

BOARD OF DIRECTORS MEETING

LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL



AGENDA

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

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Wednesday, May 26, 2021, 12:00 noon via GoToMeeting Video Conference
Members of the public can attend this meeting by calling 1-888-204-5987, Access Code 5435817
Presiding: President Jim Darling

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Item #1: Call to Order

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

Item #2: Consideration and ACTION to Approve Meeting
Minutes (April 28, 2021)President

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

Item #4: Administration Committee Chair

- A. Consideration and ACTION on Recommendations from Nominating Committee
 - 1. Selection of Five (5) Persons for Election as Members-at-Large to the General Membership
 - 2. Selection of Three (3) Members-at-Large to be Elected to the 2021-2022 Board of Directors
- B. Executive Director Report

ACTION MAY BE TAKEN ON ANY OF THE FOLLOWING ITEMS

LRGVDC Updates & Activities

- 1. Introduction of New Staff Members
- 2. 87th Legislature Updates
- 3. American Rescue Plan Act of 2021

Item #5: Department Reports

A. Community & Economic Development.....Rick Carrera Director

Program Action Items

1. Consideration and **ACTION** to Approve Regional Small Cities Coalition Advisory Committee's (RSCC) Recommendation for Secretary
2. Consideration and **ACTION** to Approve Interlocal Agreement between LRGVDC and Hidalgo County for TWDB Flood Infrastructure Fund Cat. 1 Project #40038
3. Consideration and **ACTION** to Approve Interlocal Agreement between LRGVDC and Cameron County for TWDB Flood Infrastructure Fund Cat. 1 Project #40038
4. Consideration and **ACTION** to Approve Sub-recipient Agreement between LRGVDC and Research, Applied Technology, Education, and Service, Inc. (RATES) Flood Infrastructure Fund TWDB Cat. 1 Project #40038

Program Status Reports

- Economic Development Administration
- Pandemic Response
- Regional Small Cities Coalition
- Explore RGV
- Community & Economic Development Assistance Fund
- Solid Waste Management Program
- Water Quality Program
- Regional Water Resource Advisory Committee
- Rio Grande Regional Water Planning Group (Region M)
- Reservoir Levels

B. Health & Human ServicesJose L. Gonzalez Director

Program Action Items

1. Consideration and **ACTION** to Authorize the Area Agency on Aging to Issue Request for Proposals and Vendor (Contractor) Solicitations for Fiscal Years 2021-2022 and 2022-2023
2. Consideration and **ACTION** to Close Current Vendor Open Enrollment

Program Status Reports

- Expanding Benefits Counselors Outreach Efforts
- Opening of Nutrition Sites

**C. Public SafetyRandall Snyder
Director**

Program Action Items

1. Consideration and **ACTION** to Approve Resolution of Power Metrics and Real-Time dashboard management Information System
2. Consideration and **ACTION** to Renew 2-Year Maintenance Services for PSAPs in Hidalgo and Willacy Counties
3. Consideration and **ACTION** to Renew 2-Year On-site Equipment Support Services for PSAPs in Hidalgo and Willacy Counties
4. Consideration and **ACTION** to Renew Text to 9-1-1 Services for Upcoming Biennium

Program Status Reports:

- Emergency Communications/9-1-1
- Criminal Justice Program
- Homeland Security Program
- Regional Police Academy

**D. Transportation Tom Logan, Valley Metro Director
Andrew Canon, RGVMPD Executive Director**

Valley Metro Action Items

1. Consideration and **ACTION** to Approve Procurement of Fareboxes for Valley Metro Rural Fleet
2. Consideration and **ACTION** to Approve Procurement of Building Security Camera System for Valley Metro Facilities
3. Consideration and **ACTION** to Approve Procurement of a Routematch/UBER Software Upgrade

Valley Metro Status Reports

- TxDOT Annual Review Results
- Ridership Report
- COVID-19 Precautionary Measures
- Regional Transportation Advisory Panel (RTAP) Activity

Rio Grande Valley MPO Status Report

Item #6: New or Unfinished Business

Item #7: Adjourn

REMINDER

Next Meetings:
Wednesday, June 30, 2021

12:00 PM

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

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

12:00 PM WEDNESDAY, APRIL 28, 2021
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: JUDGE AURELIO GUERRA, 1ST VICE PRESIDENT

- DRAFT -

Vice President Aurelio Guerra called the meeting to order at 12:05 p.m. Roll call was taken but a quorum had not yet been attained. It was the consensus of the Board to hear non-action items until a quorum was attained; he then moved to item 3. – Public Comments and/or Report from Legislative Delegation. There being none, he moved to item 4. D. – Presentation from Texas GLO on Community Development and Revitalization and recognized Ms. Donna Johnson, GrantWorks-Vendor Vice President, State Run Housing Program. She stated that GrantWorks has been hired by the GLO to Administer the HARP (Homeowner Assistance and Reimbursement Programs). She then introduced Elijah Casas as the new point of contact with the Texas GLO for the Valley. Ms. Johnson began the presentation by stating that the HARP recently launched on Saturday, April 24, she then proceeded with a comprehensive presentation on this new program.

Upon conclusion of the GLO presentation a quorum had been attained. Vice President Guerra went back to item 2 - Consideration and Action to Approve Meeting Minutes (March 31, 2021). ***Councilwoman Norie Garza made a motion to approve the March 31, 2021 minutes as presented. Commissioner Edward Gonzalez seconded the motion, and upon a vote the motion carried unanimously.***

Vice President Guerra next moved to Item 4: Administration.

A. Consideration and Action to Set Date and Format for 2021 Nominating Committee Meeting

Vice President Guerra informed the Board that President Jim Darling and staff recommend scheduling the Nominating Committee Meeting on Wednesday, May 12, 2021 at 12:00 noon. They recommend that it be a hybrid virtual/in-person meeting held in the Ken Jones Executive Board Room with no more than 20 Board Members present. ***Ms. Maricela De Leon made a motion to approve scheduling a hybrid virtual/in-person Nominating Committee meeting on May 12 at 12:00 noon. Commissioner Edward Gonzalez seconded the motion, and upon a vote the motion carried unanimously.***

B. Presentation and Action to Accept Quarterly Investment Report

Finance Director Crystal Balboa presented the Quarterly Investment Report. ***Commissioner Edward Gonzalez made a motion to accept the Quarterly Investment Report as presented. Councilwoman Norie Garza seconded the motion, and upon a vote the motion carried unanimously.***

C. Consideration and Action to Approve Amendment to LRGVDC Procurement Policy

Executive Director Manuel Cruz was recognized and informed the Board that the proposed amendment will include the addition of the Code of Federal Regulations which references the Federal Highways Administration (FHWA). This amendment is necessary to remain in compliance with all FHWA activities including the procurement, management, and administration of engineering and design related services.

Specifically, the Procurement Policy should now include the Code of Federal Regulations (CFR) Part 172 (23 CFR 172.5 (c)) and include the responsibilities of the LRGVDC and guidelines on procurement methods and procedures, project management, etc. He stated that this amendment will not interfere with the standard operating procedures of the LRGVDC. The proposed amendment will go in the Procurement Policy manual under Article III, PART B, section 3-208, letter D, pages 44-45. The proposed amendment was provided in the meeting packet for review. ***Commissioner Rick Salinas made a motion to approve the amendment to the LRGVDC Procurement Policy as presented. Mayor Rick Guerra seconded the motion, and upon a vote the motion carried unanimously.***

D. The presentation from Texas GLO was given at the top of the agenda.

E. Presentation and Possible Action on Texas Gas Service Cost of Service Adjustment

Vice President Guerra recognized Ms. Stacey McTaggart, Texas Gas Service Rates and Regulatory Director to provide a presentation on the Rio Grande Valley Cost of Service Adjustment. Ms. McTaggart stated that at the conclusion of this presentation she will ask for action to authorize Mayor Jim Darling to hire a utility attorney and consultant to review the Cost of Service Adjustment (COSA) filing. She stated that every city in the Valley Cities Gas Coalition will have time to review the filing and the opportunity to vote on the COSA. She gave a comprehensive presentation detailing the reasons for this year's COSA. The anticipated filing date is April 29, 2021, the deadline for cities to take action on the COSA is July 28, 2021 and any COSA increases will take effect in August 2021. Upon conclusion of the presentation and discussion ***Commissioner Rick Salinas made a motion to authorize President Jim Darling to hire a utility attorney and consultant to review the COSA and advise the Valley Cities Gas Coalition so they are prepared to take action by the July 28 deadline. Mayor Pro-tem Michael Galvan seconded the motion, and upon a vote the motion carried unanimously.***

F. Consideration and Action to Approve Estimated Local Contributions for Hidalgo County Active Transportation & Tourism Plan

The LRGVDC Hidalgo County Active Transportation & Tourism Plan Contributions 2021 chart provides a breakdown of local cash match contributions for cities in Hidalgo County to participate in this project. This formula breakdown uses populations of each incorporated city and unincorporated areas in Hidalgo County to ensure the most equitable option for participation in this project. This projected local match is determined by a grant through the Texas Department of Transportation and is 25% of the estimated total project cost of \$379,500.00.

The scope of the Hidalgo County Active Transportation & Tourism Plan will be to seek a qualified firm to provide consultation services to provide a detailed strategic plan leading to the development and implementation of an active, seamless multimodal transportation network in Hidalgo County. This plan will unify all efforts of current bicycle and pedestrian facilities while identifying new opportunities for this network in areas lacking the necessary infrastructure. This plan will highlight the efforts of the larger cities with current plans and allow for smaller cities to have a framework for developing connective facilities for their communities. Upon conclusion of discussion, ***Commissioner Rick Salinas made a motion to approve the estimated local contributions for the Hidalgo County Active Transportation & Tourism Plan as presented. Commissioner Edward Gonzalez seconded the motion, and upon a vote, the motion carried unanimously.***

G. Executive Director Report

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

1. Introduction of New Staff Members

Mr. Cruz announced that Ms. Elsy Silva joined Valley Metro as a Bus Driver and Mr. Nicholas Cousineau joined the RGVMPPO as a GIS Specialist.

2. 87th Legislature Updates

Due to time constraints, this information was not presented, and Mr. Cruz noted that legislative updates are available on various state websites and will be shared as information is received from the Texas Association of Regional Councils.

3. American Rescue Plan Act of 2021

Mr. Cruz provided a brief summary of the information currently available on this funding.

4. It's time Texas Community Challenge

Mr. Cruz proudly announced that Valley Cities once again were prominent on the leader board for this state-wide competition. The 2021 results for Valley cities are as follows:

- Large Cities - McAllen came in 1st, Edinburg came in 3rd, and Brownsville came in 4th.
- Medium Cities - Pharr came in 1st, Harlingen came in 2nd, and Weslaco came in 5th.
- Small Cities - Los Fresnos came in 1st, San Juan came in 2nd, Alamo came in 4th, and Hidalgo came in 5th.

Mr. Cruz congratulated the cities and the participants and looks forward to next year's challenge.

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

A. Community & Economic Development

Director Rick Carrera was recognized to address the following:

Program Action Items

1. Consideration and Action to Approve Regional Water Resource Advisory Committee (RWRAC) Nomination

Mr. Carrera informed the Board that during their March 10, 2021 meeting a vacancy was announced for the Large City position within the committee. At the April 21, 2021 meeting, the members of the RWRAC recommended Ms. Carol Vasquez to serve as a Large City representative. She is employed as the City of Brownsville's Environmental Coordinator/Stormwater Manager. Board action is needed to confirm this nomination. ***Commissioner Rick Salinas made a motion to approve Ms. Carol Vasquez to serve as a Large City representative on the RWRAC. Commissioner Edward Gonzalez seconded the motion, and upon a vote the motion carried unanimously.***

2. Consideration and Action to Approve Regional Water Resource Advisory Committee (RWRAC) Bylaws Amendment

Mr. Carrera stated that at the April 21, 2021 RWRAC meeting the committee discussed amending their bylaws. Concern had been raised in previous meetings regarding member terms terminating at the same time which would jeopardize continuity. Initially the member terms were two (2) years, and the proposed bylaws would include staggered terms. All members would draw lots to determine whose terms would end after two years, in May of 2021, and whose terms would continue to complete 4 years.

In addition, a member had vacated their position without a letter of resignation due to disqualification of representation. As a result, RWRAC members suggested that vacancies be announced at LRGVDC Board of Director meetings to solicit nominations and that nominees provide a resume and complete a nomination form. The proposed amended bylaws were provided for review. ***Councilwoman Norie Garza made a motion to approve the amended bylaws as presented. Commissioner Edward Gonzalez seconded the motion and upon a vote the motion carried unanimously.***

3. Consideration and Action to Approve Interlocal Agreement between City of Edinburg and LRGVDC

Mr. Carrera stated that this interlocal agreement would allow the City of Edinburg to provide tire disposal services for the Road to Recycling event. Community and Economic Development staff recommend inclusion of the City of Edinburg as it will allow for greater participation and efficiencies for the event by including additional communities in the area. Great participation will help ensure that the event is as effective as possible in collecting improperly disposed of or kept tires and removing them from critical and problematic areas. ***Ms. Maricela De Leon made a motion to approve the Interlocal Agreement between the City of Edinburg and the LRGVDC as presented. Commissioner Rick Salinas seconded the motion, and upon a vote the motion carried unanimously.***

Program Status Reports

Mr. Carrera noted that the status reports were provided in the meeting packet for review.

B. Health & Human Services

Director Jose Gonzalez was recognized to address the following items:

Program Action Items

1. Consideration and Action to Add Vendors (Contractors) to the Vendor Pool

Mr. Gonzalez informed the Board that in response to the open enrollment for the Direct Purchased Services contractor pool, the Area Agency on Aging received an application for Transportation Services. The Advisory Council recommends the addition of MEDEX Transportation Services from McAllen to provide Ambulatory and Wheelchair transportation services. ***Commissioner Edward Gonzalez made a motion to approve the addition of MEDEX Transportation Services to the vendor pool as recommended by the Advisory Council. Commissioner Rick Salinas seconded the motion, and upon a vote the motion carried unanimously.***

Program Status Reports

Upon conclusion of action Mr. Gonzalez stated that the status reports on Expanding Caregiver Programming, Centers for Medicare & Medicaid Services Funding, and the Area Agency on Aging Advisory Council member vacancies were available for review in the meeting packet.

C. Public Safety

Program Action Items

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

1. Consideration and Action to Approve Criminal Justice Advisory Committee (CJAC) Priority List of FY 2021-22 Criminal Justice Grants Division Regional Grant Applications and Conditionally Approved Amounts

Mr. Snyder informed the Board that the CJAC was given two weeks to review and score the grant applications. On April 14, the CJAC convened via GoToMeeting to review the rankings and amounts. The CJAC recommends approval of the rankings and conditionally approved amounts as presented. ***Mayor Pro-tem Michael Galvan made a motion to approve the rankings and resolutions for FY 2021-2022 Criminal Justice grant conditionally approved projects as presented. Ms. Maricela De Leon seconded the motion, and upon a vote the motion carried unanimously.***

2. Consideration and Action to Approve Resolution to Apply for Coronavirus Emergency Supplemental Funding (CESF)

Mr. Snyder stated that as part of the Office of the Governor, Public Safety Office's Criminal Justice Division grant guidelines, applications must include a resolution that contains information such as authorization by its governing body for the submission of a project application, Coronavirus Equipment & Supplies for the LRGVDC. The intent of this application is to purchase an updated phone system; thermal image temperature detection system; masks and sanitizing items. This equipment will help enhance the capacity of the LRGVDC to function at full capacity to conduct meetings with regional stakeholders and update annual threat and hazards assessments, one of them being the pandemic.

Commissioner Rick Salinas made a motion to approve the resolution to apply for Coronavirus Emergency Supplemental Funding (CESF) as presented. Commissioner Edward Gonzalez seconded the motion, and upon a vote the motion carried unanimously.

3. Consideration and Action to Approve Resolution to Apply for Regional Law Enforcement Training Academy FY 2021-FY 2023

Mr. Snyder informed the Board that as part of the Office of the Governor, Public Safety Office's Criminal Justice Division grant guidelines, applications must include a resolution that contains information such as authorization by its governing body for the submission of a project application for a Regional Law Enforcement Training Academy. ***Ms. Maricela De Leon made a motion to approve the resolution to apply for Regional Law Enforcement Training Academy FY 2021-FY 2023 as presented. Mayor Pro-tem Michael Galvan seconded the motion, and upon a vote the motion carried unanimously.***

Program Status Reports

The program status reports were provided in the meeting packet for review.

D. Transportation

Program Status Reports

The Valley Metro Program status reports were available in the meeting packet for review.

Item 6. - New or Unfinished Business

There was no new or unfinished business to come before the Board.

Item 7. – Adjourn.

Commissioner Edward Gonzalez made a motion to adjourn, Mayor Oscar Montoya seconded the motion, and the meeting was adjourned at 1:17 pm.

Mayor Jim Darling, President

ATTEST:

Deborah Morales, Recording Secretary

ITEM #4. A.

ADMINISTRATION

**NOMINATING
COMMITTEE**

RECOMMENDATIONS

Lower Rio Grande Valley Development Council
Board of Directors Meeting

May 26, 2021

Item #4: Administration

- A. Consideration and **ACTION** on Recommendations from
Nominating Committee..... Mayor Jim Darling
Committee Chair

1. Selection of Five (5) Persons for Election as Members-at-Large to the General Membership

The Nominating Committee recommends the following five (5) persons for election as Members-at-Large to the General Membership:

NAME	CITY	COUNTY
Mr. Eleazar “Yogi” Garcia, Jr.	Raymondville	Willacy
Mr. Sergio Contreras	Mission	Hidalgo
Mr. Noel Bernal	Brownsville	Cameron
Mr. Chris Gonzalez	Mission	Hidalgo

Lower Rio Grande Valley Development Council
Board of Directors Meeting

May 26, 2021

Item #4: Administration

- A. Consideration and **ACTION** on Recommendations from
Nominating Committee..... Mayor Jim Darling
Committee Chair

2. Selection of Three (3) Members-at-Large to be Elected to the 2020-2021
Board of Directors

The Nominating Committee recommends the following individuals to fill the
three (3) at-large seats on the Board of Directors for 2021-2022:

NAME	CITY	COUNTY
Mr. Eleazar Garcia, Jr.	Raymondville	Willacy
Mr. Sergio Contreras	Mission	Hidalgo
Mayor Jim Darling	McAllen	Hidalgo

ITEM #4. B.

ADMINISTRATION

**EXECUTIVE
DIRECTOR
REPORT**

B. Executive Director Report

87th Legislative Session Update

The Texas House and Senate hearing schedules can be accessed virtually at the following links.

<https://house.texas.gov/video-audio/broadcast-schedule/>
<https://senate.texas.gov/events.php>

Please refer to the Texas Association of Regional Councils (TARC) Bill Tracking Summary Attached.

Courtesy of TARC and latest inquiries from LRGVDC below is the status of some of the Bills as of May 20th that we are tracking.

As you are aware, the 87th Leg is coming to an end. There are 5 days left. TARC and LRGVDC staff will continue watching the action of both chambers for items of interest.

Below are several bills that continue to move through the process.

Emergency Communications

[HB 2911](#) by White (DETCOG, SETRPC) which would increase the 9-1-1 wireless service fee to \$.075, has been referred to the Senate Committee on Business & Commerce. Public hearing was held and bill was left pending on 5/18/21.

Environmental Quality

[SB 763](#) by Powell (NCTCOG), relating to the creation of the urban air mobility advisory committee, passed the House on Tuesday. This bill is the companion to [HB 2637](#) by Cook (NCTCOG) and amends the Transportation Code to require the Texas Transportation Commission to appoint an urban air mobility advisory committee to assess current state law and any potential changes to state law that are needed to facilitate the development of urban air mobility operations and infrastructure in Texas. The bill provides for the composition and operation of the advisory committee and requires the advisory committee to report to the commission and to the members of the legislature the committee's findings and recommendations on any changes to state law that are needed to facilitate the development of urban air mobility operations and infrastructure. House passed the bill as amended on 5/18/21.

[HB 1905](#) by Harris (ETCOG, HOTCOG, NCTCOG)/Taylor (H-GAC) has been sent to the Governor. HB 1905 would remove certain regional water planning duties that are underfunded and are no longer informative. This includes requirements for regional water planning groups to prepare the infrastructure financing report and to prioritize projects at the regional level.

Health & Human Services

[HB 1156](#) by Thierry (NCTCOG), relating to creating the criminal offense of financial abuse of an elderly individual, did pass to third reading last night. The bill would make it a criminal offense to knowingly engage in the financial abuse of an elderly individual, which would be someone 65 years old or older.

Political Subdivision Impact

[SB 10](#) by Bettencourt (H-GAC), relating to the use by a county or municipality of public money for lobbying activities, was reported favorably as substituted out of House State Affairs this morning. The substitute language was not yet available at the time of this update.

[HB 29](#) by Swanson (H-GAC)/Hughes (ATCOG, ETCOG) was reported favorably as substituted out of Senate State Affairs on 5/12/21. This bill amends the Government Code and the Local Government Code to authorize an applicable state agency or political subdivision to provide self-service weapon lockers or other secure weapon storage operated at all times by a designated employee for the temporary secure storage of any weapon prohibited in certain public buildings or portions of those buildings.

Public Safety

[HB 1550](#) by Cyrier (AACOG, CAPCOG, GCRPC), the Texas Commission on Law Enforcement (TCOLE) Sunset Bill, was debated on the House floor on 5/12/21 but was postponed by the author until 6/3. Postponing to this date effectively kills the bill. While there is a Senate companion to the bill ([SB 711](#) by Paxton (NCTCOG)) it has not yet received a hearing in the Senate. TCOLE will again undergo Sunset review over the next biennium.

[HB 103](#) by Landgraf (PBRPC) has been sent to the Governor. This bill establishes the Texas Active Shooter Alert System.

[HB 671](#) by Martinez (LRGVDC), relating to establishment of the disaster identification system for a declared state of disaster, was passed by the House on Tuesday.

Transparency

[HB 1810](#) by Capriglione (NCTCOG) is now over in the Senate and has been referred to the Business & Commerce Committee. The bill would amend Chapter 552 of the Government Code to expand the definition of public information to include a data dictionary or other information describing the data held in a database. Implementing the provisions of the bill would require a governmental body to provide an electronic copy of public information maintained in an electronic form or in a format acceptable to the requestor. A governmental body would not be able to refuse to provide an electronic copy if it will require commands or instructions that can be executed within the normal course of business. The governmental body would not be required to purchase additional software to comply.

[SB 1225](#) by Huffman (H-GAC) relating to the authority of a governmental body impacted by a catastrophe to temporarily suspend the requirements of the public information law passed in the House on 5/11/21.

[HB 1322](#) by Shaheen (NCTCOG) was passed in the Senate on 5/13/21. This bill would require a state agency's notice of a proposed rule to include a brief, plain-language (in English and Spanish) explanation of the proposed rule and, if applicable, the bill number of the legislation that enacted the statutory authority under which the rule was proposed. The House concurs with Senate. House signed on 5/19/21.

Transportation

[HB 2539](#) by Turner, John (NCTCOG), relating to the distribution of funds designated for the low-income

vehicle repair assistance, retrofit, and accelerated vehicle retirement program, was passed by the House on 05/11/21.

[SB 1263](#) by Birdwell (HOTCOG, NCTCOG) relating to funding for the Texas emissions reduction plan was passed in the House on 05/11/21. The bill would amend the Transportation Code to change deposit of remitted title fees from the Texas Mobility Fund (TMF) to the Texas Emission Reduction Plan Fund (TERP) and direct the Texas Department of Transportation (TxDOT) to transfer an equal amount from the State Highway Fund (SHF) to the TMF. The bill would also amend the Health and Safety Code to direct the Texas Commission on Environmental Quality (TCEQ) to remit 40 percent of the amount deposited to TERP to the TxDOT for deposit to the SHF. The bill would require TxDOT to provide a report to TCEQ each year that includes details on projects TxDOT funds to reduce congestion and improve air quality.

[HB 4472](#) by Landgraf (PBRPC) passed the House 05/12/21. This bill would expand projects eligible for funding under the Texas Emissions Reduction Plan (TERP) to include air monitoring equipment; fee-based contracts for the purchase of reductions in nitrogen oxides emissions; and the energy efficiency loan guarantee program. The bill would also revise allocations from the TERP fund and account and make other changes to TERP programs.

Looking Ahead

The House has another deadline 05/21/21. This would be the last day for the House to consider local bills on 2nd and 3rd reading.

The LRGVDC would like to thank the TARC Team for their diligent efforts in keeping the COGs up-to-date with the numerous bills during the busy legislative schedule.

ITEM #5. A.

**COMMUNITY
&
ECONOMIC
DEVELOPMENT**

Lower Rio Grande Valley Development Council
Board of Directors Meeting

May 26, 2021

Item #5: Community & Economic Development

A. Community & Economic Development

Program Action Item

1. Consideration and **ACTION** to Approve the Regional Small Cities Coalition Advisory Committee's (RSCC) Recommendation for Secretary

Per RSCC Bylaw, annual elections for Secretary were held. Mayor Rick Salinas from City of Lyford was re-elected as Secretary.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

May 26, 2021

Item #5: Community & Economic Development

A. Community & Economic Development

Program Action Item

2. Consideration and **ACTION** to Approve Interlocal Agreement between LRGVDC and Hidalgo County for TWDB Flood Infrastructure Fund Cat. 1 Project #40038

This interlocal agreement will allow Hidalgo County to procure engineering services for the LRGVDC's Flood Protection Planning Study. Hidalgo County regularly procures engineering services for County projects. Contingent upon TWDB approval, Community and Economic Development staff recommends Hidalgo County to enter into contracting services to perform half the Scope of Work Tasks 2.2 and 2.3 of Attachment A of the ILA Agreement related to drainage characterization and project feasibility assessments for LRGVDC's grant agreement with the Texas Water Development Board.

The Interlocal Agreement is pending.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

May 26, 2021

Item #5: Community & Economic Development

A. Community & Economic Development

Program Action Item

3. Consideration and **ACTION** to Approve Interlocal Agreement between LRGVDC and Cameron County for Flood Infrastructure Fund TWDB Cat. 1 Project #40038

This interlocal agreement will allow Cameron County to procure engineering services for the LRGVDC's Flood Protection Planning Study. Cameron County regularly procures engineering services for County projects. Contingent upon TWDB approval, Community and Economic Development staff recommends Cameron County to enter into contracting services to perform half the Scope of Work Tasks 2.2 and 2.3 of Attachment A of the ILA Agreement related to drainage characterization and project feasibility assessments for LRGVDC's grant agreement with the Texas Water Development Board.

The Interlocal Agreement is pending.

Lower Rio Grande Valley Development Council Board of Directors Meeting

May 26, 2021

Item #5: Community & Economic Development

A. Community & Economic Development

Program Action Item

4. Consideration and **ACTION** to Approve Subrecipient Agreement between LRGVDC and Research, Applied Technology, Education, and Service, Inc. (RATES) Flood Infrastructure Fund TWDB Cat. 1 Project #40038

Research, Applied Technology, Education, and Service, Inc. (RATES) is a non-profit corporation located in Edinburg, TX. LRGVDC and RATES established an LRGV Regional Watershed Coordination Consortium under an MOA signed in October 2019.

The Subrecipient Agreement proposed would contract RATES to perform work on LRGVDC's Texas Water Development Board Flood Infrastructure Fund Grant (Project #40038). Contingent upon TWDB approval, RATES would be a subrecipient of the grant provided by TWDB to fund the LRGV Watershed Coordinator to identify projects, develop data through Real-Time Hydrologic Stations (estimated 40 stations), model the hydrology of the LRGVDC's service region, and maintain the cyberinfrastructure. RATES' tasks would include Tasks 1.2, 1.3, 1.4 & 2.1 of the TWDB Grant #40038, included within the Subrecipient Agreement.

The Subrecipient Agreement is pending.

Lower Rio Grande Valley Development Council Board of Directors Meeting

May 26, 2021

Item #5: Department Reports

A. Community & Economic Development

Program Status Reports

- Economic Development Administration

Staff encourages any current or future partners to visit the LRGVDC Economic Development webpage, <http://www.lrgvdc.org/business.html> to learn more about EDA funding opportunities.

Staff will be initiating the formation of a CEDS Committee to develop the Comprehensive Economic Development Strategy beginning in May-June 2021. For any questions, please contact Rick Carrera at rcarrera@lrgvdc.org.

Staff is available to provide technical assistance, project development, and grant administration on EDA proposals and projects. For any assistance, you may contact Rick Carrera, rcarrera@lrgvdc.org; Derek Katznelson, dkatznelson@lrgvdc.org; and/or Valerie Ramos, vramos@lrgvdc.org

- Pandemic Response

To better inform and keep our region up to date with COVID-19 and CARES Act resources, the LRGVDC developed this webpage designed to provide the latest resources and information available. The LRGVDC's intent is to improve capacity in our region to recover quickly from difficulties from current and forthcoming adversities with grant opportunities and resources to sustain living situations.

Additionally, the LRGVDC will proactively act as a liaison between various governmental levels and stakeholders. Staff will bring together different leaders and stakeholders to formulate best practices and actionable deliverables for sectors most affected by COVID-19 to establish a method of recovering from similar economic disasters.

The COVID-19 page continues to receive updates and the Pandemic Economic Response Coordinator (PERC) is currently assisting with the Regional Tourism & Travel Advisory Committee (RTTAC) and their goal of leveraging Explore RGV. The pandemic has greatly affected the travel and tourism sector and we are seeking a marketing firm to help bolster the website and application to help this hard-hit industry.

The annual business wellness survey has been updated. Please share with your local business community [2021 LRGVDC Regional Business Wellness Survey](#).

Please reach out! We are happy to provide any information, resources, or assistance available. Please visit our Covid-19 Resources webpage at: <http://www.lrgvdc.org/covid19.html>. Questions, comments, or concerns, please contact Rey Soto rsoto@lrgvdc.org.

- Regional Small Cities Coalition

The next Regional Small Cities Coalition Advisory Committee (RSCC) meeting will be held July 22, 2021 at 11:30 am at the Harlingen Country Club and be hosted by the City of Palm Valley. The meeting will also be held virtually, barring any unforeseen technical issues. The GoToMeeting link and public comment form can be found at LRGVDC's calendar page: <http://www.lrgvdc.org/calendar.html> or you can reach out to Brenda Salinas, bsalinas@lrgvdc.org

- Explore RGV

Enjoy your spring season in the outdoors by bird watching. Get our free birding adventure guide by visiting this link, <https://explorergv.com/bird-watching/>, #ExploreRGV#RGV

Explore RGV has hosted FREE GIVEAWAYS with the support and donations of our partner cities. Be on the lookout for FUTURE GIVEAWAYS you don't want to miss!

We invite you to Download the Explore RGV app at the Apple Store and Google Play or visit www.explorergv.com and to follow @goexplorergv on Twitter and Facebook.

- Community & Economic Development Assistance Fund

Visit our "Community & Economic Development" webpage at <http://www.lrgvdc.org/community.html> that provides information and resources on the Texas Department of Agriculture (TDA) funding opportunities. Eligible applicants are non-entitlement general purpose units of local government including cities and counties that are not participating or designated as eligible to participate in the entitlement portion of the federal Community Development Block Grant Program (CDBG). Non-entitlement cities that are not participating in urban county programs through existing participation agreements are eligible applicants (unless the city's population is counted towards the urban county CDBG allocation).

- Solid Waste Management Program

The Road to Recycling Tire Collection Event was held on Saturday, May 8, 2021. It was a very successful event! There were 52 tire disposal drop-off sites available to the residents valley wide.

Staff continues to provide technical assistance, outreach, and monitoring for all Solid Waste Management Projects. Information about the Solid Waste Program is available at www.lrgvdc.org/solidwaste.html.

The next SWAC meeting will be on June 8, 2021 at 10:00 am via GoToMeeting. The GoToMeeting link and public comment form can be found at LRGVDC's calendar page: <http://www.lrgvdc.org/calendar.html> or reach out to Brenda Salinas, bsalinas@lrgvdc.org

- Water Quality Program

Staff continues to educate the public on water quality issues in the month of May with the theme: Invasive Species in the Valley. You can find our weekly educational social media postings on the LRGVDC Facebook page.

Staff continues to support the Fresh Water Flows Project for four (4) water quality monitoring stations where Real Time Hydrologic Stations are installed in the LRGV main outflow drains.

Staff plans to advertise a water quality Public Service Announcement on LRGV movie theater screens in the month of June.

The Annual LRGV Watershed Protection Plan Meeting is scheduled for June 25, 2021 at the LRGVDC Main Campus, Building B, in the Ken Jones Executive Board Room and virtually. If you are interested in attending or know someone who would like to attend, please reach out to Derek Katznelson at dkatznelson@lrgvdc.org.

- Regional Water Resource Advisory Committee

Staff attended a LRGV TPDES Stormwater Taskforce meeting on May 7, 2021 to discuss interoperability of agencies acting within the Lower Rio Grande Valley.

Staff plans to finalize a Flood Infrastructure Fund grant agreement (Project #40038) with the Texas Water Development Board to develop a Hydrologic and Hydraulic Model and identify and develop drainage projects in the LRGV in mid-June.

The next Regional Water Resource Advisory Committee (RWRAC) meeting is TBD (possibly for first week of June). The GoToMeeting link and public comment form can be found at LRGVDC's calendar page: <http://www.lrgvdc.org/calendar.html>.

The Regional Water Resource Advisory Committee (RWRAC) has a vacancy for a member from the LRGV Stormwater Taskforce. If you are interested or would like to nominate someone for membership, please email dkatznelson@lrgvdc.org the nominee's resume and complete the following nomination form: [RWRAC Nomination Form](#)

- Rio Grande Regional Water Planning Group (Region M)

The next meeting of the Region M Group is scheduled for Wednesday, July 7, 2021 at 10:30 am. For more information on Region M, please visit their website: www.riograndewaterplan.org or contact Debby Morales at dmorales@lrgvdc.org.

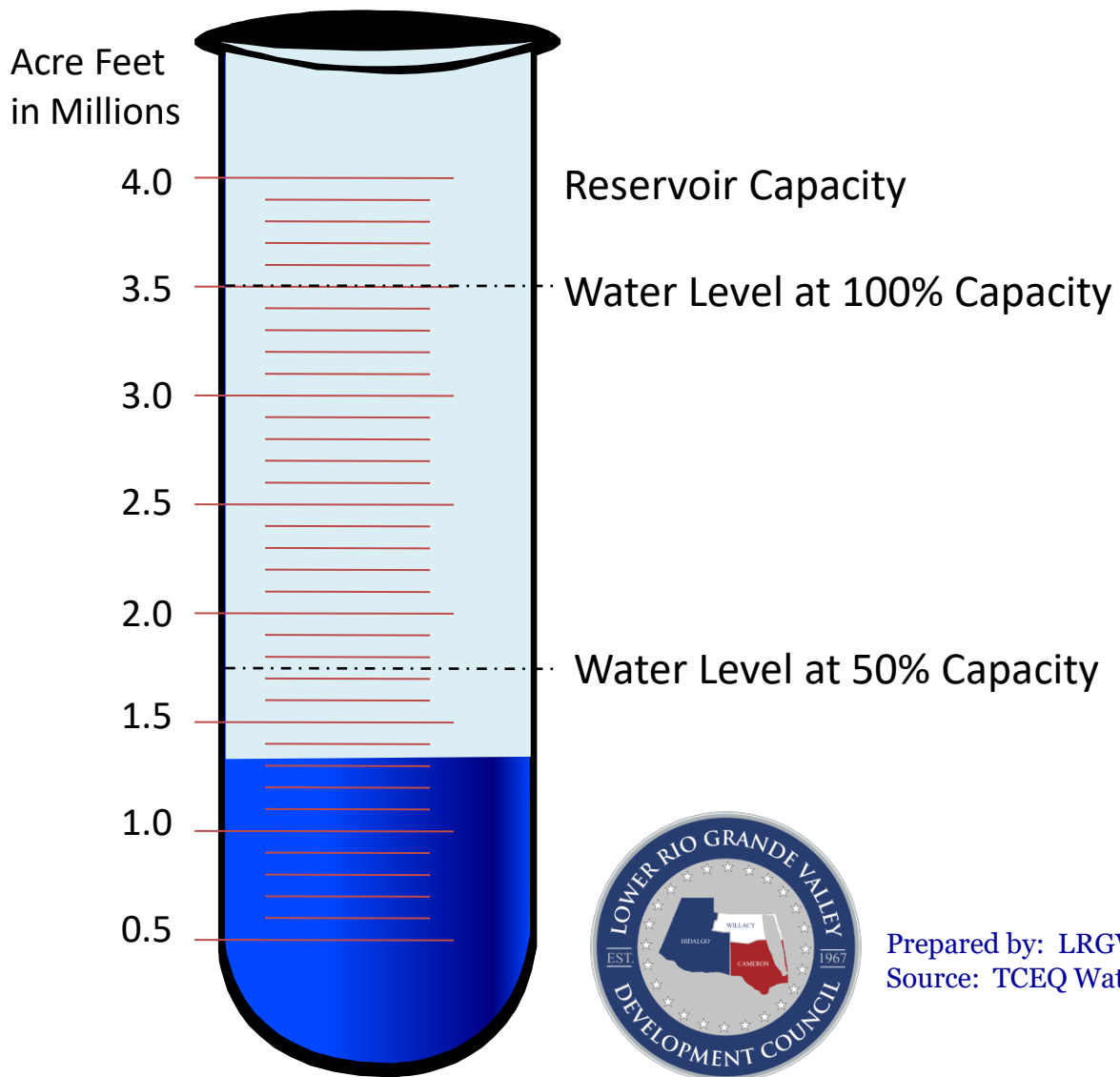
- Reservoir Levels

On May 15, 2021, the U.S. combined ownership at Amistad/Falcon stood at 38.95% of normal conservation capacity, impounding 1,321,203 acre-feet, down from 45.15% (1,531,431 AF) of normal, conservation a year ago. Overall the system is holding 24.61% of normal conservation capacity, impounding 1,457,346 acre-feet with Amistad at 31.95% of conservation capacity, impounding 1,046,606 acre-feet and Falcon at 15.52% of conservation capacity, impounding 410,740 acre-feet. Mexico has 5.38% of normal conservation capacity, impounding 136,143 acre-feet at Amistad/Falcon.

Water Levels at Amistad and Falcon Reservoirs (U.S. Ownership)

5/15/2021, 38.95% of Capacity or 1,321,203 AF

Down from 1,531,431 AF of Normal Conservation a year ago



**NOTE: Mexico Ownership/Reservoir Capacity for
March 20, 2021: 5.38% (136,143) A.F.**

Rio Grande Watermaster Report

05/15/21

Amistad Reservoir

Normal Conservation Elevation	340.462 Meters	1,117.00 Feet	
Current Water Elevation	325.185 Meters	1,066.88 Feet	-50.12
Total Normal Conservation Capacity	4,040,325 TCM	3,275,532 Acre-Feet	
Current Total Combined Storage	1,290.975 MCM	1,046,606 Acre-Feet	31.95%
U.S. Share of Current Storage	1,165.686 MCM	945,033 Acre-Feet	90.30%
Mexico Share of Current Storage	125.289 MCM	101,573 Acre-Feet	9.70%
Total Releases (Average)	42.40 CMS	1,497 CFS	
U.S. Release (Average)	39.40 CMS	1,391 CFS	92.92%
Mexico Release (Average)	3.00 CMS	106 CFS	7.08%
Total Inflows (Average)	24.20 CMS	855 CFS	
U.S. Inflows (Average)	18.80 CMS	664 CFS	
Mexico Inflows (Average)	5.40 CMS	191 CFS	
Total Losses (Average)	5.82 CMS	206 CFS	
U.S. Reservoir Loss (Average)	5.26 CMS	186 CFS	
Mexico Reservoir Loss (Average)	0.56 CMS	20 CFS	

Falcon Reservoir

Normal Conservation Elevation	91.805 Meters	301.20 Feet	
Current Water Elevation	78.820 Meters	258.60 Feet	-42.60
Total Normal Conservation Capacity	3,264,813 TCM	2,646,817 Acre-Feet	
Current Total Combined Storage	506.642 MCM	410,740 Acre-Feet	15.52%
U.S. Share of Current Storage	464.000 MCM	376,169 Acre-Feet	91.58%
Mexico Share of Current Storage	42.642 MCM	34,570 Acre-Feet	8.42%
Total Releases (Average)	31.80 CMS	1,123 CFS	
U.S. Release (Average)	26.80 CMS	946 CFS	84.28%
Mexico Release (Average)	5.00 CMS	177 CFS	15.72%
Total Inflows (Average)	74.00 CMS	2,613 CFS	
U.S. Inflows (Average)	58.60 CMS	2,069 CFS	
Mexico Inflows (Average)	15.40 CMS	544 CFS	
Total Losses (Average)	5.36 CMS	189 CFS	
U.S. Reservoir Loss (Average)	4.93 CMS	174 CFS	
Mexico Reservoir Loss (Average)	0.43 CMS	15 CFS	

Overall Status

Amistad

Total Normal Conservation Capacity	4,040,325 TCM	3,275,532 Acre-Feet	
U.S. Share of Normal Conservation	2,270,663 TCM	1,840,849 Acre-Feet	
Current U.S. Share of Normal Conservation	1,165,686 TCM	945,033 Acre-Feet	51.34%
Mexico Share Normal Conservation	1,769,662 TCM	1,434,683 Acre-Feet	
Current Mexico Share of Normal Conservation	125,289 TCM	101,573 Acre-Feet	7.08%

Falcon

Total Normal Conservation Capacity	3,264,813 TCM	2,646,817 Acre-Feet	
U.S. Share of Normal Conservation	1,913,180 TCM	1,551,034 Acre-Feet	
Current U.S. Share of Normal Conservation	464,000 TCM	376,169 Acre-Feet	24.25%
Mexico Share of Normal Conservation	1,351,633 TCM	1,095,782 Acre-Feet	
Current Mexico Share of Normal Conservation	42,642 TCM	34,570 Acre-Feet	3.15%
Total Normal Capacity in Amistad/Falcon System	7,305,138 TCM	5,922,348 Acre-Feet	
Total Normal Conservation Capacity for the U.S.	4,183,843 TCM	3,391,883 Acre-Feet	57.27%
Total Normal Conservation Capacity for Mexico	3,121,295 TCM	2,530,465 Acre-Feet	42.73%
Current Combined Storage for the U.S.	1,629.686 MCM	1,321,203 Acre-Feet	38.95%
Current Combined Storage for Mexico	167.931 MCM	136,143 Acre-Feet	5.38%
Current Storage in the Amistad/Falcon System	1,797,617 TCM	1,457,346 Acre-Feet	
Percent of Storage Capacity			24.61%

ITEM #5. B.

**HEALTH
&
HUMAN SERVICES**

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

B. Health & Human Services

Area Agency on Aging Program Action Items Jose L. Gonzalez, Director

1. Consideration and **ACTION** to Authorize the Area Agency on Aging to Issue Request for Proposals and Vendor (Contractor) Solicitations for Fiscal Years 2021-2022 and 2022-2023

The Advisory Council is recommending approval to authorize the Area Agency on Aging to issue Request for Proposals and Vendor Solicitations for multi-year contracts. The contracts would cover the next two (2) fiscal years, 20201-2022 and 2022-2023.

The Request for Proposal will be to acquire such services a congregate and home delivered meals. Other services may include senior center operations and transportation. Vendor Solicitation is to acquire direct purchased services such as medications, medical supplies, medical transportation, homemaker, and respite services.

2. Consideration and **ACTION** to Close the Current Vendor Open Enrollment

The Advisory Council is recommending approval to close the current open enrollment of vendors (contractors). Due to the issuing of the vendor solicitation for the next two fiscal years it is not necessary to maintain the current open enrollment. The current vendor pool provides the consumers being served enough options.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

B. Health & Human Services

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

- Expanding Outreach Efforts

The Benefit Counselors are working on various outreach options to reach Medicare beneficiaries that are eligible for cost saving programs under Medicare or other services such as Advance Directives, Durable Medical Powers of Attorney, and other program entitlements. Please contact Area Agency on Aging Benefits Councilors if your organization or community would like to schedule an event.

- Opening of Nutrition Sites

The City of McAllen has opened the Las Palmas Community Center and in June, Amigos Del Valle is also planning on opening several centers. The WellMed Medical Foundation has also expressed interest in opening the Crossroad Senior Center in McAllen and Harlingen. Safety measures at this time are being put in place prior to opening these sites.

ITEM #5. C.

PUBLIC SAFETY

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

C. Public Safety

Program Action Item Randall Snyder, Public Safety Director

1. Consideration and **ACTION** to Approve Renewal of Power Metrics and Real-Time Dashboard Management Information System

Power Metrics and Real-Time Dashboard provide the ability to monitor and record 9-1-1 calls and text. This is a renewal with Intrado to continue utilizing this service for another 2-year term. The services are heavily utilized by public safety agencies to retrieve call records.

This purchase is in line with our 2020-2021 Strategic Plan for renewal and the vendor is on HGAC Buy Contract ECo7-20.

The cost for this renewal is estimated at \$158,172.00 for the 2-year agreement beginning September 1, 2021 through August 31, 2023.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

C. Public Safety

Program Action Item Randall Snyder, Public Safety Director

2. Consideration and **ACTION** to Renew 2-Year Maintenance Services for PSAPs in Hidalgo and Willacy Counties

The renewal of our 2-year Maintenance Service provided by Intrado will allow us to renew any software or provide virus protection software to mitigate any known issues for the call taking workstations and host equipment.

The direct purchase will be competitive from HGAC Buy Contract EC07-20.

The cost for this renewal is estimated at \$273,195.16 for the 2-year agreement beginning September 1, 2021 through August 31, 2023.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

C. Public Safety

Program Action Item Randall Snyder, Public Safety Director

3. Consideration and **ACTION** to Renew 2-Year On-site Equipment Support Services for PSAPs in Hidalgo and Willacy Counties

The renewal for a 2-year term for on-site maintenance with Western State Communications (WSC) will provide ongoing maintenance services on 9-1-1 equipment at the public safety answering points (PSAPs). Technicians will be available seven (7) days a week, twenty-four (24) hours a day, including holidays to address any 9-1-1 interruptions in the region.

The direct purchase will be competitive from HGAC Buy Contract ECo7-20.

The cost for this renewal is estimated at \$450,662.00 for the 2-year agreement beginning September 1, 2021 through August 31, 2023.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

C. Public Safety

Program Action Item Randall Snyder, Public Safety Director

4. Consideration and **ACTION** to Renew Text to 9-1-1 Services for Upcoming Biennium

The cost for this renewal is estimated at \$65,400 for the 2-year agreement beginning September 1, 2021 through August 31, 2023 and is necessary to receive incoming 9-1-1 text calls. This service is mandatory under FCC regulations and is an approved budget line item on our strategic plan under 9-1-1 program budget section 2 subsection 2b. This purchase is estimated through H-GAC Purchase Contract #EC07-18, vendor is West Safety Solutions Corp.

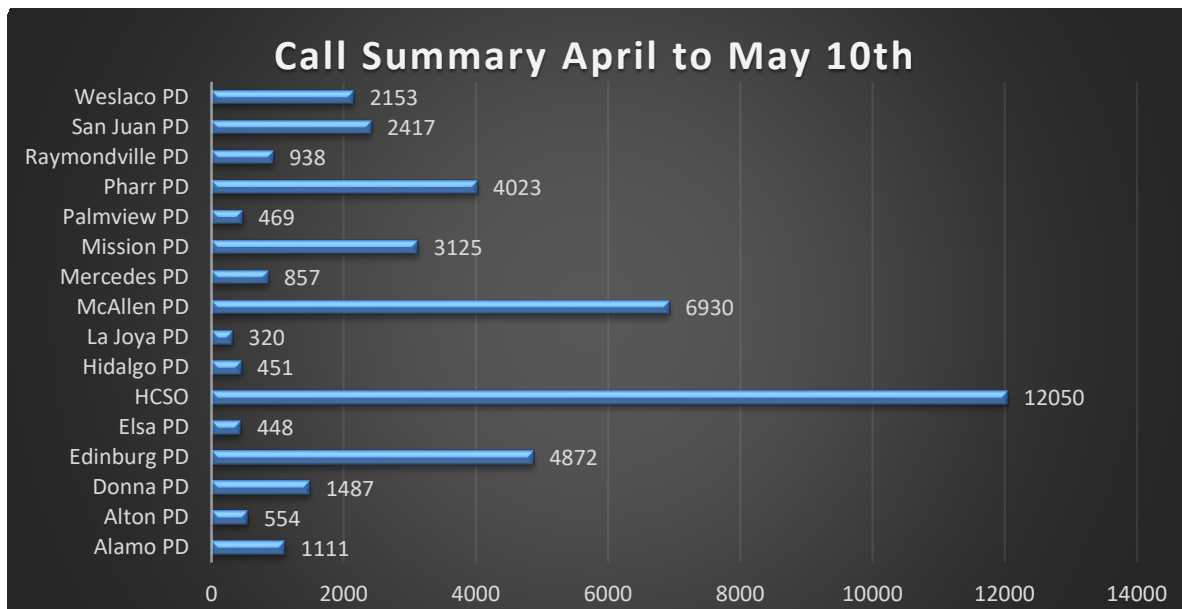
Lower Rio Grande Valley Development Council Board of Directors Meeting

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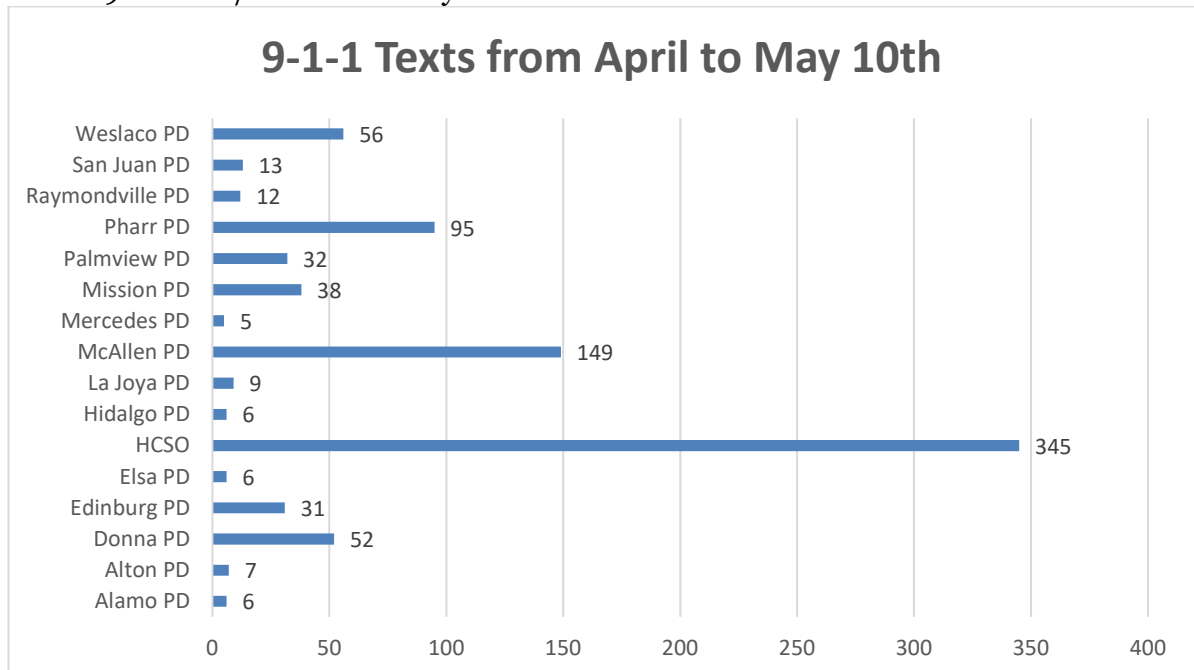
Item #5: Department Reports

C. Public Safety

Emergency Communications/9-1-1 Status Report



- 2021 9-1-1 Call/Text Summary

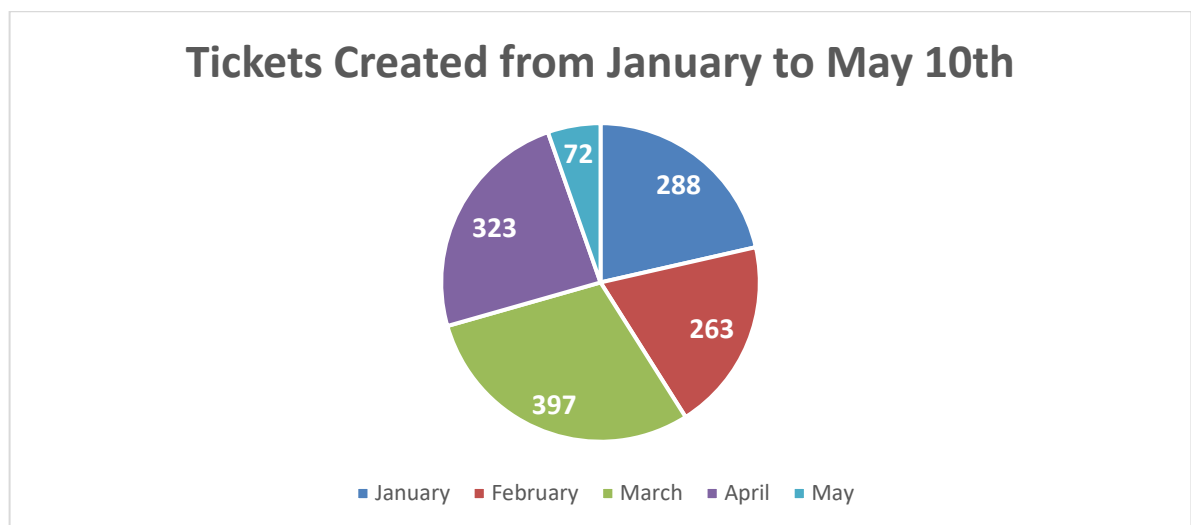


- Location Validation Program

LV staff focuses on issuing 9-1-1 physical addresses and addressing new subdivisions for Hidalgo and Willacy Counties. Staff is collaborating with the International Boundary and Water Commission to assign a road name to the Levee. This will assist the GIS Dept and allow them to map the Flood Diversion Gates. The project also provides the ability to address residents between the Rio Grande River and the Levee for a 9-1-1 response.

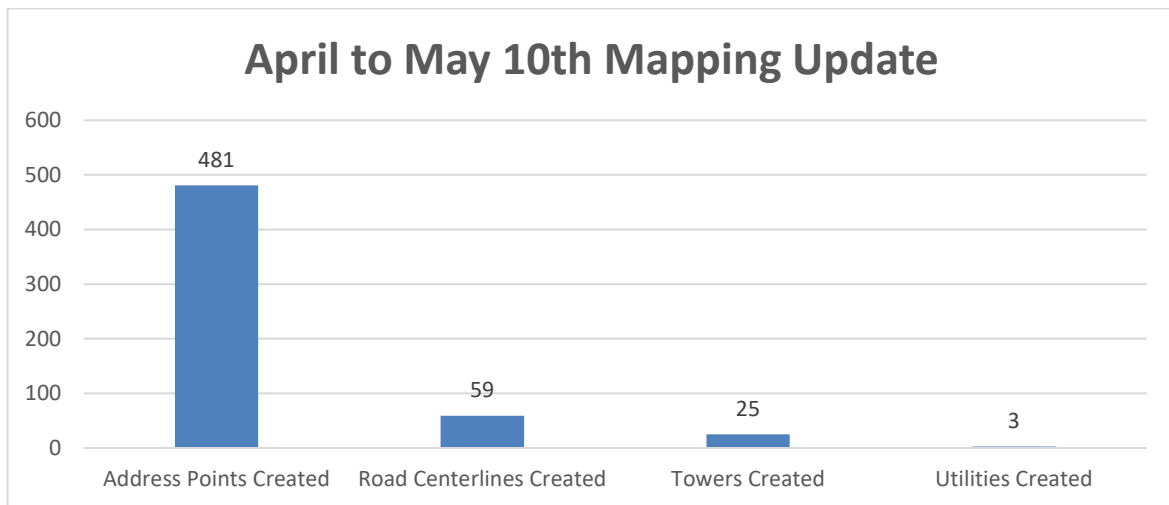
- Database Program

Database staff continues validating and updating the 9-1-1 database via its new Geodatabase application. This is done in collaboration with the other internal programs. During the month of April, 430 calls were received which resulted in 408 new 9-1-1 physical addresses. As new subdivisions are developed, the new streets and street updates are added to our MSAG (Master Street Address Guide). Validating address through the new VOIP (Voice Over Internet Protocol) is a continuation project. To better serve our residents we continue searching missing address points in our 9-1-1 maps.



- Mapping Program

The GIS team continues mapping daily address ticket requests while maintaining data quality. Additionally, the team has achieved 100% geocode matching on the GeoMSAG. With this matching, every call to 9-1-1 in Hidalgo/Willacy should route to the correct PSAP. Our GIS data has achieved a zero critical error percentage in our GeoMSAG and has been loaded into the ECRF mechanism completing the GIS portion of ESInet conversion. The GIS team continues to transition away from the traditional ArcMap software.



- System and Public Safety Answering Point (PSAP) Operations

The LRGVDC 9-1-1 Systems and PSAP Operations Team are committed to promoting emergency preparedness. This past month our team initiated our Hurricane Preparedness action plan for our region and maintained all generators at PSAPs. This is significant to ensure interoperability during unforeseen weather events or area power outages. Our Systems and PSAP Operations Team continues to service our region and provides technical assistance to staff members that are working remotely.

- Public Education/Training Program

Public Education is an ongoing priority for the Emergency Communications/9-1-1 Division. We continue outreach efforts to the community through our LRGVDC Facebook page to educate residents on ECOMMS/9-1-1. A 9-1-1 System Training was provided on May 7 to eight (8) new hires of the Pharr PD. The newly trained team will support their EMS Dispatch. Staff participated at the 2021 RGV Livestock Show Parade on Saturday, May 8 and our decorated float was a big hit with the audience. Our region's PSAPs are currently migrating to ESInet and will change the current system format. We are working to provide an updated 9-1-1 System Training for telecommunicators and supervisors. A date for this training is to be determined.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

C. Public Safety

Criminal Justice Program

- Program staff submitted reviews of grant applications for the Criminal Justice Division's SAFE-Ready Facilities Program and the Victims of Commercial Sexual Exploitations Program funding opportunities.
- Program staff submitted the LRGVDC's application for the Criminal Justice Division's Coronavirus Emergency Supplemental Funding FY 2021 funding opportunity.

Homeland Security Program

- Program staff attended the virtual TX DOT's Pharr District Annual Hurricane Meeting on April 29 and staff received updates on the agency's preparedness initiatives.
- Program staff attended the Hidalgo County Local Emergency Planning Committee (LEPC) meeting on April 29 in Mission.
- Program staff attended the Coastal Bend Virtual Hurricane Conference on May 5.
- Program staff participated in community preparedness discussions with residents of the Victoria Palms Resort; the focus was on power outages and how the residents could improve their level of preparedness.
- Staff participated in a conference call on May 11 with the Cybersecurity and Infrastructure Security Agency regarding the recent ransomware attack.
- Program staff participated in the Public Safety Office's monthly call on May 13 to discuss Homeland Security and Criminal Justice program updates.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

C. Public Safety

Regional Police Academy Status Report

- The 204th Mission Full time, 205th Hidalgo Full Time, 206th Raymondville Full Time, 207th Hidalgo Part Time, 208th Edinburg Full Time and the 209th Harlingen academies are continuing to operate with full functionality.
- Entrance exams have resumed to allow interested parties who wish to attend the fall academies to test.
- Fall academy dates and locations will be announced in early June 2021.
- In-service training continues in person and is being conducted at various location throughout the region. This provides as many officers as possible with opportunities to attend without having to travel long distances.
- The Regional Police Academy continues to identify training opportunities in support of agencies to educate their officers in dealing with COVID 19.

ITEM #5. D.

TRANSPORTATION

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

D. Transportation

Valley Metro Status Report Tom Logan, Director

1. Consideration and **ACTION** to Approve Procurement of Fareboxes for Valley Metro Rural Fleet

Staff requests Board approval to purchase ten (10) fareboxes from Genfare to equip units in Valley Metro fleet in preparation for the collection of fares. This will ensure that our farebox system is compatible with both Brownsville and McAllen metro systems. Furthermore, this will ensure that our goal of seamless fare systems in the Valley, as recommended by our regional plan, is achieved. The quoted price for the ten fareboxes is \$161,320.00.

Purchase of these parts will be made using TxDOT grant #RTAP-2020-LRGVDC-00017 Grant will cover purchase at 100%, no local match is required.

Sales Quotation

Sold-To-Party

Lower Rio Grande Valley Development
301 W. Railroad St. Building A
Weslaco TX 78596

Ship-To-Party

LRGVDC - Valley Metro
510 S. Pleasantview Drive
Weslaco TX 78596

Information


Sales Quote No. 5033267
Document Date 03/11/2021
Customer No. 3344
Currency USD
Contact Name Thomas Logan
Phone
FAX 956-969-8176
EMAIL invoices@lrgvdc.org
Validity Start Date 03/11/2021
Validity End Date 04/15/2021
Req Ship Date 07/11/2021

End User

Lower Rio Grande Valley Development
301 W. Railroad St. Building A
Weslaco TX 78596

Item	Material	Quantity	Price	Amount
10	D28700-3344-36 G/A FAREBX, FAST FARE-36" WESLACO LRGVDC	10 EA	15,732.00 USD	157,320.00
20	FREIGHT Freight	1 EA	410.00 USD	410.00
30	INSTALL Installation - Optional	10 EA	400.00 USD	4,000.00
Gross Value:				161,730.00
Total Tax:				
Final Amount:				161,730.00

Customer Signature: _____ **Date:** _____

Signature:  **Date:** 03/11/2021

Sales Representative: Larry Chefalo **Phone:** 847-871-1130
Email: larry.chefalo@spx.com

Genfare Price Quotation Summary Terms & Conditions: All prices are valid for 90 days from the Document Date unless otherwise noted above. Delivery will be made within 120 After Receipt of Order (ARO) unless otherwise noted above. Prices do not include any state or local taxes or freight charges unless specifically listed. Regardless of any taxes included above, applicable taxes due are determined as of the date of sale. All price quotations are subject to and shall be governed solely and exclusively by the Genfare Standard Terms And Conditions Of Sale, a copy of which is attached and incorporated herein.

TERMS AND CONDITIONS OF SALE

1. GENERAL. Unless otherwise agreed in writing by Genfare, the Quotation, these Terms and Conditions of Sale (including the attached Warranty), the Order Acknowledgment (if issued) and the Software License (for any licensed Software), constitute the entire agreement between Genfare and Customer (the "Agreement") and are the exclusive terms and conditions governing the underlying order and shall apply in precedence over any such other terms and conditions, or otherwise under any applicable law. The Software is licensed to Customer under the Genfare Software License in effect at the time of purchase of such Software. Genfare's Services Agreement shall be the sole document governing any Software subscriptions purchased by Customer from Genfare. ANY ADDITIONAL OR INCONSISTENT TERMS OR CONDITIONS CONTAINED IN ANY PURCHASE ORDER OR OTHER DOCUMENT OF CUSTOMER ARE OBJECTED TO BY GENFARE AND SHALL NOT BE EFFECTIVE OR BINDING AS TO GENFARE UNLESS AGREED TO IN A WRITING SIGNED BY AN AUTHORIZED REPRESENTATIVE OF GENFARE. Genfare shall sell to Customer, and Customer shall purchase from Genfare, the equipment identified in the Quotation (the "Equipment") and a license to certain software identified in the Quotation or embedded in the Equipment (the "Software") in accordance with the Agreement (the Equipment and Software collectively referred to as the "Products"). Genfare accepts Customer's purchase orders for Products and agrees to deliver the Products to Customer only on the terms of the Agreement. Genfare's acceptance of Customer's purchase order is expressly made conditional on Customer's assent to the Agreement. No variation of the Agreement shall be binding unless agreed to in writing by authorized representatives of Genfare and Customer. The following provisions of these Terms and Conditions of Sale shall survive termination of the Agreement for whatever reason: Sections 1, 3, 6, 7, 8, 9, 11, 12, 15 and 16.

2. SHIPPING & INSURANCE. Genfare shall arrange shipping and insurance and shall bill Customer for the Products with the shipping and insurance costs as separate items, on an invoice ("Invoice"). Subject to other provisions of the Agreement, Genfare shall ship the Products to Customer on the agreed upon Shipping Date.

3. TERMS OF PAYMENT. Genfare may require certain payments to be made prior to delivery of Products or other services. Notwithstanding the preceding sentence, Customer shall pay for all Products, fees, shipping, insurance, and where agreed, all duties and taxes net 30 days from date of Invoice. However, if the parties have agreed that the Products are to be installed by Genfare, Customer shall pay 90% of the total cost of each Product upon shipping of the Product and 10% upon installation of the Product. All services are invoiced at 100%. If Customer fails to pay any Invoice when due, Genfare may, without prejudice to any other remedy, postpone shipments, alter payment terms, terminate the Agreement and charge interest on all overdue amounts at the rate of 1.5% per month compounded monthly (or if less, the maximum rate allowed by law). Upon demand, Customer shall pay all such interest charges and all reasonable collection fees, including reasonable legal expenses.

4. TRANSFER OF TITLE AND RISK OF LOSS; DELIVERY. All products will be shipped FOB Destination. Risk of loss and title to all Products shall pass to Customer, free of encumbrances, at the time of delivery to Customer's destination. Genfare will endeavor to meet any estimated or firm delivery dates requested by Customer, but shall not be liable in damages or otherwise, nor shall Customer be relieved of performance under the Agreement, because of failure to meet them.

5. CHANGES TO SPECIFICATIONS. Genfare may, without notice to Customer, make changes to the specifications of the Products which do not materially affect the quality or performance of the Products.

6. ACCEPTANCE, RETURNS AND EXCHANGES. The Products and services shall be deemed accepted, and any attempt by Customer to reject an order or shipment of Products shall be waived and not enforceable, unless: (i) Customer has promptly inspected the Products and services, and written notice from Customer of any defect has been received by Genfare within thirty (30) days following any delivery of Products or performance of services. The return of defective Products is covered by the Warranty as described in Attachment A.

Return/Exchange Procedures. Customer may only return a Product which is not defective if: (a) the Product does not correspond to the Products ordered in the Agreement (a "Return"), or (b) the Product has been ordered in error by the Customer and Genfare has granted written permission to Customer to remedy its mistake by ordering the correct equipment or software and returning the Product (an "Exchange"). The party liable for all shipping, insurance and any other expenses incurred by Customer in returning the Product pursuant to the preceding sentence and for all loss or damage to the Product until received by Genfare, shall be Genfare for Returns and Customer for Exchanges. If Customer returns the Product in accordance with these Procedures in an undamaged condition, in the original configuration and, where appropriate, in the original packing, before the later of: (i) 21 days after the date of the Invoice for that Product; and (ii) the date of substantial completion of installation of the Product by Genfare, Genfare shall: (A) for Returns, issue a credit to Customer for the full Invoice price of the returned Product; or (B) for Exchanges, issue a credit to Customer for the full Invoice price of the returned Product less: (I) a restocking fee of 25% of the Invoice price; and (II) the original shipping and insurance cost as shown on the Invoice. If Customer does not comply with the Procedures in this Section for Returns and Exchanges, Customer shall pay the full amount of the Invoice.

7. CUSTOMER POSTPONEMENT OF SCHEDULED SHIPPING DATE. If Genfare receives a request from Customer to delay the Shipping Date (a) 30 days or more prior to the Shipping Date, Genfare may postpone the Shipping Date and may charge Customer 2% of the net Agreement total for each full or partial month the Shipping Date is delayed or (b) less than 30 days prior to the Shipping Date, Genfare may treat the Agreement as canceled and may bill Customer in accordance with the provisions of Section 8.

8. CANCELLATION. If Customer cancels an Agreement before the

Shipping Date, Genfare may charge Customer a cancellation charge calculated by multiplying the following applicable percentage by the Agreement total (as shown on the Quotation/Order Acknowledgment): (a) if cancelled 40 business days or more before Shipping Date, the applicable percentage is 25%, and (b) if cancelled 39 business days or less before Shipping Date, the applicable percentage is 50%. In addition to the applicable percentage charge, if Customer cancels all or part of the order without cause, Customer will reimburse Genfare for (i) Genfare's expenses incurred to fulfill the order through the cancellation date, including, without limitation, materials and labor. If Customer's order includes special order Products or vendor Products, Genfare may also charge, in addition to the other amounts set forth in this Section 8, (A) for special order Products, 100% of the amount shown on the Quotation/Order Acknowledgment for that Product; and (B) for vendor Products, the lesser of 100% of the cost to Genfare of vendor Product; or, if the vendor accepts the return of its Product the restocking charge levied by the vendor. Customer shall pay all cancellation charges within 30 days of receipt of Invoice.

9. FORCE MAJEURE. To the extent that either party is not able to perform an obligation under this Agreement due to fire, flood, acts of God, severe weather conditions, strikes or labor disputes, war or other violence, acts of terrorism, any law or order of any governmental agency, or other cause beyond that party's reasonable control ("Force Majeure"), that party may be excused from such performance so long as such party provides the other party with prompt written notice describing the condition and takes reasonable steps to avoid or remove such causes of nonperformance and promptly continues performance whenever and to the extent such causes are removed.

10. INSTALLATION. If installation is purchased, Customer shall complete all of the action necessary to prepare Customer's premises for the installation of Products prior to the scheduled installation date. If Customer complies with the preceding sentence, Genfare's authorized technicians shall commence the installation of Products on the scheduled installation date. Genfare may invoice Customer for an amount in addition to the installation charge specified on the Quotation/Order Acknowledgment if Genfare incurs additional installation costs as a result of Customer's failure to have the site, other manufacturers' equipment or Products ready for Genfare's technicians on the scheduled installation date.

11. WARRANTY. All Products are covered by Genfare's Standard

Warranty as described in Attachment A attached hereto and incorporated herein.

12. WAIVER OF CONSEQUENTIAL DAMAGES; LIMITATION OF LIABILITY. Notwithstanding anything in this Agreement to the contrary, to the fullest extent permitted by applicable law, Genfare will not be liable for damages related to any business interruption or loss of profit, increased operating costs, anticipated savings, data, contract, goodwill or the like or for incidental, special, indirect or consequential damages of any nature under any theory of relief, including, without limitation, breach of warranty, breach of contract, tort (including negligence), and strict liability, arising out of or related to Seller's acts or omissions. Under no circumstances shall Genfare's liability to Customer exceed the contract price for the specific goods and services upon which such liability is based. Any action for breach of contract or otherwise must be commenced within one (1) year after the cause of action has accrued.

13. INDEMNIFICATION. Genfare agrees to indemnify and hold harmless Customer, its elected and appointed officers and employees, from and against any and all claims, demands, defense costs, liability or damages brought by third parties and to the extent arising solely from: (a) personal injury or property damage resulting directly from Genfare's (or Genfare's subcontractors, if any), negligent acts, errors or omissions or willful misconduct or (b) any actual infringement by Genfare of a patent, trademark, copyright, trade secret or other intellectual or proprietary rights regarding the Products (except to the extent resulting from Customer's combination of Genfare's products with other products or services not provided by Genfare). Notwithstanding the foregoing, there shall be no indemnification hereunder by Genfare as to any losses caused by the negligence or fault of Customer or any of its officers, employees or agents. If Customer shall claim indemnification hereunder, Customer shall notify Genfare in writing of the basis for such claim or demand setting forth the nature of the claim or demand in reasonable detail. Genfare agrees to assume the defense of any such claim and to defend the same at Genfare's expense. The parties agree to reasonably cooperate with each other on any such claims. If the Customer desires to participate in the defense, then Customer shall have the right to do so through counsel of its own choosing, provided that Customer will be responsible for all of its costs in so doing.

14. INSURANCE. Genfare shall maintain insurance coverage

consistent with its existing programs but shall not name Customer as an additional insured nor will Genfare or its insurers be obligated to waive any rights of subrogation Genfare or such insurers may have against Customer or its affiliates.

Genfare shall use commercially reasonable efforts to provide Customer with written notice of cancellation of any applicable policy thirty (30) days prior to the effective cancellation date of such policy, but failure to do so shall impose no obligation or liability upon Genfare or its insurers, agents or representatives. Genfare shall provide Customer with its standard certificate of insurance upon request.

15. NOTICE. All requests, instructions and notices from one party to the other must be in writing and may be given via registered post or facsimile transmission to the address of the parties shown on the Quotation/Order Acknowledgment.

16. MISCELLANEOUS. No waiver by Genfare of any breach of this Agreement shall be considered as a waiver of any subsequent breach of the same or any other provision. Any provision of the Agreement which is, or is deemed to be, unenforceable in any jurisdiction shall be severable from the Agreement in that jurisdiction without in any way invalidating the remaining provisions of the Agreement, and that unenforceability shall not make that provision unenforceable in any other jurisdiction. The rights which accrue to Genfare by virtue of the Agreement shall endure for the benefit of and be binding upon the successors and assigns of Genfare. The Agreement shall be governed by the laws of the State of Illinois, however Genfare may enforce the provisions of the Agreement in accordance with the laws of the jurisdiction in which the Products are situated. The United Nations Convention on the Sale of Goods (the Vienna Convention) shall not apply to the Agreement.

ATTACHMENT A- WARRANTY

1. GENERAL TERMS

- 1.1 Subject to the provisions of this Warranty, Genfare warrants that the equipment and software described in Paragraph 1.2 shall conform to their specifications in all material respects and that the equipment shall be free from material defects in materials and workmanship.
- 1.2 This Warranty applies to all original purchases of new Genfare supplied equipment and spare parts, including licensed software (collectively the "Equipment"). This Warranty does not apply to any subscriptions purchased by customer.
- 1.3 The "Warranty Period" shall begin on the earliest of (a) the date of delivery of the Equipment if the equipment is not to be installed, (b) the date of installation completion by a Genfare, or Genfare approved technician, or (c) the date the Equipment is placed into revenue service, and shall end (y) twelve (12) months thereafter for equipment purchases and (z) ninety (90) days thereafter for any spare parts purchases; provided, however, that the Warranty Period for Equipment purchased under Genfare's Upgrade/Reconditioning Program that has been reconditioned or refurbished shall end 6 months after commencement, unless otherwise specified in writing by Genfare.

2. RETURN OF EQUIPMENT UNDER WARRANTY

- 2.1 If an item of Equipment malfunctions or fails in normal use within the applicable Warranty Period:
- 2.2 Customer shall promptly notify Genfare of the problem and the serial number of the defective item;
- (a) Genfare shall, at its option, either resolve the problem over the telephone, or provide Customer with authorization to ship the defective item to Genfare;
- (b) if Genfare provides Customer with authorization to ship the defective item to Genfare, Customer shall attach a return tag with a description of the fault. Customer shall, at its cost, properly pack the item to be returned, prepay the insurance and shipping charges, and ship the item to the specified Genfare Service Center;
- (c) Genfare shall either repair or replace the returned item. The replacement item may be new or refurbished; if refurbished, it shall be equivalent in operation to new Equipment. If a returned item is replaced by Genfare, the Customer agrees that the returned item shall become the property of Genfare;
- (d) Genfare shall, at its cost, ship the repaired item or replacement to the Customer. If the Customer has requested express shipping, the Customer shall pay Genfare an expediting fee.
- 2.2 Equipment which is repaired or replaced by Genfare under this Warranty shall be covered under all of the provisions of this Warranty for the remainder of the applicable Warranty Period or ninety (90) days from the date of repair or replacement, whichever is longer.
- 2.3 A failure is defined as a malfunction of a given device or component in the Equipment that renders the Equipment inoperative and/or unsuitable for the intended purpose.
- 2.4 It is understood that Genfare shall be responsible for the costs of all materials and labor, except as provided herein. It is further understood that the costs of discovery of the problem associated with a given item of Equipment and the costs associated with the removal and installation of the defective part shall be the responsibility of Customer.

3. TELEPHONE TECHNICAL ASSISTANCE. During the applicable Warranty Period, Genfare shall provide the Customer with over-the-telephone technical fault analysis. Genfare shall not charge Customer for the first ten (10) calls per location per month, and may charge Customer for all additional calls.

4. UPGRADES. During the applicable Warranty Period, Genfare shall, at no charge, provide Customer with non-feature software updates to the version of Software installed at the Customer's location and, if the Equipment is sent to Genfare for Warranty repair, those revision level updates deemed necessary by Genfare. Non-feature software updates and revision level updates do not generally include additional equipment, such as hardware memory, which enables the upgrades to function in the existing Equipment of Customer. Customer may purchase this additional equipment from Genfare.

5. DEFAULT AND TERMINATION. Genfare may immediately terminate this Warranty and all of its performance under this Warranty, upon notification to Customer, if Customer: (a) makes any unauthorized modifications to the Equipment; (b) assigns or transfers the Customer's rights or obligations under this Warranty without the prior written consent of Genfare; (c) becomes bankrupt or insolvent, or is put into receivership; or (d) has not paid Genfare all amounts for services, advance replacement parts supplied under this Warranty, or other additional charges within thirty (30) days of receipt of written notice from Genfare. If this Warranty is terminated by Genfare, Customer shall remain liable for all amounts due to Genfare.

6. LIMITATIONS AND QUALIFICATIONS OF WARRANTY. This Warranty does not apply to normal consumable items, items which are replaced in usual and scheduled preventative maintenance such as light bulbs, nor does it apply to any damage, defect or failure caused by:

- (a) any part of the Equipment having been modified, adapted, transported or relocated by any person other than Genfare personnel, a Genfare authorized service agent or Genfare approved technician without Genfare's prior written consent;
- (b) improper installation, operation or maintenance by Customer or a third party;
- (c) storage or environmental characteristics which do not conform to the applicable sections of the appropriate Genfare Equipment Manual;
- (d) failure to conform with the Equipment Operating Instructions in the applicable Genfare Equipment Manual;
- (e) inaccurate or incomplete information or data supplied or approved by Customer;
- (f) external causes, including external electrical stress or lightning, or use in conjunction with incompatible equipment, unless such use was with Genfare's prior written consent;
- (g) cosmetic damage;
- (h) accidental damage, negligence, neglect, mishandling, abuse or misuse, other than by Genfare personnel, a Genfare authorized service agent or Genfare approved technician; or
- (i) Force Majeure (as defined in Genfare's Terms and Conditions of Sale).

7. LIMITATION ON DAMAGES.

- 7.1 THE WARRANTY STATED HEREIN ARE THE CUSTOMER'S SOLE AND EXCLUSIVE WARRANTY FOR THE EQUIPMENT. GENFARE SPECIFICALLY DISCLAIMS ALL OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE AND OF MERCHANTABILITY.**
- 7.2 EXCEPT AS OTHERWISE EXPRESSLY AGREED BY THE PARTIES, GENFARE SHALL NOT BE LIABLE IN TORT, INCLUDING LIABILITY IN NEGLIGENCE OR STRICT LIABILITY, AND SHALL HAVE NO LIABILITY AT ALL FOR INJURY TO PERSONS OR PROPERTY. GENFARE'S LIABILITY FOR FAILURE TO FULFILL ITS OBLIGATIONS UNDER THIS WARRANTY OR ANY OTHER LIABILITY UNDER OR IN CONNECTION WITH THE EQUIPMENT SHALL BE LIMITED TO THE AMOUNT OF THE PURCHASE PRICE OF THE EQUIPMENT.**
- 7.3 EVEN IF GENFARE HAS BEEN ADVISED OF THE POSSIBILITY OF THEM, GENFARE SHALL NOT BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS AND REVENUES, FAILURE TO REALIZE EXPECTED SAVINGS, ANY CLAIM AGAINST A CUSTOMER BY A THIRD PARTY, OR ANY OTHER COMMERCIAL OR ECONOMIC LOSSES OF ANY KIND.**

April 15, 2021

Thomas F. Logan, CCTM
Director of Regional Transit
Lower Rio Valley Development Council
510 S. Pleasantview Drive
Weslaco, TX 78596

Re: Farebox Purchase Sole Source

Dear Mr. Logan:

Pursuant to your request, I am pleased to offer the following reasons which justify a sole source purchase of additional Genfare fare collection equipment. Valley Metro is currently using farebox technology provided by Genfare. These fareboxes are operated in part with a services agreement with McAllen Metro Transit. Fare operations are also currently supported by Brownsville BMetro. Genfare has supplied revenue collection systems to both of these transit providers as well as Valley Metro. In addition, LRGVDC operates services that are complementary to transit services in both Brownsville and McAllen, and regional fare policy cooperation is helpful to all riders of the region.

Genfare is the only manufacturer and the only domestic distributor of the Fast Fare farebox and related security components as utilized in LRGVDC busses as well as those busses serving McAllen and Brownsville.

1. System Compatibility –

- a. Existing Infrastructure – The coaches at Valley Metro are already utilizing the Genfare farebox. The fleet of fixed route coaches at McAllen Metro are using on-board fare collection fareboxes originally provided by Genfare. The new Fast Fare components are compatible with the security systems of the existing LRGVDC and McAllen systems. These include the vault locking security along with computer data security and audit systems.
- b. Fare Security – Collected revenues are stored securely in audited removable cashboxes that employ a sophisticated system of revenue tracking, component monitoring and physical elements such as secure key combinations. Use of the Fast Fare equipment will ensure that revenue transfers may continue to be securely conducted at McAllen Metro and that appropriate reconciliation may continue.

- c. **Ticket Compatibility** –The ticket vending and onboard ticketing equipment use at BMetro and McAllen Metro all encrypt the pass information using a proprietary encoding format designed and engineered by Genfare to maximize security and minimize fraud. Tickets, passes, transfers and other documents issued by the two farebox models are compatible. Continued use of the existing ticket data format also eliminates the need to “swap-out” existing fare media with riders already holding passes. To ensure regional system interoperability, the tickets, transfers and passes must be implemented in the same secure data format. Genfare is the only authorized manufacturer that can provide this encoding to ensure system compatibility and security.
- d. **Reporting** - The encryption formatting described above also contains data that is used in reporting the fare type and usage to the Administrative Data Collection and Reporting System, which had also designed and provided by Genfare. In procuring from the same manufacturer as the existing equipment, all encrypted data will be gathered, read and reported in the existing Genfare Reporting System correctly.

2. **System Integration –**

- a. **Technical Integration** - As described above, the fareboxes together with the revenue consolidation vaults and the Electronic Fare Collection and Reporting Software comprise an integrated system. Over time the agency will need to adjust the system fare structure: changing the price, adding new ticket types or removing ticket types, and adding new types of media such as smartcards. In order to ensure the entire fare collection system is compatible with the desired change(s), the software/firmware of all devices must be compatible. By operating an integrated fare collection system from a single manufacturer, Valley Metro and McAllen Metro are assured that these changes can be made and will flow down correctly to all devices without re-customizing software and incurring major software rewrites each time a change needs to be made.
- b. **Integration Liability** – Until now, Valley Metro has used a single fare collection system provider (Genfare) who ensures system integration. Should multiple suppliers provide various components of the fare collection system, Valley Metro would assume system-wide integration / compatibility responsibility. The agency alone would be responsible for keeping its system design current with the developments among multiple providers.

3. **Fleet Compatibility –**

- a. **Service** – The farebox equipment requires a trained specialist to perform repairs. Valley Metro has trained technicians that have been performing the maintenance on the existing fareboxes; they would not have to be retrained for these added devices. When similar components are added, the service technician’s existing skills enable him to maintain the entire system reliably. Moreover there remains the proven resource for technical training and service bulletins.

- b. Spare Parts - The farebox and data probing systems contain highly specialized and proprietary components including microprocessor boards, power supply PC boards, PC control boards, and assemblies that impose a cost to the agency inventory. By utilizing the same manufacturer equipment as is currently being operated on the McAllen bus fleet, Valley Metro will be ensured of significant spare parts compatibility and will not have to run two completely separate sets of parts inventories.

4. **Delivery –**

- a. Genfare offers a 90-120 day delivery schedule, which any other perspective supplier would not be able to meet.

I trust the proceeding is acceptable and satisfactory for your purposes. If there are any additional questions please feel free to contact me for a prompt response.

Regards,



Laurence Chefalo
Director of Sales, Central Region

April 14, 2021

Thomas F. Logan, CCTM
 Director of Regional Transit
 Lower Rio Valley Development Council
 510 S. Pleasantview Drive
 Weslaco, TX 78596

Re: Fast Fare Pricing Comparison

Dear Mr. Logan:

You have asked for comparison to ensure that the prices quoted are reasonable and comparable to similar purchases made by other domestic transit authorities as sold recently. On the following list you will find information regarding similar procurements. Variations may be associated with differing options or total components involved in the contract. If you should have any further questions, please feel free to contact me.

End User	PO Number	Description	Qty	Unit Price	Ship Date
Corpus Christi RTA	3755392	G/A FAREBX, FAST FARE 32"-CORPUS CHRISTI	3	16,048.00	11/30/2020
Town of Huntington / Hart Bus	3201915-00	G/A FAREBX, FFARE-41" TRAINER HUNTINGTON	1	16,032.00	3/11/2021
City of Fargo	60948	G/A FAREBX, FAST FARE-FARGO 41"	1	15,835.00	1/14/2021
Town of Huntington / Hart Bus	3201915-00	G/A FAREBX, FAST FARE-41" HUNTINGTON,NY	5	15,732.00	3/11/2021
Lower Rio Grande Valley Development	31117	G/A FAREBX, FAST FARE-36" WESLACO LRGVDC	8	15,732.00	12/10/2020
Tyler Transit	JamesTorres	G/A FAREBOX, FAST FARE, 32"-TYLER TRANS	1	15,244.00	1/13/2021
City of Lodi	2210094	G/A FAREBOX, FAST FARE, 36"-LODI CITY,CA	5	15,182.00	12/8/2020
Metro Council Trans Operations	266515	G/A FAREBOX, FAST FARE 36"-MINNEAPOLIS	100	15,050.30	12/16/2020

Best regards,



Laurence Chefalo
 Director of Business Development, Central Region

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

D. Transportation

Valley Metro Status Report Tom Logan, Director

2. Consideration and **ACTION** to Approve Procurement of Building Security Camera Systems for Valley Metro Facilities

Staff requests Board approval to purchase building security camera systems from GTS Technology Solution to safeguard vehicles and facilities in Valley Metro inventory. The systems, which are cloud-based with a 5-year full support, will be installed at Edinburg Transit Terminal, Weslaco Transportation Building and Harlingen Transit Garage. The quoted price for the systems is \$133,602.26.

Purchase of these systems is made possible through cooperative procurement, and FTA grants will cover purchase at 100%, no local match is required.



GTS Technology Solutions, Inc.
 9211 Waterford Centre Blvd
 Suite 275
 Austin, TX, 78758
 Phone: (512) 452-0651

Quote

Quote #: QT0070586
 Date: 5/13/2021
 Delivery Date:
 Expire Date: 6/30/2021
 Customer ID: TXNEWC120001
 Sales Contact: Jonathan Wey

QUOTE FOR:			SHIP TO:			
GTS Technology Solutions			GTS Technology Solutions			
CUSTOMER P.O. NO.		TERMS		SALES REP		
LRGVDC		Net 30 Days		Tanner Funke		
SHIPPING TERMS			SHIP VIA			
NO.	ITEM	CONTRACT	QTY.	UOM	PRICE	EXTENDED PRICE
1	SERVICES: DEPLOYMENT CLIENT SE: Installation of Verkada Cameras at Harlingen Maintenance Shop	DIR-CPO-4754	20.00	EACH	\$2,008.46	\$40,169.20

11 Indoor Locations
 9 Outdoor Locations

BEST AND FINAL OFFER

Total Weight (EACH):	0	Sales Total:	\$40,169.20
Total Volume (EACH):	0	Freight & Misc.:	\$0.00

These prices do NOT include taxes, insurance, shipping, delivery, setup fees, or any cables or cabling services or material unless specifically listed above. All prices are subject to change without notice. Supply subject to availability.

Tax Total:	\$0.00
Total (USD):	\$40,169.20



GTS Technology Solutions, Inc.
9211 Waterford Centre Blvd
Suite 275
Austin, TX, 78758
Phone: (512) 452-0651

Quote

Quote #: QT0070588
Date: 5/13/2021
Delivery Date:
Expire Date: 6/30/2021
Customer ID: TXNEWC120001
Sales Contact: Jonathan Wey

QUOTE FOR:			SHIP TO:			
GTS Technology Solutions			GTS Technology Solutions			
CUSTOMER P.O. NO.		TERMS		SALES REP		
LRGVDC		Net 30 Days		Tanner Funke		
SHIPPING TERMS			SHIP VIA			
NO.	ITEM	CONTRACT	QTY.	UOM	PRICE	EXTENDED PRICE
1	SERVICES: DEPLOYMENT CLIENT SE: Installation of Verkada Cameras at Weslaco Transit Center	DIR-CPO-4754	27.00	EACH	\$2,095.22	\$56,570.94

13 Indoor Locations
14 Outdoor Locations

BEST AND FINAL OFFER

Total Weight (EACH):	0	Sales Total:	\$56,570.94
Total Volume (EACH):	0	Freight & Misc.:	\$0.00

These prices do NOT include taxes, insurance, shipping, delivery, setup fees, or any cables or cabling services or material unless specifically listed above. All prices are subject to change without notice. Supply subject to availability.

Tax Total:	\$0.00
Total (USD):	\$56,570.94



GTS Technology Solutions, Inc.
9211 Waterford Centre Blvd
Suite 275
Austin, TX, 78758
Phone: (512) 452-0651

Quote

Quote #: QT0070589
Date: 5/13/2021
Delivery Date:
Expire Date: 6/30/2021
Customer ID: TXNEWC120001
Sales Contact: Jonathan Wey

QUOTE FOR:			SHIP TO:			
GTS Technology Solutions			GTS Technology Solutions			
CUSTOMER P.O. NO.		TERMS		SALES REP		
LRGVDC		Net 30 Days		Tanner Funke		
SHIPPING TERMS			SHIP VIA			
NO.	ITEM	CONTRACT	QTY.	UOM	PRICE	EXTENDED PRICE
1	SERVICES: DEPLOYMENT CLIENT SE: Installation of Verkada Cameras at Edinburg Terminal	DIR-CPO-4754	17.00	EACH	\$2,168.36	\$36,862.12

5 Indoor Locations
12 Outdoor Locations

BEST AND FINAL OFFER

Total Weight (EACH):	0	Sales Total:	\$36,862.12
Total Volume (EACH):	0	Freight & Misc.:	\$0.00

These prices do NOT include taxes, insurance, shipping, delivery, setup fees, or any cables or cabling services or material unless specifically listed above. All prices are subject to change without notice. Supply subject to availability.

Tax Total:	\$0.00
Total (USD):	\$36,862.12

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

D. Transportation

Valley Metro Status Report Tom Logan, Director

3. Consideration and **ACTION** to Approve Procurement of a Routematch/UBER Software Upgrade

Staff requests Board approval to purchase the available Routematch/UBER Software License/MOD SaaS, along with the Implementation Fee to upgrade legacy Routematch software along with additional training, and an increase in user licenses. This software upgrade will Enhance End-User Experience with Valley Metro Transit Service by providing real-time ride scheduling and vehicle monitoring under the UBER brand. The quoted price for the purchase is \$64,600.00.

Purchase of these parts will be made using a combination of FTA and TxDOT grants. Grants will cover purchase at 100%, local match will be in the form of (Transportation Development Credits) TDC.

Lower Rio Grande Valley Development Council

Sole Source Justification Form

In accordance with Section 3-205/3-206 of the LRGVDC Procurement Policy Manual, sole source procurement, may be used when the award is not feasible under small purchase, competitive bidding or negotiated procurement procedures.

Sole source procurement is limited to the following:

(Please select one)

_____a. Public exigency or emergency;

___xx___b. Where the item is available from only a single source;

_____c. If, after soliciting a number of sources, competition is deemed inadequate.

Emergency Procurements

A procurement qualifies as an emergency if:

a. A public calamity requires the prompt purchase of items to provide for public needs or preserve property;

b. The item is necessary to preserve or protect the public health or safety of residents; or

c. The item is made necessary by unforeseen damage to public property.

Item Description:	Professional Services and products		
Amount:	\$64,600.00		
Vendor:	Routematch by Uber Software		
Justification Statement:	Allowing Routematch by Uber to provide licenses and the on-demand SaaS solution as a sole source is necessary because Routematch is the only vendor who can provide user licenses that will integrate into the Routematch core application to allow for the cross-dispatching of trips for Valley Metro. The integration in-progress of the on-demand solution with the core application is an additional justification for sole source, as this is the only on-demand solution that will be capable of integrating with the Routematch core demand solution currently owned by LRGVDC/Valley Metro. Valley Metro found this to be the best and only software package that would deliver all of the results needed.		
Signature:	Armando Perez Jr.	Date:	04-29-2021

Thomas Logan, CCTM
Director of Regional Transit
Lower Rio Grande Valley Development Council
510 South Pleasantview Drive
Welasco, TX 78569

SUBJECT: Lower Rio Grande Valley Development Council – Valley Metro (LRGVDC)
Sole Source Justification for Routematch by Uber user licenses and
On-Demand SaaS solution.

To Whom It May Concern:

Per your request, I am pleased to provide the following reasons which justify a sole source purchase of the Routematch by Uber On-Demand SaaS solution and additional user licenses. The original agreement between Routematch and LRGVDC started in 2012 with the deployment of the Routematch TS Solution, Notifications, and Customer Web Portal and has continued to grow from there with the addition of RMMobile and in-vehicle devices for drivers in 2016.

Justification for Sole Source

Allowing Routematch by Uber to provide user licenses and the on-demand SaaS solution as a sole source procurement is necessary and in the best interest of LRGVDC because: Routematch is the only vendor who can provide user licenses that will integrate with the Routematch system and the on-demand solution is currently being integrated into the Routematch core application to allow for the cross-dispatching of trips. The integration in-progress of the on-demand solution with the core application is an additional justification for sole source, as this is the only on-demand solution that will be capable of integrating with the RM core demand solution currently owned by LRGVDC. This circumstance provides justification for LRGVDC to purchase user licenses as well as the on-demand solution from Routematch.

Kind Regards,

Cody Cornwell

Cody Cornwell
Senior Account Executive

Software Licenses			
Product	Quantity	Invoiced	Fees
MOD SaaS Per Vehicle Platform Access - \$350/veh/month (24 month pilot for 3 vehicles)	3	Once, upon activation	\$25,200
Demand Application - Automated Scheduling - User License	6	Once, upon activation	\$22,500
ASP - Cloud Services User License (Years 1 & 2)	6	Once, upon activation	\$14,400
Partnership Incentive off licenses - 100%	-	N/A	-\$22,500
Subtotal			\$39,600
Professional Services			
Product	Hours	Invoiced	Fees
MOD SaaS Implementation Fee	1	Upon completion	\$25,000
Subtotal			\$25,000
First 2 Year Total			\$64,600
Ongoing Fees (beginning year 3)			
Cloud Hosting - User Licensing	6	Annually, 60 days in advance	\$7,200
OPTIONAL - MOD SaaS Per Vehicle Platform Access - \$350/veh/month (1 year for 3 vehicles)	3	Annually, 60 days in advance	\$12,600
			\$19,800

The above quote is representative of an extension of the current technology system operated by LRGVDC.

Lower Rio Grande Valley Development Council
Board of Directors Meeting

Wednesday, May 26, 2021

Item #5: Department Reports

D. Transportation

Valley Metro Status Report Tom Logan, Director

- TxDOT Annual Review Results

In April, Valley Metro completed the TxDOT Annual Compliance Review, which is an oversight function implemented to ensure compliance with regulations tied to Section 5310, 5311 and 5339 and State Funded Grant Agreements. Valley Metro was reviewed on eleven (11) facets including Project Management, Financial Management and Capacity, and Procurement (see appendix), resulting in a near-perfect score (10 out of 11), with the opportunity being an extremely minor discrepancy regarding scheduled versus actual preventive maintenance.

- Ridership Report

Both the rural and urban transit systems are in operation and all systems are monitored daily. For the month of April 2021, ridership for the urban system, which operates Monday through Saturday in the urban areas of Cameron, Hidalgo, and Starr Counties has been averaging **2,492** 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 **1,564** passengers per week for the month of April.

- COVID-19 Precautionary Measures

- Facial-mask requirement for all passengers, even those who have already been vaccinated
- Reduced passenger capacity to enhance social-distancing
- Daily cleaning with CDC-approved disinfectant
- Usage of rear-doors to board/deboard passengers
- Cordoning-off driver area
- Installation of hand sanitizer dispensers inside buses
- Issuing safety memos to staff

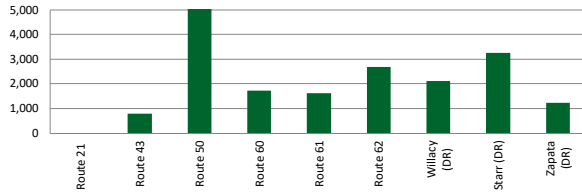
- Regional Transportation Advisory Panel (RTAP) Activity

The RTAP met in August to discuss regional planning and service coordination. The next RTAP meeting is scheduled for Tuesday, May 25, 2021 at 10:00 am via Microsoft TEAMS video conferencing.

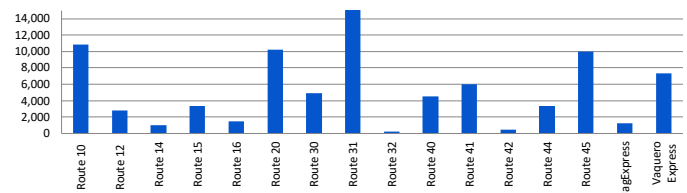


LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL Valley Metro Service Summary FY 2021 April

RURAL Ridership by Route

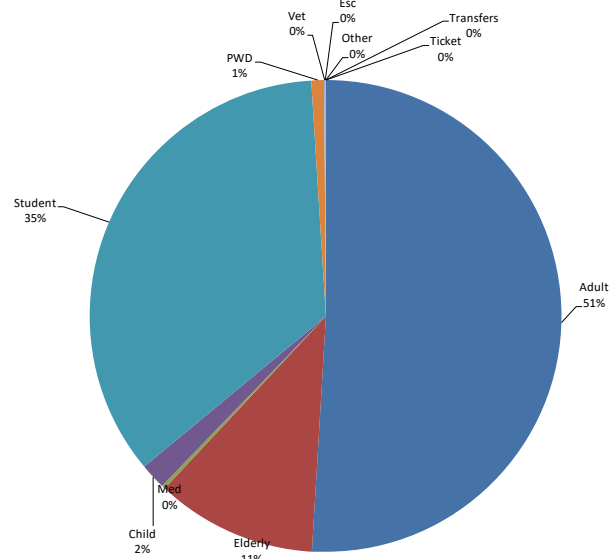


URBAN Ridership by Route



	Route	Total Passenger Trips	Route Activity	Area(s) Served
RURAL	Route 21	0	0%	Sullivan City, West Hidalgo County
	Route 43	784	1%	South Cameron County
	Route 50	18,921	14%	Brownsville, Port Isabel
	Route 60	1,717	1%	Roma, Rio Grande City
	Route 61	1,613	1%	Rio Grande City
	Route 62	2,687	2%	Rio Grande City
	Willacy (DR)	2,111	2%	Willacy County
	Starr (DR)	3,251	2%	Starr County
	Zapata (DR)	1,238	1%	Zapata County
URBAN	Metro Express	13,334	10%	Rio Grande Valley
	Route 10	10,814	8%	Edinburg
	Route 12	2,807	2%	Edcouch, Elsa, Edinburg
	Route 14	998	1%	Edinburg
	Route 15	3,344	2%	Edinburg
	Route 16	1,505	1%	Edinburg
	Route 20	10,185	7%	Mission
	Route 30	4,879	4%	Pharr, San Juan
	Route 31	21,601	16%	Hidalgo County
	Route 32	264	0%	Donna
	Route 40	4,494	3%	Harlingen
	Route 41	5,970	4%	Harlingen
	Route 42	443	0%	San Benito
	Route 44	3,318	2%	Primera, La Feria, Santa Rosa
	Route 45	9,950	7%	Cameron County
	JagExpress	1,254	2%	Weslaco, Pharr, McAllen
	Vaquero Express	7,281	5%	Edinburg
	Hidalgo	144	0%	City of Hidalgo
TOTAL		134,907	100%	

Ridership Breakdown by Category



FY 2020 Sept-April
556,322

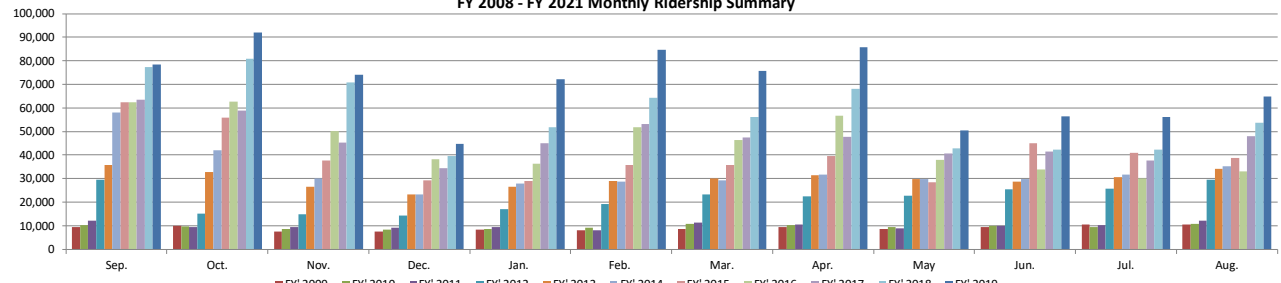
YEAR TO DATE RIDERSHIP REPORT
FY 2021 Sept-April
134,907

DIFFERENCE
-421,415

% DIFFERENCE
-76%

* Rural service - service in rural low -population areas outside of urbanized areas
* Urban service- service between or within urbanized areas

FY 2008 - FY 2021 Monthly Ridership Summary



Fiscal Year	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Total	Difference	%Change
FY* 2008	9,978	4,927	4,378	4,077	9,057	9,065	8,832	9,195	9,624	9,031	8,706	9,568	96,438	45,095	88%
FY* 2009	9,538	9,913	7,540	7,562	8,323	8,113	8,567	9,344	8,720	9,363	10,483	10,428	107,894	11,456	12%
FY* 2010	10,274	9,702	8,580	8,471	8,670	9,204	10,836	10,274	9,566	10,107	9,537	10,931	116,152	8,258	8%
FY* 2011	12,184	9,480	9,336	9,254	9,445	8,016	11,255	10,460	8,801	10,046	10,176	12,111	120,564	4,412	4%
FY* 2012	29,644	15,256	14,982	14,267	17,057	19,196	23,184	22,450	22,827	25,436	25,807	29,518	259,624	139,060	115%
FY* 2013	35,707	32,758	26,634	23,293	26,542	28,858	30,087	31,465	29,911	28,744	30,596	34,255	358,850	99,226	38%
FY* 2014	58,118	41,893	30,069	23,338	28,011	28,593	29,386	31,638	29,761	29,806	31,733	35,241	397,587	38,737	11%
FY* 2015	62,315	55,976	37,648	29,214	29,063	35,854	35,785	39,503	28,431	45,056	40,891	38,683	478,419	80,832	20%
FY* 2016	62,317	62,627	50,274	38,130	36,305	51,887	46,286	56,675	37,990	33,822	30,148	32,939	539,400	60,981	13%
FY* 2017	63,305	58,773	45,397	34,433	45,012	53,051	47,542	47,628	40,601	41,409	37,719	47,917	562,787	23,388	4%
FY* 2018	77,255	80,744	70,823	39,507	51,877	64,209	56,076	68,058	42,956	42,169	42,264	53,725	689,663	126,876	23%
FY* 2019	78,440	91,930	74,137	44,709	72,199	84,562	75,604	85,670	50,318	56,330	56,234	64,773	834,906	145,243	21%
FY* 2020	91,929	98,308	83,799	56,545	78,630	89,404	46,276	11,431	15,009	17,932	14,182	16,121	619,566	-215,340	-26%
FY* 2021	17,146	16,894	15,751	16,072	16,620	14,593	19,164	16,231	0	0	0	0	132,471	-702,435	-84%
Monthly Change from Previous FY	-74,783	-81,414	-68,048	-40,473	-62,010	-74,811	-27,112	4,800	-50,318	-56,330	-56,234	-64,773	-702,435	18,367	2%
% Change	-81%	-83%	-81%	-72%	-79%	-84%	-59%	42%	-335%	-314%	-397%	-402%	-125%	79%	51%

FY 2018 URBANIZED PERFORMANCE MEASURES*

COST EFFECTIVENESS
Cost per revenue mile =
Cost per revenue hour =
Cost per passenger =

\$2.40 State Avg. = \$4.85
\$46.22 State Avg. = \$73.39
\$4.16 State Avg. = \$5.21

SERVICE EFFICIENCY

Passengers per revenue mile = 0.58 State Avg. = .93
Passengers per revenue hour = 11.12 State Avg. = 14.10

FY 2018 NONURBANIZED PERFORMANCE MEASURES*

COST EFFECTIVENESS
Cost per revenue mile =
Cost per revenue hour =
Cost per passenger =

\$3.03 State Avg. = \$2.99
\$71.08 State Avg. = \$59.91
\$14.83 State Avg. = \$20.21

SERVICE EFFICIENCY

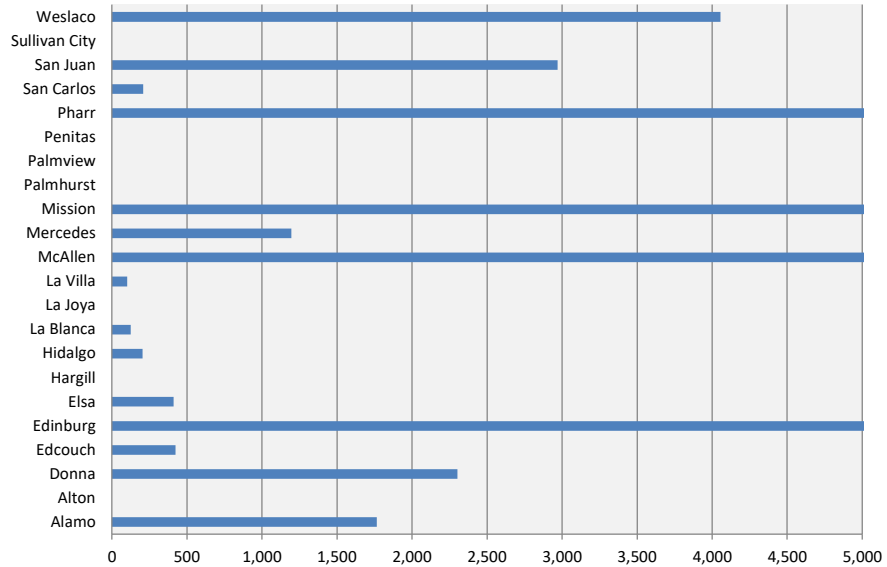
Passengers per revenue mile = 0.20 State Avg. = .15
Passengers per revenue hour = 5.44 State Avg. = 2.96

Distribution of Ridership

Hidalgo County

Alamo	1,765
Alton	0
Donna	2,302
Edcouch	424
Edinburg	20,757
Elsa	410
Hargill	0
Hidalgo	203
La Blanca	126
La Joya	0
La Villa	101
McAllen	21,020
Mercedes	1,196
Mission	5,484
Palmhurst	0
Palmview	0
Penitas	0
Pharr	5,917
San Carlos	209
San Juan	2,970
Sullivan City	0
Weslaco	4,056
Total	66,940

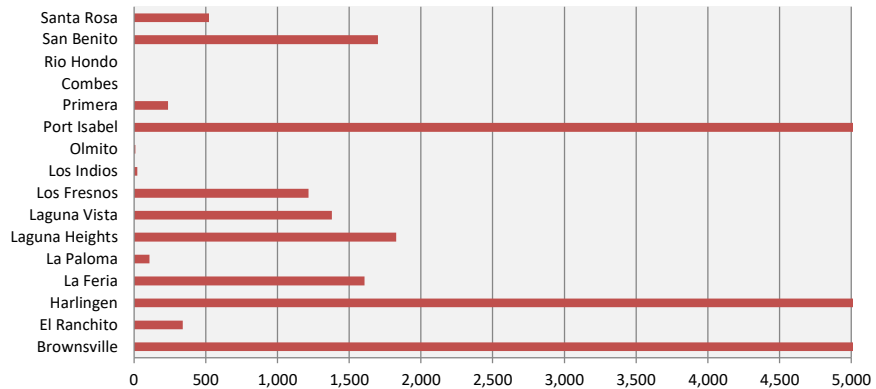
Hidalgo County by Cities



Cameron County

Brownsville	20,495
El Ranchito	340
Harlingen	15,643
La Feria	1,606
La Paloma	106
Laguna Heights	1,827
Laguna Vista	1,379
Los Fresnos	1,217
Los Indios	22
Olmito	8
Port Isabel	7,872
Primera	237
Combes	0
Rio Hondo	0
San Benito	1,699
Santa Rosa	522
Total	52,973

Cameron County by Cities



Willacy County

Total	2,111
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Starr County

Total	9,268
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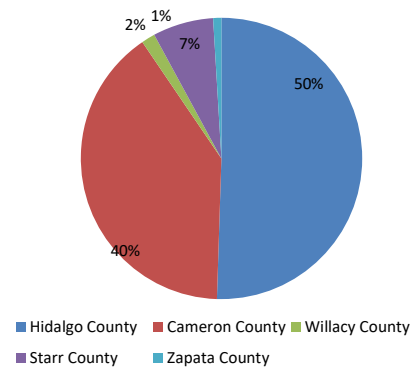
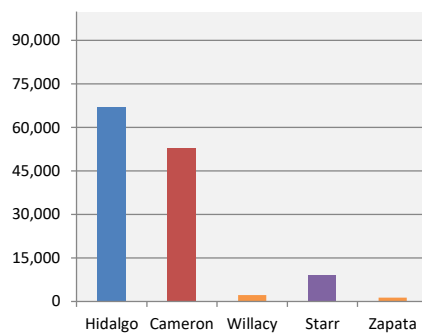
Zapata County

Total	1,238
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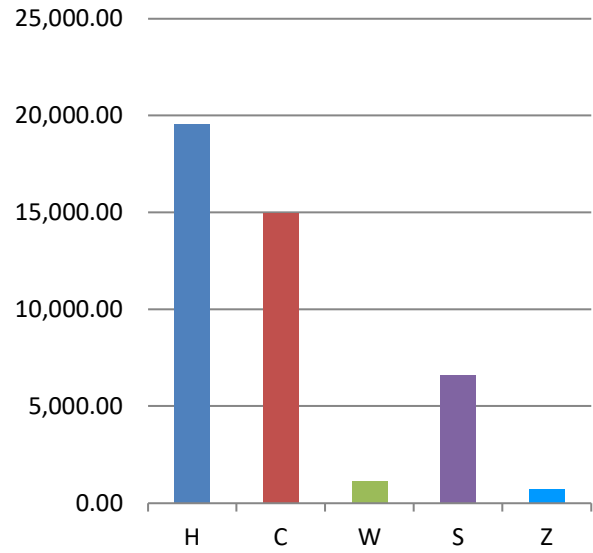
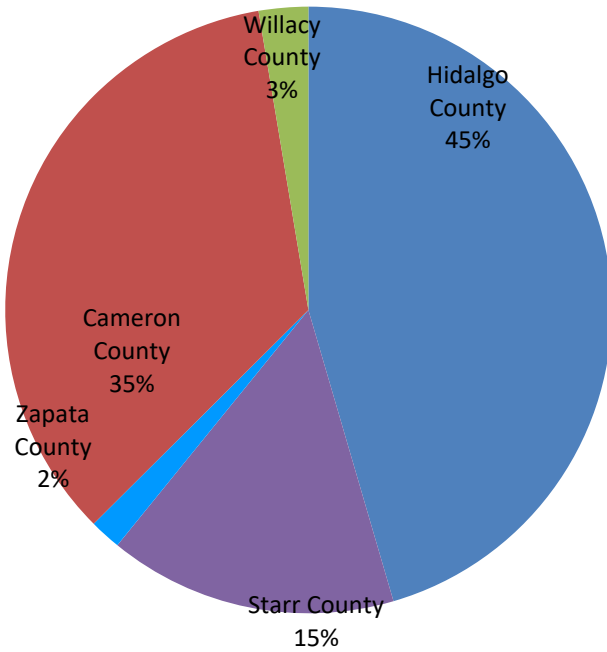
SYSTEM TOTAL

132,530

Ridership by County

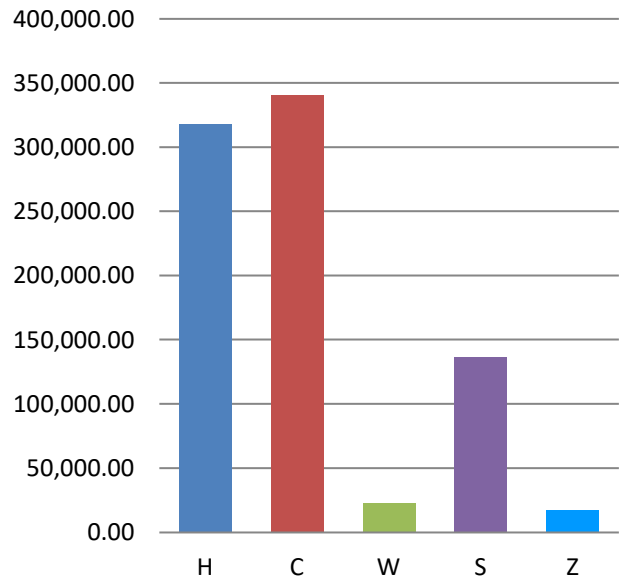
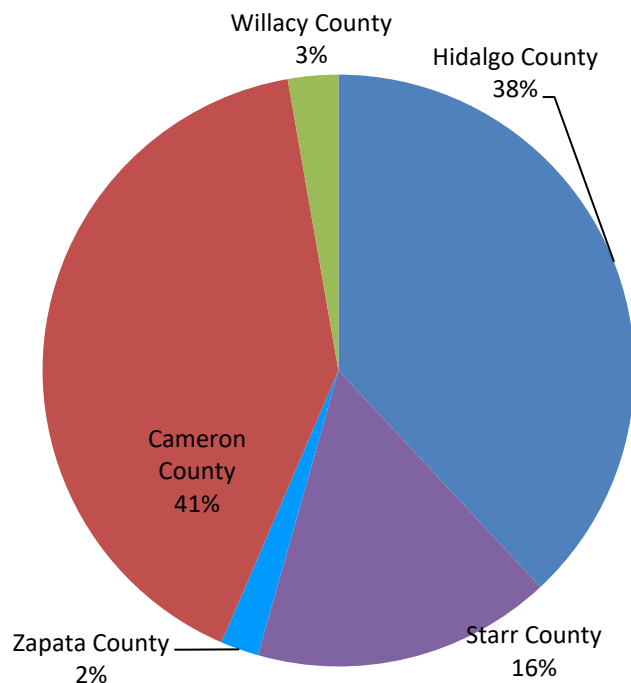


Distribution of Revenue Hours



Revenue Hours Provided	
Hidalgo County	19,525.00
Starr County	6,603.00
Zapata County	721.54
Cameron County	14,950.00
Willacy County	1,130.00
Total Revenue Hours	42,929.54

Distribution of Revenue Miles



Revenue Miles Provided	
Hidalgo County	317,871
Starr County	136,640
Zapata County	17,350
Cameron County	340,545
Willacy County	23,040
Total Revenue Miles	835,446



**FY 2021 TSTC
Valley Metro Routes
Monthly Cumulative Passenger Counts**

Routes	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Total
10	0	0	0	0	0	0	0	0					0
12	0	0	0	0	0	0	0	0					0
14	0	0	0	0	0	0	0	0					0
31	0	0	0	0	2	0	0	0					2
40	0	0	0	0	0	0	0	0					0
41	0	0	0	0	0	0	0	0					0
42	0	0	0	0	0	0	0	0					0
43	0	0	0	0	0	0	0	0					0
44	6	4	7	3	1	0	1	0					22
45	9	16	10	6	11	2	1	3					58
50	0	0	0	0	0	0	0	0					0
Willacy	0	0	0	0	0	0	0	0					0
Total	15	20	17	9	14	2	2	3	0	0	0	0	82
Change Over Previous Month		5	-3	-8	5	-12	0	1	-3	0	0	0	-15

TSTC Student Ridership

