members of the coalition as a signal that those members are dedicated to elevating flooding and sea level rise as an issue. Also, the LRGVDC will be mentioned as a great example not only throughout the state but across the country. **Commission David Garza motioned to approve Resolution 2023 to become a member of the American Flood Coalition (AFC). Councilman Johnny Garcia seconded the motion, which was carried unanimously upon a vote.**

E. Consideration and Action for the Executive Director to enter Negotiations and Approve the Contract for Hidalgo County Active Transportation and Active Tourism Plan.

Mr. Cruz was recognized and provided the background and history of this grant and project before Armando Perez presented. He stated the award was received as part of the FY2019-2020 Transportation Alternative Set-Aside (TASA) Funds awarded to the LRGVDC for the Hidalgo County Active Plan. This plan intends to define opportunities for a regional network in Hidalgo County. The focus will be on active multimodal transportation and opportunities for active tours, bike and pedestrian infrastructure tourism, destinations by using current infrastructure, such as, flooding and drainage, mitigation strategies, address health and wellness, community, and economic development. The grants we received are reimbursement-based; therefore, Hidalgo County provided the advance for 100% project funding. He mentioned that they were on the last step before they ventured into negotiations to obtain consulting services.

Armando Perez, Asst. Director of Purchasing was recognized, and he informed the board the following vendor was selected through the RFP process. The proposals were submitted and evaluated by a committee based on the criteria in the RFP. The contract will be for 8 to 12 months from work authorization and approval for the proposed professional services to the LRGVDC. The vendor that was selected was Half Associates. **Mr. Ronald Mills motioned action for the Executive Director to enter negotiations and the approval of the Hidalgo County Active Transportation and Active Tourism Plan contract. Commissioner David Garza seconded the motion, which was carried unanimously upon a vote.**

F. Presentation and Action to Approve Resolution 2023-05 for the Establishment and Membership of the RGV Recompete Coalition and UTRGV's Submission of the RGV Recompete Plan to the Economic Development Administration (EDA).

Mr. Manuel Cruz was recognized; he stated back in June 2023, the Economic Development Administration (EDA) started contacting the LRGVDC to announce an upcoming launch of the Distressed Area Recompete Pilot Program that will provide grant funding to distressed communities across the country to create and connect workers to good jobs and support long term comprehensive economic development.

Mr. Cruz introduced Mr. Ron Garza from UTRGV who is spearheading this initiative. The Recompete Pilot Program was enacted as part of the CHIPS and Science Act of 2022 as the Distressed Area Recompete Pilot Program. Congress appropriated \$200 million. EDA expects to make approximately 4-8 implementation investments, with awarded regions receiving between \$20 million and \$50 million on average.

This is a great opportunity for the RGV as funding has not been awarded on a regional basis instead of small pots of money. Mr. Garza stated that meetings have taken place with key stakeholders from within the region. This opportunity has very few parameters which provides a wider scope for the applicant. All university administrators and presidents from higher education and community colleges met to review the project and agreed on the concept. Essentially, it's a three-level approach. The goal is to make sustainable systems whether with or without these funds, however, \$20 to \$50 million dollars will be a great springboard to assist with this initiative. 70 percent must be workforce development and students from all these organizations may benefit from job placement. It's unfortunate that we currently have high paying jobs that are not filled today in the RGV. Step one is to fill these jobs with local talent and second, as we harden this system target the recruitment of new industries. Other possibilities from this are the improvement of the site selector process for new companies aiming to relocate to this area, consolidation of the MSA designation, and creating resources for entrepreneurship. Oct 5th is when the plan is due along with other thousands of plans nationally. Of those thousands of plans only 20 will be invited and selected to apply. Six will be selected for actual funding. This is a great way to come together as a region. UTRGV will take the lead on behalf of the coalition. The resolution is being presented to you today to first make you part of the coalition as the first members and confirm that UTRGV will be submitting the application. Resolutions will be presented to other cities. Mrs. Veronica Gonzales reminded the board members of the event that RGV Partnership had and the commitment that all cities would work collaboratively as a region. Commissioner David Garza requested clarification on the process as most funding agencies provide guidance before applying, such as, a white paper and/or requirements on the number of documents that can be submitted. Upon clarification Mayor Norma Sepulveda thanked UTRGV for taking the lead and carrying this heavy load for the region and asked for a motion. **Mr. Troy Allen motioned to approve Resolution 2023-05 Mayor Norie Gonzalez Garza seconded the motion, which was carried unanimously upon a vote.**

G. Executive Director Report

1. Introduction of New Staff Members:

Mr. Cruz briefly announced the new staff members from Valley Metro, the AAA department, the Finance Department, and the recent addition of Ms. Melisa Gonzalez, Assistant Director for Community & Economic Development.

2. Updates on Regional News, Funding Opportunities, Training, and Legislation:

Mr. Cruz reminded the board about the Texas BDO deadline to submit the survey for broadband that is coming up on August 31, 2023. He informed the board of some actual funding that will be allocated; the Texas Department of Information Resources is spearheading this along with the public safety office. There are a billion dollars nationwide under the Infrastructure Investment Jobs Act for Cybersecurity opportunities. Texas will receive \$40 million over the next four (4) years; therefore, all the COG regions

will participate in this funding opportunity.

Mr. Cruz stated that we may be assisting the PSO in reviewing, scoring, and ranking the applications.

DIR and the PSO will work together to manage the grant program to pass these funds through to local projects.

- Texas is estimated to receive \$40 million over 4 years.
 - Year 1(FY22): 8 million
 - Year 2(FY23): 16 million
 - Year 3: 12 million
 - Year 4: 4 million
- Escalating match requirement each year
 - Year 1: 10%
 - Year 2: 20%
 - Year 3: 30%
 - Year 4: 40%
 - Hard and Soft Matches allowed.
 - There will be a match waiver.
- Funds will be split into COG regions by population.
 - Possibly a funding floor for smaller regions.
 - The maximum amount of funds will go to local entities.
 - Funds will be limited to one-time cybersecurity services to ensure the program does not become an unfunded mandate.
 - 25% of funds must go to rural entities.

DIR wishes to include the COGs in the project recommendation process. There is 7000+ local entities that are eligible for the SLCGP funds, and the COGs know the regions' jurisdictions better than the State Cyber Planning Committee does. This opportunity would allow the COGs to provide guidance to the State Cyber Planning Committee by supplying a recommendation of the projects that should be funded in each region.

Ms. Ann Cass inquired whether all broadband grant allocations covering individual sign-ups or are they for putting basic broadband towers or is it dependent in the areas? Mr. Cruz responded that the allocation of funding would depend solely on the broadband coverage area map the FCC has developed, which we all disagree with. However, under the IJA, there are many streams of funding. Each funding opportunity will have eligibility or allowable equipment, such as tower infrastructure, or assistance for the community with equipment, but that will be further delineated as soon as the grants are made available. Commissioner David Garza pointed out that there are current programs in place if you have accessibility where residents can get subsidies for two years from the federal government. Mrs. Veronica Gonzales brought up the concern of sustainability. Mr. Jim Darling commented on the program McAllen has and the costs associated with maintaining the equipment. Commissioner David Garza highly recommended partnering with local providers, such as AT&T and others.

Upon conclusion of Administration items, Vice-President Sepulveda moved to Item 5. - Department Reports.

A. Community and Economic Development

Program Status Reports

In the interest of time Mayor Sepulveda requested that we address the items needing action. Mr. Cruz quickly mentioned the vacancy in the RWRAC for the special purpose drainage district and the monthly status reports are in the meeting packet for review.

B. Health & Human Services

Department Program Action Item

1. Mrs. Margarita Lopez requested review and approval of the Lower Rio Grande Valley AAA Area Plan that is required by the state. **Mayor Norie Garza motioned to approve the LRGVDC (AAA) Area Plan FY 2024-2026. Commissioner Gonzales seconded, and the motion was carried unanimously.**
2. Mrs. Margarita Lopez presented the list of subrecipients list of Sub-recipients Proposal Fiscal Year 2024. **Mr. Troy Allen motioned to approve the List of Sub-recipients Proposal Fiscal Year 2024 as presented. Mr. Ronald Mills seconded, and the motion was carried unanimously.**
3. Mrs. Margarita Lopez presented the Direct Purchases Service (DPS) Vendor / Contractors list for Fiscal Year 2024. **Mr. Troy Allen motioned to approve the Direct Purchases Service (DPS Vendor / Contractor list for Fiscal Year 2024 as presented. Mr. Ronald Mills seconded, and the motion was carried unanimously.**
4. Mrs. Margarita Lopez presented the Citizens Advisory Council Membership Application for Cesar Merla. **Mr. Troy Allen motioned to approve the Citizens Advisory Council Membership Application from Cesar Merla as presented. Judge Aurelio Guerra seconded, and the motion was carried unanimously.**

Program Status Reports

The monthly status reports are in the meeting packet for review.

C. Public Safety

Department Program Action Item

1. Mr. Cesar Merla presented the Homeland Security Advisory Committee (HSAC) Bylaws and Policies & Procedure for FY 2024-2025. **Mr. Ronald Hill motioned to approve the Homeland Security Advisory Committee (HSAC) Bylaws and Policies and Procedures for the FY 2024-2025 as presented. Commissioner Edward Gonzalez. seconded, and the motion was carried unanimously.**
2. Mr. Cesar Merla presented the Criminal Justice Advisory Committee (CJAC) Bylaws, Biennium Form, and Policies & Procedures for FY 2024-2025. **Commissioner Edward Gonzalez motioned to approve the Criminal Justice Advisory Committee (CJAC) Bylaws, Biennium Form, and Policies & Procedures for FY 2024-2025 as presented. Mr. Troy Allen seconded, and the motion was carried unanimously.**

Program Status Reports

The monthly status reports for Criminal Justice & Home Security, Regional Police Academy, and Rio Grande Valley Emergency Communications District are in the meeting packet for review.

D. Transportation

Department Program Action Item

1. Mr. Tom Logan presented the Valley Metro Policy and Facility Maintenance Plan Revisions. ***Commissioner David Garza motioned to approve the Valley Metro Policy and Facility Maintenance Plan Revisions as presented. Mr. Ronald Hill seconded, and the motion was carried unanimously.***

Rio Grande Valley MPO Status Report.

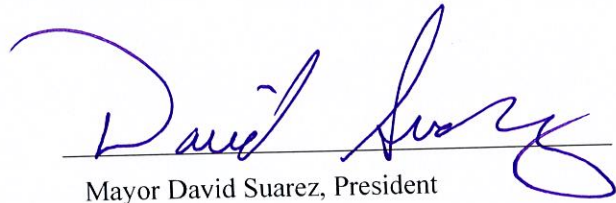
A power point presentation would be emailed to the board for review at a later date.

Item 6. – New or Unfinished Business

Mr. Cruz reminded the board about the Public Safety Wellness Seminar scheduled to take place on September 14th.

Item 7. – Adjourn

With no further business to come before the Board, ***Commissioner David Garza motioned to adjourn, Mr. Jim Darling seconded, and the meeting was adjourned at 1:10 p.m.***



Mayor David Suarez, President

ATTEST:

Angela Alvarado, Recording Secretary