

# MINUTES

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

12:00 PM WEDNESDAY, OCTOBER 27, 2021

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

PRESIDING: JUDGE AURELIO GUERRA, PRESIDENT

President Aurelio Guerra called the meeting to order at 12:04 p.m. Roll call was taken, and a quorum was declared.

President Guerra then moved to item 2 - Consideration and Action to Approve Meeting Minutes (September 29, 2021). *Mr. Oscar Montoya made a motion to approve the September 29, 2021, meeting minutes as presented. Commissioner Marco Villegas seconded the motion, and upon a vote the motion carried unanimously.*

President Guerra next moved to Item 3: Public Comment and/or Report from Legislative Delegation and recognized Mr. Salomon Torres. Mr. Torres informed the Board about events surrounding the 175<sup>th</sup> Anniversary of the US-Mex War which are scheduled on December 9, 2021, in Port Isabel. The celebration will include a tour of the Palo Alto National Battlefield site, the Resaca de la Palma Battlefield site, as well as the remnants of Fort Brown located on the UTB Golf Course near the Rio Grande. The event is being promoted by the Rio Grande Guardian, and Mr. Steve Taylor, its Editor-in-Chief, added that the Guardian has set out to host events that are both educational and relevant to our region. The History Conference that Mr. Torres will invite the Board to is an example of the sort of programs the Guardian plans to bring to the Valley in 2022.

Mr. Ron Whitlock was recognized next and informed the Board of a pilot project to allow Mexican nationals to get their COVID-19 vaccinations at US land ports at the Cities of Roma, Rio Grande City, and Brownsville as the border opens for non-essential travel. The bridge company has written to US Congressman Henry Cuellar asking for support of the project. Mr. Whitlock stated that Congressman Cuellar is in support of this initiative along with a similar pilot program in Brownsville. The project would be beneficial to border communities because it would allow more Mexican nationals to cross into their communities to shop.

Upon conclusion of public comments, President Guerra moved to Item 4: Administration.

A. Presentation and Recognition of Hidalgo County Precinct 4 Commissioner

Executive Director Manuel Cruz introduced this item, then turned the floor over to Ms. Maribel Contreras, Director of Regional Transportation who presented a plaque to Hidalgo County Precinct 4 Commissioner Ellie Torres in appreciation of her leadership and partnership throughout the development of the San Carlos bus shelter project. Commissioner Torres was surprised by this recognition and graciously accepted the plaque as she thanked all who helped make the San Carlos bus shelter a reality.

B. Consideration and Action to Adopt Annual Investment Policy and Accept Quarterly Investment Report

Finance Director Crystal Balboa was recognized and stated that the Investment Policy must be adopted every year. Both the Policy and the Quarterly Investment Report were provided in the meeting packet for

review. **Mr. Troy Allen made a motion to adopt the Annual Investment Policy and accept the quarterly investment report as presented. Mr. Ronald Mills seconded the motion, and upon a vote the motion carried unanimously.**

C. Consideration and Action to Amend LRGVDC Procurement Policy

Mr. Cruz was recognized and informed the Board that the proposed amendment includes the addition of the Code of Federal Regulations which refers to the Federal Highways Administration (FHWA). This amendment is necessary in order to remain in compliance with all FHWA activities and is a state recommendation for the RGVMP's Traffic Safety Initiative grant award of \$41,500 for training and procurement of bike helmets and lights for public education and outreach. Specifically, the Procurement Policy should now include the Code of Federal Regulations (CFR) Part 200 (2 CFR 200) regarding contract provisions for non-federal entity contracts under federal award. Mr. Cruz stated that this amendment will not interfere with the standard operating procedures of the LRGVDC and will be placed in the Procurement Policy Manual as applicable. **Mr. Ronald Mills made a motion to approve the amendment to the LRGVDC Procurement Policy as presented. Mr. Marco Villegas seconded the motion, and upon a vote the motion carried unanimously.**

D. Consideration and Action to Renew Copier Lease and Upgrade Equipment

Mr. Cruz was recognized and informed the Board that the leases are up on all the copiers currently in use throughout the LRGVDC campuses and satellite offices, the equipment is currently being paid for on a month-to-month basis. All equipment has exceeded its useful life, and some machines are over 10 years old. Ten (10) machines are needed to provide adequate function for all locations.

Toshiba has provided a proposed copier lease renewal that includes upgraded equipment. This renewal would be made through a cooperative purchasing contract, a Texas DIR contract that will satisfy requirements for formal competitive solicitation and bidding. The proposed lease agreement is for \$3,560 per month for 60 months. **Mr. Eleazar Garcia made a motion to approve the renewed copier lease and upgraded equipment as presented. Mayor Rick Guerra seconded the motion, and upon a vote the motion carried unanimously.**

E. Introduction to State Broadband Development Office

Mr. Cruz stated that during the 87<sup>th</sup> Legislative Session, Governor Abbott and the Texas Legislature adopted the Council's recommendation into House Bill 5. This bill establishes the creation of the State Broadband Development Office (BDO), and the State Comptroller requires the development of statewide broadband plans within twelve (12) months of the bill's signing. It creates a broadband program that will operate under the Comptroller's office and perhaps most importantly, it requires detailed mapping of areas in Texas that are unserved by broadband access. Mr. Greg Conte has been selected to serve as BDO Director, and after meeting him at the recent TARC (Texas Association of Regional Councils) Executive Director meeting where he spoke on this program, Mr. Cruz invited him to speak at today's meeting. With that, Mr. Cruz turned the floor over to Mr. Conte.

Mr. Conte thanked Mr. Cruz for inviting him to speak today and stated that this new office is tasked with closing the digital divide in Texas. He stated that over 300,000 households in Texas do not have access to what is now the definition of broadband, which is 25 over 3. That speed is outdated and likely to be updated to 100/20 or download speeds of up to 100 megabits per second and upload speeds of up to 20 megabits per second by the Federal Communications Commission (FCC) within the next year. If the FCC made that change right now, 1.3 million households in Texas would not have access to broadband. There are other reasons households will not have broadband, often it is simply an affordability issue, or there are digital literacy issues as well as other reasons.

Mr. Conte stated that the BDO will tackle these issues starting with infrastructure. The program just received \$500.5 million from the Coronavirus Capital Projects fund from the US Treasury. When that funding is requested, a grand plan on how the money will be spent needs to be built. A large portion of that money will most likely be put within a grant program within the Comptroller's Office for which entities would be able to apply using a competitive process that is based on need. His staff has begun developing a map based on need, this map needs to be completed by the beginning of 2023. Currently the FCC has a map that is based upon need, and it indicates what areas have broadband, and what areas need broadband. Unfortunately, that map is flawed because it will indicate that a designated area has service even if there is only one home in that area that has service, which of course can be misleading. The new map his staff is developing will have address level information that will determine how broadband service can be delivered and what providers are within that area.

Regarding the federal funding the BDO has received, staff will develop a broadband program that will appropriate funds or award funds to communities and local governments, as well as providers who can demonstrate a need on the local level where funding can spur investment within that community itself. The biggest issue when it comes to investment, especially in rural areas, is the Return On Investment (ROI), and essentially that is what this program will do. It will offer incentives to providers to fill out the infrastructure to develop the ROI in rural areas.

Mr. Conte stated that the BDO will develop a grant program using those federal funds, and a statewide broadband plan which will be developed by June of 2022. His staff is currently working on it, and they foresee a Listening Tour utilizing the 24 Councils of Governments (COGs), the COGs' infrastructure is so robust it will allow the BDO to better understand what barriers and assets are in the state.

Other things within HB5 that the BDO is responsible for will be to have a Board of Advisors chaired by Comptroller Glenn Hegar to provide guidance. They are also tasked with education and outreach efforts. Mr. Conte concluded by adding that the BDO has been functional for a short while, less than two months, and he is in the process of hiring staff to build up the office. He then opened the floor for questions. Upon conclusion of the question-and-answer portion, President Guerra thanked Mr. Conte for sharing this information, and Mr. Cruz assured Mr. Conte that the LRGVDC stands ready to assist and help this effort move forward.

#### F. Presentation on Hidalgo County Community Service Agency Rent Relief Program

President Guerra recognized Mr. Jaime Longoria, Executive Director of Hidalgo County Community Service Agency. Mr. Longoria informed the Board that the Rental Relief Program is an assistance program designed to provide rental and utility assistance to qualifying Hidalgo County residents who have been adversely affected by COVID-19. He explained that eligible applicants must be current Hidalgo County residents, be economically impacted by COVID-19, be low-income, be currently renting, and be at risk of losing their place of residence. They could receive assistance on past rent due as far back as April 2020 and up to three months of future rent and utility costs. Mr. Longoria noted that other counties have similar programs for their residents, and he provided information on how and where to apply for the Hidalgo County Program.

#### G. Executive Director Report

President Guerra recognized Executive Director Manuel Cruz to address the following:

##### LRGVDC Updates & Activities

##### 1. Introduction of New Staff Members

Mr. Cruz introduced five (5) new Valley Metro staff members: Mr. Robert Gonzales, Vehicle Driver II, and Non CDL Drivers Mr. Carlos Cruz, Ms. Lynda Flores, Ms. Migdalia Grieves, and Mr. Fred

Gonzalez. He also announced that Ms. Maribel Contreras has been promoted to Director of Regional Transportation.

2. Upcoming Training for Elected Officials

Mr. Cruz informed the Board that TEEEX (Texas A&M Engineering Extension Service) was offering two courses: Introduction to Disaster Recovery Public Assistance Programs and Disaster Recovery for Senior Officials. There are no prerequisites for either course. Both courses are management-level courses designed for city, county, state, and tribal officials, and front-line leaders who might be called upon to plan for, perform or support recovery operations during and after a disaster. Both courses will be held at the LRGVDC Main Campus in the Ken Jones Executive Board Room in Building B. The Disaster Recovery for Senior Officials Course will take place on December 8, 2021, from 8:00 am – 12:00 pm. The Intro to Disaster Recovery Public Assistance Course will take place on January 13, 2022, from 8:00 am – 5:00 pm through January 14, 2022, from 8:00 am – 12:00 pm.

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

A. Community & Economic Development

Director Rick Carrera was recognized to address the following:

Program Status Reports

Mr. Carrera noted that the standard program status reports were available for review in the meeting packet. He then announced that the Valley Environmental Council's upcoming membership drive is scheduled on November 19, 2021, and the RWRAC's (Regional Water Resource Advisory Committee) next meeting is scheduled on November 3, 2021. At the November 3 meeting the RWRAC will recruit a technical advisory committee for the Flood Infrastructure Fund Program which kicked off last month. Staff is waiting on information regarding some grant applications that were submitted with the Small Business Administration and expect those results by the next board meeting.

B. Health & Human Services

Director Joe Gonzalez was recognized to report on the following:

Area Agency on Aging Program Action Item

1. Consideration and Action to Approve Contractors for Direct Purchased Services Pool

Mr. Gonzalez informed the Board that the Advisory Council recommends the approval of the seventeen (17) contractors listed in the meeting packet for Case Managers to utilize to provide services to their clients. These services include residential repairs, medications, homemaker services, and respite care. ***Commissioner Norie Garza made a motion to approve the additional contractors for the direct purchased services pool as presented. Mr. Ronald Mills seconded the motion, and upon a vote the motion carried unanimously.***

Program Status Reports

Mr. Gonzalez noted that the status reports on the CDC Vaccination Expansion Project and Medicare Part D Open Enrollment were in the meeting packets for review.

## C. Public Safety

### Program Action Items

Director of Public Safety Randall Snyder was recognized to report on the following:

1. Consideration and Action to Approve Criminal Justice Advisory Committee's (CJAC) Recommendation of Updates to Bylaws

Mr. Snyder informed the Board that as per Task CJ1.1 of the Statement of Work with the Public Safety Office's Criminal Justice Division, the CJAC and LRGVDC staff shall review the bylaws on a yearly basis. The recommended revisions are noted in red on the provided draft and mainly consist of naming the funding sources under the CJAC. ***Mr. Eleazar Garcia made a motion to approve the recommended updates to the CJAC Bylaws as presented. Commissioner Marco Villegas seconded the motion and upon a vote the motion carried unanimously.***

2. Consideration and Action to Approve Criminal Justice Advisory Committee's (CJAC) Recommendation on Membership Renewals

Mr. Snyder stated that as per the CJAC Bylaws, a member's term is for two years. The following members have opted to renew their membership and the CJAC recommends approval. The members whose terms are up for renewal are:

Luis Saenz	Gloria Ocampo	Christina Sprawls
Robert Dominguez	Rosie Mendoza	Patrick K. McCormick
Benjamin Clinton	Annette Hinojosa	Laura Soule
David K. Longoria	Antonio "Rick" Gonzalez	Carla Rodriguez
Ricardo "Rick" Rodriguez	Rojelio Valdez	Raul Garza

***Mr. Ronald Mills made a motion to approve the renewal of the CJAC members as presented. Commissioner Norie Garza seconded the motion, and upon a vote the motion carried unanimously.***

### Program Status Reports

Mr. Snyder stated that the status reports for Public Safety programs and the Rio Grande Valley Emergency Communication District were available in the meeting packet for review.

## D. Transportation

### Program Status Reports

Mr. Cruz provided the Valley Metro Program status reports and was happy to report that there has been a slight increase in ridership. He also advised the Board that the RGV Metro Express service will soon be re-evaluated to determine if it will be able to continue for the coming year. TxDOT is not funding this project any longer, and the service should have been self-sustaining by this time, however, the pandemic and resulting fewer passengers impeded its progress. As a result, the service will require slightly more funding from its partners: McAllen Express, Brownsville Express, and UTRGV. Once the reassessment is concluded, the results will be reported at the next meeting.

### RGVMPO Status Report

Mr. Canon informed the Board that RGVMPO staff is in the process of holding resiliency meetings which is a new endeavor being conducted on a region-wide planning perspective. Staff will work on incorporating pertinent organizations in this effort. They are trying to take on everything from flood mitigation to disaster preparedness and determine who will be on the committee that will be formed to help develop a plan.

Item 6. - New or Unfinished Business

Mr. Cruz reminded the Board that there is no meeting scheduled in November, and the next meeting is scheduled for December 15, 2021.

Item 7. – Adjourn.

*There being no further business to come before the Board, President Guerra adjourned the meeting at 1:11 pm.*

  
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Judge Aurelio Guerra, President

ATTEST:

  
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Deborah Morales, Recording Secretary